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**Conservation Commission**

**Minutes**

June 14, 2023

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

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

Dr. Lori Chekal, called the Wednesday, June 14th, 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**

5/10/23 meeting minutes.

Motion made by Tomas Sanchez, seconded by James Cheney,  
voted 5-0 to approve 5/10/23 minutes.

## **Certificates of Compliance**

3 Susan Drive (245-1509) Request for a Certificate of Compliance for the septic system replacement project was submitted. An as-built showing substantial compliance was provided and it was noted that the site is stable. Tom Garrity, owner, was present. The board agreed that there are no issues on the property.

Motion made by Randy Mason, seconded by Tomas Sanchez, Voted 5-0 to issue a Certificate of Compliance.

10 Pine Glen (245-986) Request for a Certificate of Compliance was submitted for the completed work which was the construction of a small 14'x16' addition to the existing house. No engineered plan was submitted, only a sketch, therefore no engineered as built is required. The work has been completed, site is stable and no issues noted on site. No one present to represent the property owner.

Motion made by Randy Mason, seconded by Tomas Sanchez, Voted 5-0 to issue a Certificate of Compliance.

107 Park St (145-876) Request for a Certificate of Compliance was submitted for the completed work which was the construction of a small addition to the existing house. There were no engineered plan was submitted for this project either, therefore no engineered as built is required. The work has been completed. No issues noted on site. No one present to represent the property owner.

Motion made by Randy Mason, seconded by Tomas Sanchez, Voted 5-0 to issue a Certificate of Compliance.

## **Extension Request**

Martins Landing (245-1552) Request for an extension to the Order of Conditions for 3 years was submitted in writing by Dave Farrar of Marchionda & Associates, LLC. This has been extended once already, but the magnitude of the project has caused the work to not be completed within the time frame.

Motion made by Randy Mason, seconded by James Cheney Voted 5-0 to issue an Extension to the Order of Conditions for 3 years.

## **Public Hearings**

17 Anthony Road-346R Haverhill Street (245-1739) construction of a subdivision roadway.

Mr. William Hall requested a continuation of the public hearing to the July 12<sup>th</sup>, 2023 meeting.

Motion made by Randy Mason, seconded by Tomas Sanchez, to accept the continuation request. Voted 5-0 to accept the request for a continuance until the July 12, 2023 meeting.

2 Wilma Rd (245-1875) - Septic system replacement for failed system. Luke Roy, P.E. of LJR Engineering was present on behalf of the property owners. The new system will be located in the southeast corner of the property as it is the only area to design a conventional system. Leach field will be raised and have retaining walls on 2 sides. There are 3 wetland areas surrounding the lot. Trenches will be 31' from the wetland. Minor grading associated with the system is required and will be approx. 15' from the wetland. There is a shed on town property within the 12' NDZ. The board was concerned about the shed being located in the 12' NDZ and on town property.

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 an added special condition of relocating the shed out of the 12' NDZ and on to the subject property.

3 Winterberry (245-1748) Construct in ground pool in the 100' buffer zone. Luke Roy, P.E. of LJR Engineering was present on behalf of the property owners. The pool patio footprint will be 30' from the wetland and the pool shed will be 23' from wetland, though grading will be at the 12' NDZ. There has been encroachment into the 12' so plantings are proposed with a post and rail fence along that area wetland flags, 7A –thru 9, though the Commission would like to see that be extended. Pervious pavers are proposed for the area around the pool. Impervious are will be up to 20% and buffer alteration will be at 74.2%. Discussion on the perviousness of the pavers being used, and that they should be at least 65% pervious. Most of the area where the pool is going is currently lawn though there will be 6 trees to be cut. There is an area on the northeast of the property that is presently forested and they are proposing to remove the trees and shrubs to create lawn. This area is out of the 100' buffer zone. The abutters Rosanne and David Klovee of 1 Winterberry Lane were present and are in support of the project.

Motion made by Randy Mason, seconded by Jim Cheney. Voted 5-0 to close the public hearing and issue a standard Order of Conditions plus planting native trees and shrubs and a demarcation 12' no disturb zone with permanent barrier and signage.

5 Williams Rd (245-1749) Septic system replacement. Leah stated that this property had an Emergency Permit issued. James M. Kavanaugh, P.E. was present on behalf of the property owners and stated that the work began on June 12th. BOH has approved the plan and had determined the replacement to be an emergency. The system will be in same location as existing. The trenches will be 62' from the wetland and have minimal grading. Erosion control has been installed at the limit of work. No abutters present.

Motion made by Randy Mason, seconded by Jim Cheney. Voted 5-0 to close the public hearing and issue a standard Order of Conditions and bylaw special conditions.

14 Washington St (245-1751) Septic system replacement. Luke Roy, P.E. of LJR Engineering was present on behalf of the property owners. He has designed the new system to be generally located in same location on the south west side of the property. The trenches will be 78' from the wetland and 122' from the Ipswich River bank. The septic tank is in good condition though Title 5 has required that the leach field be raised in elevation with retaining walls, so a pump chamber is needed. No work in the floodplain is proposed. Erosion control will be installed at the limit of work. BOH has approved plan. 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 and bylaw special conditions.

### **Adjourn**

Randy Mason moved, seconded by James Cheney, and voted 5-0; that the Conservation Commission adjourn the meeting at 6:48 PM.

Approved  Dated 13 July 2023