



RECEIVED

2022 JUN 15 AM 8:42

TOWN CLERK'S OFFICE
NORTH READING, MASS.

TOWN OF NORTH READING
Massachusetts

Conservation Commission

Minutes

May 11, 2022

Members Present: Lauren Beshara, Melissa Campbell, Tomas Sanchez, Vice Chair, Jim Cheney, Associate Member

Absent: Lori Mitchener, Chair, Randy Mason

Staff Present: Leah Basbanes, Conservation Agent

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

On June 16, 2021, Governor Baker signed into law An Act Extending Certain COVID-19 Measures Adopted during the State of Emergency. This Act includes an extension, until July 1, 2022, of the remote meeting provisions of his 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 842 9736 6092

Further information and the plans for each agenda item may be found on the Town Website [Home](#) >> [Boards & Committees](#) >> [Conservation Commission](#)>>Public Hearings

Minutes 4/13/22

Motion made by Melissa Campbell, seconded by Lauren Beshara;

Voted 3-0 to approve meeting minutes with correction on 37 Haverhill Street

Voted 4-0 not 4-2.

1 Sunset Avenue (245-1619) Request for Extension of Order of Conditions for redesign of septic and addition. Requesting 1 year extension to Amended Order of Conditions.

Motion made by Melissa Campbell, seconded by Lauren Beshara;

Voted 3-0 to issue a one year Extension.

Shady Hill Drive and Puritan Road Water Main Replacement – Request for Determination of Applicability. Ms. Basbanes reported that all of the work will be within the existing roadway or shoulder. No alteration of wetland, buffer or riverfront is proposed, though the work will occur in Bordering Land Subject to Flooding. The work will in BLSF is 3960 s.f. of water main and connections installation, repaving and new fire hydrant. Existing water main to remain abandoned in place. There will be no change in grade or surface elevations thus will have no impact on the BLSF. Work in buffer extends 2880 s.f. and riverfront of 4980 s.f. but will be in road bed or shoulder and therefore is exempt under 310 CMR 10.02(2)b(2)l Leah Basbanes recommended that a Negative 3 be issued. Chuck Caron was present to discuss work to be done. Ms. Campbell asked about erosion control. Mr. Caron responded the plan has erosion control along the road/buffer zone. Wattles are usually installed at the edge of the work, not on people's properties. Ms. Basbanes had no concerns with this project and recommended a Determination of Applicability be issued. No abutters were present. Christine Catalini, Wright-Pierce was present and when asked when project will begin she responded within a month or two.

Motion made by Melissa Campbell, seconded by Lauren Beshara;

voted 3-0 to issue a Negative 3 Determination of Applicability.

Public Hearings

14 Concord Street – NOI – (245-1711) – site development including two proposed commercial buildings, parking areas, driveways, utilities and associated site work located within the 100' buffer to wetlands. The rear building access requires a wetland crossing. Continued from April 13, 2022 meeting. Luke Roy requested by email a continuance on this matter until the June 8th meeting so he can respond to DEP's comments.

Motion made by Melissa Campbell, seconded by Lauren Beshara;

voted 3-0 to issue a continuance until the June 8, 2022 meeting.

24 Park Street – NOI – (245-1712) – raze existing dwelling and construct a new house with driveway, septic, pool, and patio, reconfigured utilities and associated site work. Continued from April 13, 2022 meeting. Elizabeth Wallis was present along with home owner Joseph Boccelli. The project has BOH approval. No DEP comments. No abutters were present. The only changes to the plan were the addition of trees to be planted a minor reorientation of the house. There was discussion with regard to the abandoned tractor trailers that are sitting way back near the lot line along the old track that need to be removed. Ms. Basbanes requested Mr. Boccelli let her know how he plans to do that, when the time comes as there are a lot of wetlands in this back area. Mr. Boccelli agreed. Ms. Basbanes recommended this project be issued a standard Order of Conditions.

Motion made by Melissa Campbell, seconded by Lauren Beshara;
voted 3-0 to close the public hearing and issue a standard Order of Conditions.

314 Haverhill Street – NOI – (245-1713) – Proposed addition to the rear of an existing single family dwelling located within the 100' buffer zone to border vegetated wetlands. Continued from April 13, 2022 meeting. Luke Roy of LJR Engineering was present to represent the property owner. Site walk occurred about 3 weeks ago. Mr. Roy commented that they were changing the erosion control to silt fence and noted that on the revised plan. In addition, with regard to the trees next to the playset, they will remain. Mr. Roy proposed some native shrub plantings be added along with some boulders to be placed along the buffer area. No abutters were present at the meeting.

Motion made by Melissa Campbell, seconded by Lauren Beshara;
voted 3-0 to close the public hearing and issue a standard Order of Conditions.

#39 Chestnut Street & 9 Flint Street – NOI (245-1714) – subdivision roadway and infrastructure. Bill Manuell present from Wetlands and Land Management. Mr. Manuell reported that this is a 13 lot residential subdivision with utilities and storm water management features. Mr. Manuell reported that 9 Flint Street came on the market and the applicant Jamison Properties LLC purchased it and plans to combine them to make this a 13 house subdivision. The project has been filed with the Community planning Commission and has been approved. The plans were also reviewed by a third party consultant with no issues. The Notice of Intent is for the work in the buffer zone and wetland crossings and for roadway and infrastructure only. There will be 8 individual lots where the homes and grading, buffer zone and such offers will be filed separately. The property at 39 chestnut has a long paved driveway that goes to an existing house which has been vacant for at least five years now. In 2017 the Commission issued an ORAD for the wetland boundary in 2017 that had expired, it did not get any benefit from the COVID state of emergency extension, because it expired just a few weeks before that state of emergency was declared. Nevertheless, he went on to say that nothing has changed out there and Ms. Basbanes agreed.

Bill Manuell stated that on 9 Flint Street they did an ANRAD application in 2019 and that is still in effect. All the flags have been verified and are still in effect. The project was initially a cul

de sac but morphed into a thru road or a loop road going from Chestnut to Flint Street. He continued to say that the roadway is about 1600 linear feet, the utilities will be within the roadway underground and the storm water is managed with a series of low impact design. Storm water BMP there is about 11 of them interspersed throughout the site and the intent of that is to break up the storm water flow collected locally.

Mr. Manuell's connection was lost for a couple of minutes and Leah Basbanes reported that all the drainage on the property is going to be going through swell bales, no curbing. Many of the lots will be accommodating the storm water runoff. Ms. Basbanes is not sure if they are doing rain gardens or another type of BMP. There appears to be a wetland crossing coming from the Flint Street side.

Mr. Manuell reconnected and went on to state that there is a wetland impact which is about 1255 s.f. and they will be utilizing retaining walls to minimize the amount of fill. There is an existing culvert entering 9 Flint Street and that culvert will be removed and replaced with a three sided open bottom culvert that meets all the stream crossing standards for openness, having a bank of 1.2 times the channel width and having banks on both sides. There is one central wetland replication area that provides replication for the permanent loss and provides about 3393 square feet and that's a 1.5 times mitigation ratio for the wetlands that are permanently lost. There is a small amount of temporary impact next to the proposed retaining wall and near the culvert installation – they will be restored in place. Coming in from Chestnut Street there is a retaining wall that minimizes the incursion into the wetlands. The road was pushed over as far as it could go to minimize the amount of wetlands alteration. Flint Street crossing will have retaining walls on both sides of the roadway. All the BMPs that are throughout the site all have a planting plan and grading details.

Leah Basbanes asked if they were technically rain gardens. Response from Mr. Manuell was they are wet basins. Each lot will have its own roof water recharge and it needs to infiltrate a minimum of 243 cubic feet, whether that's in one recharge area or several depending on where the downspout locations. Those details will be given with each lot that will have its own septic design and, of course the 8 lots will have their own individual notice of intent. The DEP has not issued any comments to date. Ms. Basbanes asked if the center line of the roadway been staked out. Mr. Manuell will find out and if not, will have it staked. Mr. Sanchez asked to go back to the plan that shows in large detail where Chestnut intersects Flint. Ms. Basbanes asked what the plan was for the de-watering plan. Mr. Manuell said the stream flow will be isolated and with a mud sucker pump it will be discharged to a contained upland area. There will either be a filter fabric or hay bale that will allow the sediment to be trapped and water to percolate through. No abutters present. Site visit scheduled for Saturday, May 21 @ 9:30.

Motion made by Melissa Campbell, seconded by Lauren Beshara;
voted 3-0 to issue a continuance to the June 8, 2022 meeting.

8 Lindor Road – NOI (245-1715) – proposed addition to the rear of an existing single family dwelling located within the 100' buffer zone to bordering vegetated wetlands. Luke Roy, LJR Engineering, present representing Doug and Patricia Noonan. The applicants proposed an 18' deep addition to the rear of the existing dwelling. The addition will also serve to connect the dwelling to the garage and it will be on a slab or an at grade crawl space. There will be a 10' step back from the existing leach field and the addition will not be any closer than 10'. The addition at its closest point is 82' from the corner to the wetlands. The project also necessitates the relocation of their existing septic tank which is in the area under the proposed addition and the plumbing will be reconfigured and the new proposed tank location is 10' away from the foundation of the addition. Mr. Roy told the committee that BOH has approved this permit for tank relocation. There's no new buffer alteration - maintain grassland area which is acting as erosion control around the back. They did add some impervious surface, with the addition and tabulated that it is currently at 13.7% and with the construction of the addition that will increase to 18.8%, however remaining below the 22% maximum threshold.

No Questions No concerns No Abutters.

Motion made by Melissa Campbell, seconded by Lauren Beshara;
voted 3-0 to issue a standard Order of Conditions.

189 Haverhill Street – NOI (245-1716) – demolition of an existing dwelling and construction of a new single family dwelling, septic system and associated site work located within the 100' buffer to wetlands. Luke Roy, LJR Engineering, on behalf of the applicant Brian Lavers. This NOI is for demolition of an existing dwelling, construction of a new dwelling, septic system and site work. It's a 2.6 acre property but is mostly wetlands. The house has been condemned and vacant for some time and is in rough condition. The existing home is a two bedroom with a field septic system, old and substandard. The new home will be a two bedroom home because they were unable to site the septic system greater than 75' from the wetlands to meet regulation so were unable to expand. The home will shift back somewhat and have the 12' no disturb zone and there is 100' almost up to the property corner. The house itself will be 21' from the wetlands at the closest point with very little yard behind the house, but rather off to the side. The septic will be in front and the proposed driveway access coming in the garage under on the southerly side.

Due to the proximity to the wetlands and the no disturb, they proposed a post and rail fence for much of the property line and have a low boulder wall – 2'-3' height. Also, because it's a busy street, they proposed a driveway turn around so vehicles could maneuver in and out of the property. The septic design has been approved by BOH and a DEP # has been provided. With regard to trees, there is one in the front that will need to be removed. Mr. Roy also commented that there is a retaining wall along the property line to hold the grade of the septic system which will need to be raised. Marilyn Ewer, abutter asked how high the retaining wall would be. Mr. Roy responded 3' in height. Mr. Roy also went on to describe the buffer zone area and reported the altered area is at 28% and the impervious is at 8.3%.

Ms. Basbanes asked if there was any way to move the house forward and Mr. Roy responded that they took a waiver of variance from 10' feet to 7' from street to septic and trying to keep everything as far to the front as possible. Ms. Ewer, abutter asked how far from the street the house will be and Mr. Roy responded 35' or maybe even closer to 45' from the pavement edge. Mr. Sanchez asked about erosion control and Mr. Roy said he was open to whatever the Commission would prefer. Leah Basbanes commented that it would be pretty standard to go with silt fence with wattles.

BOH approved. No questions, no concerns.

Motion made by Melissa Campbell, seconded by Lauren Beshara;
voted 3-0 to close the public hearing and issue a standard Order of Conditions
with addition of silt fence, straw wattles for erosion control.

Leah Basbanes wanted to make it noted that we had received a demand letter from the owners at 37 Haverhill Street and they're demanding that the Commission remove the enforcement order. A follow up letter from their attorney was also received saying that if we don't remove the enforcement order, they may take this matter to Superior Court. NR town counsel is involved.

Adjourn

Melissa Campbell moved, seconded by Lauren Beshara, and voted 3-0;
That the Conservation Commission adjourn the meeting at 7:18 PM

Approved Melissa A Campbell Dated 6/14/2022