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Conservation Commission

Minutes

January 11, 2023

Members Present: Lori Chekal, Chair, Randy Mason, Melissa Campbell; Tomas Sanchez, Vice Chair; Jim Cheney

Staff Present: Leah Basbanes, Conservation Agent; Jennifer Ryan, Administrative Assistant

Tomas Sanchez, Vice Chair, called the Wednesday, January 11th, meeting of the Conservation Commission to order at 6:00 PM, by reading the following statement:

On July 16, 2022, Lt. Governor Polito signed into law the extension of An Act Extending Certain COVID-19 Measures Adopted during the State of Emergency. This Act includes an extension, until March 31, 2023, of the remote meeting provisions of the March 12, 2020, Executive Order Suspending Certain Provisions of the Open Meeting Law. The new law allows public bodies to continue providing live "adequate, alternative means" of public access, i.e. Zoom, to the deliberations of the public body. The law also authorizes all members of a public body to continue participating in meetings remotely.

In accordance with the Open Meeting Law, the Conservation Commission states for the record that this meeting is being recorded and may be recorded by other individuals or media. The public can listen/view/participate in this meeting while in progress by joining the Zoom meeting as posted on the Town website. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment.

The Zoom meeting ID is 849 6692 2243

Further information and the plans for each agenda item may be found on the Town Website
Home » Boards & Committees » Conservation Commission»Public Hearings

Minutes

12/14/22 meeting.

Motion made by Randy Mason, seconded by Melissa Campbell,
voted 4-0 to approve 12/14/22 minutes.

Certificate of Compliance

21 Bishops Way (245-1697) pool. Leah Basbanes stated the project has been completed and the site is stable. An as-built sketch has been provided showing compliance with the plan. Ms. Basbanes recommended issuance of the COC. (Sketch provided because the original plan submitted with NOI was not engineered but detailed enough to be acceptable. If an engineered plan was not originally provided then one is not needed for the COC).

Motion made by Randy Mason, seconded by Melissa Campbell,
voted 5-0 to approve the Certificate of Compliance.

Request for Determination of Applicability

3 Putnam Road proposed addition and new septic. Mr. Kavanaugh was present and explained that the property has no wetlands as previously flagged in 2007. An abutter wanted confirmation on where the wetlands were located and Ms. Basbanes also wanted confirmation that the wetland resource area was more than 100' away from the anticipated work (addition and septic) which will be done in the spring. Norse Environmental went out there and flagged the wetlands, with permission of the property owner, and determined 100% of the subject property is out of the buffer zone. Previously in 2007 the excavated ditch from the outfall of a town drainage pipe was considered a wetland. There is an outstanding Order of Conditions on the property which needs to be closed out. Leah recommends a Negative 1 Determination.

Motion made by Randy Mason, seconded by Melissa Campbell,
voted 5-0 to approve the Request for Determination of Applicability Negative 1 with no special conditions.

Public Hearings

221 Haverhill Street (245-1727) proposed addition to existing garage. Luke Roy, LJR Engineering present on behalf of the applicant, Simone Franco. Mr. Roy reminded the Board that this has been continued and he has heard the Commissions feedback and has addressed some issues. With regard to the revised Site Plan, the new proposed measurements and improvements to the 100' buffer are: the currently compacted gravel area/storage area will be removed and loam and seed planted in that entire area; the other area of the compacted

gravel will be scraped down and a 4" minimum thickness of rounded stone will be applied to that area. Lastly, he proposed that the no disturb area will be rejuvenated – replacing any dead plants, amending the soils as needed and applying additional seed mix to get that re-established and properly vegetated. In addition, he explained that the area behind the garage will be pervious, well-draining areas and he also mentioned the pool had been removed from the proposal. Mr. Mason asked about the revised calculations and Mr. Roy said the way they calculated it – they arrived at 21.1% impervious – assuming the large paver driveway area is to be 65% pervious as previously documented and that it was a pervious paver system that was installed. Discussion was had with regard to aqua brick, 6 Pickard Lane with Jim Kavanaugh, and the perviousness to those types of pavers. Mr. Mason expressed concern about removing the compact gravel to the left of the garage and how it will stay un-compacted with the rounded stone if equipment is being driven back there. Mr. Roy answered by saying that the rounded stones do not compact in the same as angular stones.

Motion made by Randy Mason, seconded by Tomas Sanchez,
voted 5-0 to issue a standard Order of Conditions.

148 Park Street (245-1733). Senior Housing Apartment Building. Mr. Bruce Wheeler had earlier requested a continuance to the February 8th meeting. A site walk is scheduled for Saturday, January 21st at 10:30 a.m.

Motion made by Randy Mason, seconded by Tomas Sanchez,
voted 5-0 continue the public hearing to Feb 8 2023

4 Woodcutter Road (245-xxxx) construction of a single family dwelling, deck and conduct grading with 100' of Bordering Vegetated Wetlands. Thorsen Akerley was present to speak about Lot 6 Woodcutter Road formerly known as 77 Elm Street. This lot is located on the southern side of the subdivision closest to Elm Street and backs up to the Thompson Country Club. Mr. Akerley pointed out on the plan where the lots were located and mentioned they had submitted definitive plans back in 2019 and the Notice of Intent had been just for the roadway and drainage.

This Notice of Intent proposes a more specific house footprint as opposed to that shown on the NOI for the roadway. The dimensions of the houses have changed a little bit but not substantially and the houses are a little bit different, although the location is almost identical, barely entering the 75' buffer zone. Thor continued to describe the resource area, which is bordering vegetated wetlands, along with the drainage areas. He described the real changes to the site are slight adjustments to the grading and the elevations didn't change very drastically. Most of the site impact occurred with the roadway and stormwater management construction. The rooftops are proposed to be infiltrated with the subsurface recharge chambers, one in the buffer zone as he pointed out and the other under the driveway.

Andrea Gladu, an abutter from 2 Riverside Drive was present asking about the road. Leah Basbanes-Agent responded that the roadway has not been accepted by the town, though it is

expected that it eventually will be. Ms. Gladu also wanted to know why the design of the house changed and why does it need to be within the buffer zone. Mr. Akerley responded that the person developing the property is trying to get plans in place and once a potential buyer shows up, they may amend the plans at that time. Andrea Gladu appeared to be satisfied with the response.

Michelle Lopilato, an abutter from 7 Fairview was present and also wanted clarification, particularly with regard to the 21' wall. Her specific question pertained to the buffer zone and wanted to know what that means. Leah Basbanes responded by explaining the process. Ms. Lopilato appeared to be content with the explanation; however, expressed more concerns with rain water and fall off that will come from the subdivision. She also mentioned the 21' wall has pipes coming out of it directing fall off towards her neighborhood. Further discussion took place with regard to water build up, retaining walls, drainage issues, etc. The pipes in the wall are necessary for water pressure relief.

Joe Malik of 5 Fairview, who is also an abutter, spoke voicing his concerns as well with regard to the massive wall and drainage issues, along with having evergreen trees planted along the wall to absorb moisture. Leah Basbanes is in favor of having plantings put back as it was a heavily wooded area and now it is bare.

Thorsen Akerley requested a continuance for 4 Woodcutter Road addresses and a site visit has been set up for January 21st.

Motion made by Randy Mason, seconded by Tomas Sanchez,
voted 5-0 to continue the hearing to Feb 8 2023.

6 Woodcutter Road (245-xxxx) construct a portion of a sanitary disposal system and to conduct grading within 100' of Bordering Vegetated Wetlands and to construct a portion of a single family house within 100' of Isolated Vegetated Wetlands.

Thorsen Akerley requested a continuance for 6 Woodcutter Road addresses and a site visit has been set up for January 21st.

Motion made by Randy Mason, seconded by Tomas Sanchez,
voted 5-0 to continue the hearing to Feb 8 2023.

7 Woodcutter Road (245-xxxx) install sanitary disposal system, construct paver patio and deck.

Thorsen Akerley requested a continuance for 7 Woodcutter Road addresses and a site visit has been set up for January 21st.

Motion made by Randy Mason, seconded by Tomas Sanchez,
voted 5-0 to continue the hearing to Feb 8 2023.

3 Shirley Avenue (245-xxxx) install sanitary disposal system, construct paver patio and deck. Mr. Thor Akerley was present to represent the owners of 3 Shirley Ave, North Reading. He reported that there is a BVW in the backyard. The owner's want to try to add a bedroom and there is just enough room outside the 75' buffer zone and want to install a new primary leaching system and reserve area which meet the Title 5 and local requirements. He also stated that in addition to the septic work, the owner's would like to install a patio off the back of the house with new steps, a landing and the patio will have the septic tank underneath. The footprint of the house is not proposed to change outside of that patio addition and septic work. No Board of Health approval yet; no abutters; no DEP number – Mr. Akerley has requested a continuance to the February 8th meeting.

Motion made by Randy Mason, seconded by Tomas Sanchez,
voted 5-0 to continue the hearing to Feb 8 2023.

Adjourn

Randy Mason moved, seconded by Tomas Sanchez, and voted 5-0; that the Conservation Commission adjourn the meeting at 7:28 PM.

Approved  Dated 17 Feb 2023