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**TOWN OF BURLINGTON**  
*Conservation Commission Meeting Minutes*

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**DEPT. /BOARD: Conservation Commission**

**DATE: October 26, 2023**

**TIME: 6:30 PM**

**PLACE: 29 Center Street – Town Hall – 2nd Floor Main Hearing Room**

**Member(s) in attendance:** Bill Boivin, Rob Sheahan, Ed LoTurco, Kent Moffatt, Sarah Wollinski

**Member(s) absent:** Larry Cohen, Indra Deb

Conservation Administrator John Keeley and Assistant Conservation Administrator Eileen Coleman were also present.

THE MEETING WAS BROADCAST LIVE ON THE BCAT GOVERNMENT CHANNEL

*Approved at the November 9, 2023 Conservation Commission meeting*

**1. Call Meeting to Order**

Mr. Boivin called the meeting to order at 6:30 PM and read a statement about public participation and technology. On a roll call, Bill Boivin, Kent Maffatt, Rob Sheahan, Ed LoTurco, and Sarah Willinski indicated they were present.

**2. Public Comments**

There was no one present for public comment.

**3. Approval of Minutes – September 28, 2023 | October 12, 2023**

**MOTION-** To approve the Minutes from the 9/28 meeting of the Commission. The Motion was passed unanimously by a vote of 5-0-0.

**4. Request for Determination of Applicability**

a. 25 Westwood Street – Toshihiro Shioda – Cut & prune trees



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Mr. Shioda was present to speak about the project which he described as the removal and pruning of trees and branches on his property. The project would take place within the riverfront area and 100' bufferzone to vegetated wetlands.

Mr. Keeley stated that after a site visit a majority of the trees in question are in poor condition, except for #2 and #3 which he believes should be left in place. None of the commissioners had an issue with the tree removal but were insistent that there be no stump grinding on the riverbank.

Ms. Coleman read the findings which indicated that the resource area was not delineated and that there is no additional work to be done on the property not approved by the Commission. The applicant may proceed with the removal of 5 tree removals and the pruning of 2 trees on the property.

**MOTION-** To approve the Request for Determination of Applicability for the project at 25 Westwood Street. The Motion was passed unanimously by a vote of 5-0-0.

### **5. Continued Public Hearing – Abbreviated Notice of Resource Area Delineation – 252 Fox Hill Road – Town of Burlington – Resource area boundary confirmation – DEP #122-692**

Ms. Amy Ball, Senior Associate with Horsley Witten Group, was present on behalf of the project.

Mr. Keeley explained that minor changes affecting only Wetland 1 were applied to the Plan.

There was no one present for public comment.

**MOTION-** To close the Public Hearing for the ANRAD at 252 Fox Hill – DEP #122-692. The Motion was passed unanimously by a vote of 5-0-0.

**MOTION-** To approve the findings as described. The Motion was passed unanimously by a vote of 5-0-0.

**MOTION-** To Issue the Order of Resource Area Delineation The Motion was passed unanimously by a vote of 5-0-0.

### **6. Continued Public Hearing – Notice of Intent – 29 Gedick Road – GRH Homes, LLC – Demolish existing dwelling & construct new dwelling – DEP #122-691**

Mr. Greg Hickox, owner of GRH homes, was present in the meeting.



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Ms. Coleman stated that the plan had been updated with the chambers in order to save two trees and that there was no need for the rail and post fence shown in the original plan.

She proceeded to read the draft decision and described the project as a tear down rebuild of a single family home on Gedick Road which will occur within 100' of vegetated wetlands, also the riverfront area of a regulated stream.

The proposed house is set to be beyond the minimum front setback and the rear of the house is planned to be 100' from the edge of the BVW and the streambank as delineated by Norse Environmental but work would occur within the buffer zones. The existing treeline about 40' from the riverbank will remain untouched. The applicant has requested 5 trees be removed from the yard and two maples be pruned.

The project is largely exempt from Massachusetts Stormwater Regulations, however the applicant did comply with the wetlands bylaw regulations by infiltrating into a storm trench and underground chambers. The permit would serve as the permit under the Erosion & Sedimentation Control Bylaw and a \$3,500 bond.

The Conditions were largely standard and understood by the applicant and included the barring of dewatering unless a plan is submitted to Conservation Staff and mandated the implementation of erosion controls.

**MOTION-** To close the hearing for the project at 29 Gedick Road – DEP #122-691. The Motion was passed unanimously by a vote of 5-0-0.

**MOTION-** To Approve the Findings of the NOI for the project at 29 Gedick Road – DEP #122-691. The Motion was passed by a vote of 4-0-1 as Ms. Wollinski abstained.

**MOTION-** To Approve the Conditions for the project at 29 Gedick Road – DEP #122-691. The Motion was passed by a vote of 4-0-1 as Ms. Wollinski abstained.

**MOTION-** To Approve the security of \$3,500 at 29 Gedick Road – DEP #122-691. The Motion was passed by a vote of 4-0-1 as Ms. Wollinski abstained.

### **7. Public Hearing – Notice of Intent – 36 Cambridge Street – Salem Five Bank – Demolish building & construct new building – DEP #pending**

Mr. **Matt Bombaci** with Bohler Engineering was present representing Salem Five Bank and Mr. **John Kucinski** was in the audience. He described the project as an existing building in need of rehabilitation. The project does not propose any work within the adjacent wetland area but the site is within the 100' bufferzone and within the 200' riverfront area of Little Brook, a perennial stream.



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The project includes the demolition of the existing bank building as well as 19 parking spaces and the reconstruction of a new 2,300 sq. ft bank building with 11 parking spaces. The applicant is proposing improvements to stormwater runoff including increased pervious area, connections to the wetland area and deep sump hooded catch basins, as well as the possibility of installing a rain garden.

Ms. Coleman expressed concern regarding the riverfront area, which was not mentioned in the application, and that the Stormwater and Wetlands bylaw and regulations were not initially being followed. She requested that any trees installed shall be straight native, not cultivars, and planting an environmentally friendly grass seed mix.

Mr. Keeley suggested that the applicant remove an infestation of knotweed in the area where a rain garden would be installed.

The Commissioners generally were pleased with the plan and Mr. Boivin suggested some shrubs or vegetation be implemented by the roadside running towards the neighboring car dealership. He also suggested that the applicant consider the installation of a heat pump or other renewable energy source such as solar.

**MOTION**- To continue the hearing until the 11/09 meeting of the Commission. The Motion was passed unanimously by a vote of 5-0-0.

### **8. Public Hearing – Notice of Intent – 168 Middlesex Turnpike, rear Second Avenue, 23 Fourth Avenue, 52-54 Third Avenue – Nordblom Company – Parking lot reconfiguration – DEP #pending**

Mr. Kris Dalen of Nordblom Management Company as well as Civil Engineers Drew Gallant, and Brian Timm of RJ O’Connell and Associates were present at the meeting

Mr. Dalen explained the project including a traffic calming safety initiative for a shared parking lot area at Northwest Park. Mr. Gallant explained that there is a bordering land subject to flooding in the vicinity of where the parking lot reconstruction would take place. The applicants propose a 5-foot concrete walkway from 4th Avenue towards the project space which would connect to an existing sidewalk. To create the walkway a small wall will be installed and the area would be regraded which would affect flood storage, the applicants plan grading that will increase flood storage by 60 cubic feet. Impervious area would be increased by approximately 320 sq. feet, and two deep sump catch basins will be constructed.



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Mr. Keeley explained that bordering land subject to flooding requires compensation at each elevation for grade changing and requested further information regarding the subject from the applicants. He cited the relatively low increase in impervious surface and the presence of robust underground catch basins as well as a local rain garden as indicators that there will be a negligible impact on stormwater runoff. The Commissioners requested a planting plan for the area be created.

**MOTION-** To Continue the hearing until the next meeting of the Commission on 11/09/2023. The Motion was passed unanimously by a vote of 5-0-0.

### **9. Discussion – 84 Wilmington Road – DEP # 122-683 – Additional land clearing**

Ms. Manalisha Bora of 84 Wilmington Road was present to speak about the project.

Ms. Coleman briefly described the situation as more trees and moss being removed than were previously agreed to. There was discussion about how to mitigate the situation and what kinds of plantings and vegetation shall be implemented. Mr. Keeley suggested that a planting plan be created and shared with the Commission.

### **10. Ratify an Emergency Certification for beaver dam breaching at Rahanis Park**

**MOTION-** To ratify the previously agreed to Emergency Certification for Eastern Middlesex Mosquito control. The Motion was passed unanimously by a vote of 5-0-0.

### **11. Administration**

a. There were no significant Planning Board comments.

b. Ms. Coleman gave the Subcommittee & staff reports and updates. She mentioned that an enforcement order was recently issued regarding the removal of trees that were not approved to be taken down within the floodplain of a stream.

**MOTION-** To issue an enforcement order to 10 Spring Valley Road due to unapproved removal of trees in the riverfront area.

c. Other business included updates from the Fox Hill School project given by Mr. Boivin. He outlined parts of the project for the Commission.

d. Upcoming meetings: November 9, 2023 | December 14, 2023



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12. Adjourn

MOTION- To adjourn the meeting. The Motion was passed unanimously by a vote of 5-0-0.

*Respectfully submitted by Tom Prior, Recording Clerk*