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Massachusetts

Conservation Commission

Minutes

February 9, 2022

Members Present: Randy Mason, Lauren Beshara, Melissa Campbell, Tomas Sanchez
Associate Member: Jim Cheney
Absent: Lori Mitchener, Chair; Jennifer Ryan, Administrative Assistant
Staff Present: Leah Basbanes, Conservation Agent

Vice-Chair Tomas Sanchez called the Wednesday February 9th, 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 April 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 814 0642 1840

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

Minutes 1/12/22

Motion made to approve 1/12/22 Minutes by Ms. Campbell seconded by Mr. Mason to approve Minutes, voted 4-0.

Certificate of Compliance

8 Malm Road (245-754) single family, septic system, driveway turnaround and well. Ms. Basbanes reported that the project was completed in 2000 and the site is stable. An As-Built has been submitted and she had no concerns with this site and recommends a COC be issued. Attorney Christine Bernardini from Touchstone Closing was present and reported that she is the attorney who represented the sellers and this popped up on the title exam back in October.

Motion made by Mr. Mason, seconded by Ms. Campbell; voted 4-0
to issue a Certificate of Compliance stating substantial compliance.

3 Dogwood (245-1646) construction of a driveway. Ms. Basbanes asked if anyone from the public is present. No one was. She further reported that an As-Built plan has been submitted for a section of driveway that crossed through the buffer zone. In addition, a letter stating substantial compliance has been submitted – there are no issues and she recommended issuance of the COC. Grading work within the buffer and some boulders were added to stabilize the buffer zone for driveway access.

Motion made by Mr. Mason, seconded by Ms. Beshara; voted 4-0
to issue a Certificate of Compliance stating substantial compliance.

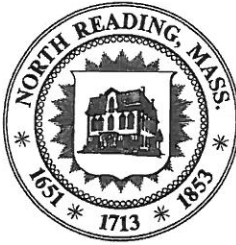
Mr. Sanchez has opened the Virtual Public Hearings

Public Hearings

40 Elm Street (245-xxxx) – NOI - Ms. Basbanes reported that 40 Elm Street has asked that they continue this to March 9th, 2022 meeting.

Motion made by Mr. Mason, seconded by Mr. Sanchez; voted 4-0.
to continue the hearing until March 9, 2022 meeting.

6 Charles Street RDA – Ms. Basbanes asked if anyone from the public was present. Mr. Khalil, property owner, and Gordon Rogerson from Hayes Engineering were present. This lot is part of a subdivision that was approved many years ago. When the OOC for this subdivision was extended, the Stormwater management requirements had changed. In order for the approval of the extension, it was required that the project meet the new stormwater standards as much as possible. Each lot was designed to infiltrate roof and driveway runoff as part of this.



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The applicant is proposing the construction of a new single-family house on the lot. Most of the work, including the house and septic system, is out of the 100' buffer zone, except for the driveway, some grading and the installation of the infiltration chambers. Ms. Basbanes asked that the RDA be submitted because the infiltration chambers are part of the overall subdivision storm water management system and wanted this to be documented with the board. It was noted also that the driveway was exceeding the 22% impervious threshold in the Buffer zone. The only other concern she had, even though it is out of the buffer zone, is with the plan grading along the east edge of the leach field. The grading there will channel water in a way that may cause erosion and impact the buffer zone. Mr. Rogerson agreed to revise the plan to reduce the size of the driveway and adjust the grading along the leach field.

Motion made by Mr. Mason to close the public hearing and issue Negative 3 Determination of Applicability with a condition that the driveway will be reduced to bring the amount of impervious area to 22%. Ms. Campbell seconds that motion; voted 4-0.

5 Hannah Graves Way (245-1705) NOI – installation of an in ground pool. Michael O'Neill, PE was present along with the David Harris, the property owner. The project is the construction of an inground pool with surround concrete apron in the 100' buffer zone. Mr. Mason raised concern that it looks like the flags on the plan were done back in 1997. The wetland was delineated many years ago, but upon inspection by the Agent, it was agreed that the boundary was still accurate. The work will require some grading and a small retaining wall, though the extent of the work will not extend beyond the limit of disturbance from the house construction. The pool will be about 35' from the wetland at the closest point. The total amount of impervious area will be at 18.6%. An infiltration trench is proposed along the edge of the concrete pool patio (detail is on the plan) to address the increase of impervious area. Erosion control is proposed along the limit of work, as silt sock, though silt fence should be provided as well. No trees will be cut for this as the area is presently maintained lawn so there is no new permanent disturbance of the buffer zone. Also proposed is a temporary access road for equipment to enter. This will be on the left side of the house and existing driveway. Curb protection will be provided. Ms. Basbanes requested that the plan be revised to have silt fence and a silt sock. Ms. Campbell asked about discharge of the pool water. Mr. O'Neill explained the chlorine will dissipate into the air and will still be 40' away from wetlands. Mr. Harris stated it is a salt water pool and less impact. Ms. Basbanes stated that the pool water cannot be discharged into wetlands. It was proposed to create a 4'x4' infiltration area specifically for pool water discharge. The plan will be revised to add this as well.

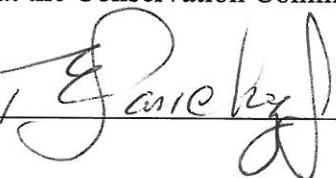
Motion made by Mr. Mason to close the public hearing and issue the OOC with 2 conditions (crushed stone basin to help with infiltration during pool discharge and the silt fence and sock, along with a revised plan. Ms. Campbell seconds that motion; voted 4-0.

Adjourn

Mr. Mason moved, seconded by Ms. Campbell, and voted 4-0;

That the Conservation Commission adjourn the meeting at 6:48 PM

Approved

 Dated 4/19/2022