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Conservation Commission

Minutes

Wednesday, July 10, 2019

Ms. Mitchener called the Wednesday, July 10, 2019 meeting of the Conservation Commission to order at 6:00 PM in Room 14 of the North Reading Town Hall, 235 North Street, North Reading, MA.

Members	Lori Mitchener, Chair
Present:	Randy Mason, Member Martin Weiss, Member
Absent:	Tim Allen, Member Melissa Campbell, Member
Staff	Christine Doolin, Administrative Assistant
Present:	Leah Basbanes, Conservation Agent

Discussion/ Correspondence File/Minutes

Minutes

Ms. Mitchener moved seconded, by Mr. Mason, and voted 3-0;
that the Conservation Commission approve the minutes from June 12, 2019.

Certificate of Compliance

3 Kings Row (245-369) roadway and drainage

Mr. Mason moved, seconded by Mr. Weiss and voted 3-0;
that the Conservation Commission issue a Certificate of Compliance for the work completed in substantial compliance.

14 Darrell Dr (245-407) single family

Mr. Mason moved, seconded by Mr. Weiss and voted 3-0;
that the Conservation Commission issue a Certificate of Compliance for the work completed in substantial compliance.

83 Park St (245-1585) septic system

Mr. Mason moved, seconded by Mr. Weiss and voted 3-0;
that the Conservation Commission issue a Certificate of Compliance for the work completed in substantial compliance.

32 Kings Row (245-1000) inground pool

Mr. Mason moved, seconded by Mr. Weiss and voted 3-0;
that the Conservation Commission issue a Certificate of Compliance for the work completed in substantial compliance, excluding non-built items.

Public Hearings

77 Elm St (245-1608) 7 lot subdivision

Asked for a continuance to the Aug 14 conservation meeting

1 Sunset Ave (245-1619) NOI Sean Casey of Taj Engineering presented a Notice of Intent for septic system repair. Removal of the old septic system and installation of a new, upgraded system with reserve areas designed for a 5 bedrooms. The bottom of the new system is 5 feet above the estimated seasonal high ground water level. The leach field will be located behind the house and between 2 wetlands. It will be 80.9' from the south side wetland and 77.2' from the north side wetland. Erosion control will be installed around the perimeter of the work at least 25' from the wetland. BOH has approved plan. DEP commented that there is a 5300 s.f. wetland alteration. Agent Leah Basbanes looked at the Notice of Intent and found that the box for bordering vegetated wetland was checked off and that 5348 s.f. was the proposed alteration. That was an error that Sean Casey of Taj Engineering has corrected on the Notice of Intent and sent a new copy to the conservation department and to the DEP.

Mr. Mason moved, seconded by Mr. Weiss and voted 3-0;

that the Conservation Commission close the Public Hearing and issue an order of Conditions with the standard 46 conditions and note that Sean Casey will send a new copy to the conservation department and the DEP.

2 Hickory Lane (245-1617) NOI James Kavanaugh presented a Notice of Intent for a septic system repair. Wetlands are located in the back. Existing system is pretty close to the wetlands.

The leach field will be located behind the house. The leach field trenches will be 65' from the wetlands at closest point so this will be an improvement. The tank will be 25' away at closest point. Erosion control will be installed 15' away from the wetland and BOH approved.

Mr. Mason moved, seconded by Mr. Weiss and voted 3-0;

that the Conservation Commission close the Public Hearing and issue an Order of Conditions with the standard 46 conditions.

3 Parsonage Lane (245-1618) NOI James Kavanaugh presented a Notice of Intent for a septic system repair. The leach field will be 93' from the wetland at closest point. The proposed chamber tank will be 30' from the wetland. Erosion control will be installed at the minimum of 25' from the edge of the wetland. BOH/Bob Bracey comments "the goal will be to meet maximum feasible compliance with code-Where as we do believe that gravity feed system is achievable if you do the following: As oppose to having the system where it is currently designed it is in the wetlands buffer zone, if you place it/move it the side yard or out back towards the front where the original one was, you could and should avoid a pump system". Agent Leah Basbanes noted that she believes the system could be relocated as suggested and have no impact to the wetlands. Should the applicant choose to do so.

Mr. James Kavanaugh stated that he and Mr. Bracey discussed not doing a pump system, however, they felt it was best to install the pump system and be farther away from the wetlands.

Mr. Jack Penny representative to the Trinity Evangelical church asked if it will have any impact on that creek. Mr. Kavanaugh confirmed that the system will be 93ft away from the creek. Ms. Mitchener stated the total amount of volume that's going to be coming out of the system isn't going to change because the system size is not increasing.

Mr. Kavanaugh also confirmed that the tank will be more than 10' from the property line at 5 Parsonage Lane.

Mr. Mason moved, seconded by Mr. Weiss and voted 3-0;

that the Conservation Commission close the Public Hearing and issue an Order of Conditions with the standard 46 conditions.

20 Elm St (245-1613) ANRAD Delineation of the wetland resource areas on the property.

Agent Leah Basbanes stated that 5 consultants were asked to submit a proposal to review the delineation and only 2 did so. Caron Environmental and Seekamp Environmental. Caron has not done work in North Reading and Seekamp has. Leah said she wanted to get a mix of people.

Ms. Veronica of 35 Brassie Way asked if their group could review the report and review existing plan and make sure it makes sense. They were told the submitted information thus far

is public record so it may be reviewed but the hired outside consultant is to report to the Commission only.

Ms. Mitchener stated that the request for consultants in accordance with the town's Rules for Hiring Outside Consultants under the General Law Chapter 44 Section 53G. Ms. Mitchener stated the two that can do it are Caron Environmental of Westminister MA and Seekamp Environmental from Kingston NH. Both came back said they can complete the work and provide the report before the Aug 14th meeting. Both are very good and reputable consultants who have been in the business for at least 25-30 years.

Ms. Mitchener stated the only difference was the cost Caron Environmental is \$750 for cost of review and report \$400 attendance if necessary and additional work will be billed at \$120.00 an hour. Seekamp Environmental is \$1500 cost of review and report is \$400 attendance if necessary and mileage and cost \$100.

The only people who have the right to repeal our decision of the hired consultant is the applicant.

Veronica of 35 Brassie Way asked if the review of the report is this just a review of the map and written report or are they going to do a whole survey. Mr. Mason stated the consultant will review the NOI, the delineation in the field, make adjustments to the flagging as he sees appropriate, and provide a written report on his findings. An entirely new delineation or survey will not be done by Mr. Caron.

Ms. Mitchener stated the preference of the Commission is to hire Caron Environmental partly because his quote is lower but also because he has not worked in town and has no vested interest. The Commission has to sign the contract, inform the property owner of the decision, and they then have to provide a check to the Town before the review can begin. If a check is not provided to the Commission, the Commission can deny the application. Once the check has been received, Mr Caron will arrange a time with the owners consultant to walk the site and review the delineation. Leah will not be there. Once the review is completed, Mr. Caron will provide a report of his findings and submit to the Commission. He will be asked to attend the meeting.

Marty Weiss asked Lori Mitchener to read a statement regarding a call that Agent, Leah Basbanes received from Kim Roth of the DEP. Mrs. Coolidge-Stolz sent a letter stating that the commission directed her to the DEP to get them involved. Leah explained that was not the case, but the commission is dealing with the filling allegation, investigated the site and found that there is no recent violation or jurisdiction in this small area of fill. Leah informed Kim Roth that the Commission is in the process of hiring an outside consultant to review the delineation. Roth confirmed that this consultant is to be in communication with the commission only and that permission to enter the property can only be granted by the property owner.

An abutter asked if as an abutter is there a way to express concerns of the environmental impact of this project. Ms. Basbanes stated they could submit concerns to the DEP or to the Commission, however at this point, we don't know what the project is. This process is only for

approving the wetland resource boundaries. The board has not seen a plan showing anything other than the wetland delineation. So no one can assess what the impact is going to be. Once a Notice of Intent with the work has been filed, all of the abutters will be notified by mail of the public hearing date.

There was discussion on changing the date of the meeting to Aug 7 so that the Chair could be in attendance. Leah will contact Mr. Caron to check on his availability for the 7th.

Mr. Weiss moved, seconded by Mr. Mason and voted 3-0;

To approve Caron Environmental to do the review of the wetland delineation at 20 Elm Street and continue the meeting to next scheduled meeting.

Adjourn

Mrs. Mitchener moved, seconded by Mr. Mason, and voted 3-0;
that the Conservation Commission adjourn the meeting at 7:35 PM

Approved _____

Dated _____

08/07/2019