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Conservation Commission

Minutes

April 12, 2023

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

Staff Present: Jennifer Ryan, Administrative Assistant

Staff Absent: Leah Basbanes, Conservation Agent

Dr. Lori Chekal, called the Wednesday, April 12th, meeting of the Conservation Commission to order at 6:00 PM, by reading the following statement:

On March 29, 2023, Governor Healey signed into law the extension of the temporary provisions of Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, to continue until March 31, 2025. Specifically, this further extension allows public bodies to continue holding meetings remotely without a quorum of the public body physically present at a meeting location, and to provide "adequate, alternative" access to remote meetings. Members of the public attending this virtual meeting will be allowed to make comments, during the portion of the hearing designated for public comment. The Zoom meeting information is available on the Conservation Commission page on the Town Website.

The Zoom meeting ID is 837 8971 8869

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

Minutes

3/8/23 meeting.

Motion made by Tomas Sanchez, seconded by James Cheney,
voted 5-0 to approve 3/8/23 minutes.

Minor Modification

19 Pine Glen Drive (245-1625) minor modification to pool area. It was stated that there is an existing open Order of Conditions for the installation of an in-ground pool that had been completed. The homeowner asked to modify the plan to level and extend the yard approximately 60'. Trees would have to be removed, but they are young white pine that are not in good health. The new lawn would be approximately 30' from the wetlands. The amount of impervious area would remain at 11.5% and the buffer alteration would increase to 62.7%. This will be reflected on the final As-Built plan. There are no changes to the OOC or the date of its expiration. It was recommended to motion to allow this modification. Mike Sprycha, homeowner, was present although the Board was unable to hear him, he was able to hear Chair, Dr. Lori Chekal and had no comments.

Motion made by Randy Mason, seconded by James Cheney, voted 5-0 to approve the Minor Modification.

Public Hearings

146-150 Park Street (245-1733) senior housing apartment building. Peter Ogren of Hayes Engineering was present. He let the board know that last time they were before the board, they had to continue until this meeting, due to the fact Board of Health had not approved. They have now approved. Leah Basbanes was not present at the meeting but had recommended to restore and/or enhance the 12' No Disturb Zone from the wetland flag #3A-#14A with native shrub plantings; and the walkways and patios within the 100' buffer zone be constructed with pervious pavers, e.g. Aqua Brick. Mr. Ogren responded that he will prepare an enhanced plan of the whole buffer area. No abutters were present.

Motion made by Randy Mason, seconded by Tomas Sanchez,
Voted 5-0 to close the public hearing and issue a standard Order of Conditions with two special conditions regarding plantings and pervious pavers.

17 Anthony Road-346R Haverhill Street (245-1739) construction of a roadway. Tom Schaumburg, Civil Design Consultants representing JCJ Realty and Germano Realty Trust was present to represent. He spoke about the infiltration basins, flood plan, changes to the plans and riverfront area. He stated that they are waiting for revised plans. Dr. Chekal confirmed with Mr. Schaumburg that they have not received CPC approval but are meeting with them on April 18th. Luke Legere, was present to represent the Cooks at 346 Haverhill Street, direct abutters to the project. He wanted to point out that they have heard a great deal from neighbors in respect to flooding in the neighborhood. He wants a condition in place as the other residences are designed that they would be accurately accounted for in the storm water calculations.

Dr. Chekal said that each house lot would be subject to this commission's jurisdiction so every house lot would come before the Conservation Commission to ensure that the lot itself complies with all the storm water management and wetland protection act of the state and the town's bylaws. In addition to the project getting approved, each individual house lot will need to be approved as well. Mr. Schaumburg responded by stating that at this moment they are using house boxes, should it continue to move forward, total impervious per lot would be taken into account and this Board would ensure everything has been met and any additional subsurface systems or storm water management.

Andrea Pagliuca, 15 Anthony Road, was present. She requested Mr. Schaumburg repeat the revisions to the plan. Mr. Schaumburg described the changes that were made with regard to the infiltration basins. Abutter, Joanne Herook of 43 Anthony Road was present. She voiced her concerns about the drainage system on Anthony Road which is barely functioning. She described how the four houses at the very end of Anthony Road have no drainage and she is concerned adding the new development is not going to help these 4 houses. Dr. Lori Chekal asked Tom if this has been discussed with the town with regard to any potential improvements to be made to Anthony Road along with this development. He said that the discussion has not taken place yet. Ms. Herook also stated that the Town Engineer said that after the road was paved they were having people hook into the Anthony Road system but the four houses at the end were not given that option due to the fact the drainage goes over to Peter Road leaving the four end houses out on Anthony. Dr. Chekal stated if the outside parties agree that this drainage system is not going to significantly impact the outflow at the base of Anthony Road, there is no option but to take them at their word.

Tom Schaumburg requested a continuation for the May 10th, 2023 meeting.

211 Haverhill Street (245-1744) repair existing septic system. Jim Kavanaugh, design engineer was present to describe the project as the replacement of a failed septic system. He stated that it is currently in the front yard, but due to today's rules and regulations, it has to be moved to the back. Two wetlands exist on the property. Hay wattle will be installed from the driveway around the 50' buffer due to grading. All access will be through the driveway to the back yard. No abutters present. Melissa Campbell asked if there were any changes to the percentage of disturbance in the buffer zone. Mr. Kavanaugh said its all lawn and will return to all lawn.

Motion made by Randy Mason, seconded by Tomas Sanchez,
Voted 5-0 to close the public hearing and issue a standard Order of Conditions.

7 Oliver Swain Road (245-1745) installation of an in ground pool. Mr. and Mrs. Yiakas, homeowner's were present. Dr. Chekal confirmed that a plan was submitted. Mr. Yiakas responded that all documentation was submitted. Ms. Basbanes notes showed that after this project, there will be very little space to add any further projects. No abutters present.

Melissa Campbell asked about the no disturbance – wanted to know calculation of buffer zone disturbance on the lot. Mr. Yiakas was unsure, and the Board was unable to find it on the plan. The Board requested that the engineer let Ms. Basbanes know the percentage of the area that is going to be altered.

Motion made by Randy Mason, seconded by Tomas Sanchez,
Voted 5-0 to close the public hearing and issue a standard Order of Conditions subject to proof that buffer alteration is less than 75%.

Adjourn

Randy Mason moved, seconded by James Cheney, and voted 5-0; that the Conservation Commission adjourn the meeting at 6:50 PM.

Approved  Dated 15 May 2023