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Conservation Commission

Minutes

October 12, 2023

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

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

Staff Absent: Melissa Campbell

Dr. Lori Chekal, Chair, called the Thursday, October 12, 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 802 634 4678

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

Minutes

10/12/23 meeting minutes.

Certificates of Compliance

5 Whitcomb Way (245-690) Request for a Certificate of Compliance for single family dwelling. Leah Basbanes reported that the work was in the buffer zone and was for minor grading. As-Built was submitted showing compliance.

Motion made by Randy Mason, seconded by Jim Cheney, Voted 4-0 to issue a Certificate of Compliance.

39 Spruce Road (245-418) Request for a Certificate of Compliance for single family dwelling and septic. Leah Basbanes stated that an As-Built was provided and shows substantial compliance.

Motion made by Randy Mason, seconded by Tomas Sanchez, Voted 4-0 to issue a Certificate of Compliance.

2 Pickard Lane (245-631) Request for a Certificate of Compliance for single family dwelling and septic. Leah Basbanes reported that there is an As-Built plan for the house location and another for the septic. Both show substantial compliance with the approved plan. Site is stable.

Motion made by Randy Mason, seconded by Tomas Sanchez, Voted 4-0 to issue a Certificate of Compliance.

2 Pickard Lane (245-632) Request for a Certificate of Compliance for Amendment to Order of Conditions. Leah Basbanes stated that this was for a pool and then amended. There is an As-Built and the issuance of a Certificate of Compliance is recommended.

Motion made by Randy Mason, seconded by Tomas Sanchez, Voted 4-0 to issue a Certificate of Compliance.

50 Burroughs Road (245-1659) Request for a Certificate of Compliance for repair to existing septic system and addition. Ms. Basbanes stated that an As-Built has been submitted and shows compliance. Grass is growing and overall, no issues, except for grass clippings in the 12' No Disturb Zone but is apparently on the abutting property. Ms. Basbanes will follow up on this with the other property owner.

Motion made by Randy Mason, seconded by James Cheney, Voted 4-0 to issue a Certificate of Compliance.

3 Woodcutter (245-1674) Request for a Certificate of Compliance for construction of a leaching field. Leah Basbanes stated that the work is associated with the new house which is out of the buffer zone. The only grading related to the detention basin is in the 100' buffer zone. An As-Built has been submitted and the site is stable. Mr. Christopher Sparages was present and just wanted to thank Leah Basbanes for her work in the past covering for him when he had a conflict.

Motion made by Randy Mason, seconded by Tomas Sanchez, Voted 4-0 to issue a Certificate of Compliance.

Public Hearings

135 Chestnut Street (245-1752) construction of a new single family home. Leah Basbanes stated that this is for a new single family house and septic. The house will be 35' from the wetland at the closest point, and the proposed retaining wall in the backyard to stabilize the grading is just above the 12' No Disturb Zone. The amount of proposed impervious area is 21.9% and buffer alteration is 66.5 %, 7 large trees will be removed, septic system will be 75' away from the wetland and erosion control will be installed along the 12' NDZ. Although the plan shows wattles only, there should be silt fencing as well because of the retaining wall and amount of fill proposed. In addition, a permanent barrier of some kind needs to be added along the 12' NDZ. Hayes has been asked to revise plan to show this. Otherwise, Ms. Basbanes has no issues with the project and recommends issuance of the Order of Conditions. Elizabeth Wallis, Hayes Engineering was present and described the project. She acknowledged receiving Leah Basbanes email and they have revised the plan and will get us the new plans as soon as it is stamped. The project was described as a 4 bedroom house with proposed driveway and retaining walls along the back and a retaining wall and walkway in the front of the house. The septic is in the front of the house and there will be grading that is within the buffer zone. There will be a proposed patio and deck in the back, retaining wall along the back with grading to produce a grass lawn and backyard. Trees will be removed. Leah Basbanes and Elizabeth Wallis discussed the retaining wall options. Dr. Chekal asked if the trees being removed would be replaced and Ms. Wallis said they could do that. It was determined that the plantings would be discussed and agreed upon by the homeowner, Ms. Wallis and Leah Basbanes.

Ms. Basbanes also wanted to point out that the project plans are pretty close to the thresholds and Ms. Wallis confirmed it was 66.5% and 21.9% impervious. Mr. Gordon Rogerson was also present and confirmed Board of Health approved the plan. Tomas Sanchez asked about erosion control and Ms. Wallis stated they updated the plan to include both silt fencing and straw wattles. Mr. Andrew Pearson and his wife Andrea from 127 Chestnut Street were present. Mr. Pearson wanted clarification on the project and Ms. Wallis addressed his concerns.

Dr. Lori Chekal wanted to see how close the erosion control was to the 12' zone and Ms. Wallis said it was right up against it. Dr. Chekal wanted confirmation that everyone was aware of how close it is and there would be no future issues. No other abutters were present and all concerns were addressed.

Motion made by Randy Mason, seconded by Tomas Sanchez, Voted 4-0 to issue an Order of Conditions to include a defined permanent border along the no disturb zone and plantings to mitigate the removal of the 7 trees. Native plantings to be agreed upon by the conservation agent and silt fencing and wattles as erosion control.

Adjourn

Tomas Sanchez moved, seconded by James Cheney, and voted 4-0; that the Conservation Commission adjourn the meeting at 6:27 PM.

Approved  Dated 11/17/23