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Conservation Commission

Minutes

December 14, 2023

Members Present: Dr. Lori Chekal, Chair; Randy Mason, Melissa Campbell, James Cheney.

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

Staff Absent: Tomas Sanchez, Vice Chair

Dr. Lori Chekal, Chair, called the Thursday, December 14, 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 831 8887 0338

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

Minutes

11/16/23 meeting minutes. Motion made by Jim Cheney, seconded by Melissa Campbell to approve minutes. Voted 4-0 to approve.

Certificates of Compliance

10 Charles Street (245-1695) Request for a Certificate of Compliance for construction of a house/driveway. Leah Basbanes, Conservation Agent, stated that an As-built plan and letter were submitted and showed substantial compliance. The site looked great and was stable. The placards were in place along the post and rail fence. No issues and Ms. Basbanes recommended the issuance of a Certificate of Compliance.

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

1 Eaton Circle (245-1595) Request for a Certificate of Compliance for single family dwelling/driveway. Thorsen Akerley of Williams and Sparges was present, representing owner for 1 Eaton Circle. Leah Basbanes, Conservation Agent, stated that an As-built plan and letter were submitted and showed substantial compliance. The site was stable and there were no issues. Ms. Basbanes recommended the issuance of a Certificate of Compliance

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

3 Eaton Circle (245-1594) Request for a Certificate of Compliance for single family dwelling/driveway. Leah Basbanes, Conservation Agent, stated that an As-built plan and letter were submitted and showed substantial compliance. She stated that the house footprint is a bit bigger and the amount of impervious area is 12.2% which is larger than approved, but it is still below the 22% threshold. The site was stable and the only issue was a small amount of the riprap wall in the back -- one small area where the one wetland flag bumps up a bit.

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

189 Haverhill Street (245-1716) Request for a Certificate of Compliance for the demolition of an existing single family and construction of a new dwelling. Luke Roy, LJR Engineering was present. Leah Basbanes, Conservation Agent, summarized an As-built plan and letter were submitted and showed substantial compliance. The site looked great and was stable. She noted that the placards are in place along the post and rail fence. No issues and Ms. Basbanes recommended the issuance of a Certificate of Compliance.

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

Extension Request

400 Riverpark Drive (245-1574) Request for an extension of 3 years to the Order of Conditions was submitted in writing by Kevin R. Bernier and Colin Hart of Atlantic Management -- both were present. Leah Basbanes stated with regard to 400 River Park Drive, this had been continued from the previous month to give them time to look into the upcoming floodplain map changes, and to determine if this may have any effect on this project. She informed the Board that they did look into it and their engineer provided a letter saying that it's not going to have any impact. Kevin Bernier further reported that they went back to the original engineer who prepared the original Notice of Intent, who is now a senior engineer at the company. He looked at it and confirmed that there was no impact and sent a letter to the Conservation Department confirming that.

Motion made by Randy Mason, seconded by Melissa Campbell, Voted 4-0 to extend the Order of Conditions 3 years with the condition that this be the last extension.

Public Hearings

11 Parker Drive (245-1755) construction of a sunroom and deck off of the rear of an existing single family house within 100' of a wetland. Jack Sullivan, owner of the Solven Engineering Group and Daniel Smith, property owner were present. Mr. Sullivan reported that the project is at the rear of the existing house and they want to demolish an existing deck and construct a 14'6" x 16' sun room on pre-cast concrete piers. They are also proposing to widen the existing driveway by about 3x30'. He further stated that the wetland delineation was performed at the wetlands to the rear of the property, the 100' buffer zone extends throughout the majority of the property and all work is outside the 12' buffer zone. They are also proposing a 12" diameter state mulch sock along the work line. He mentioned that all the proposed work is over previously disturbed areas except the widening of the driveway on the left. No trees will need to come down with regard to this project. The total impervious surfaces within the buffer zone with the proposed driveway expansion, keeps it below the 22% threshold (20.5%) and the total disturbance within the buffer zone would be 73.2%. Lastly, construction access will use the existing driveway. Ms. Basbanes pointed out that they are close to the buffer threshold, so no further projects will be able to take place at this property. Melissa Campbell asked about the delineation and Mr. Sullivan responded that there is a 2' grade change between the 12' no disturb and wetland line. He further stated that the edge of the grass is at the 12' no disturb zone line. Ms. Basbanes just wanted him to be aware that this area should not be maintained. It needs to revert back to whatever it was going to be. She further mentioned it would be good to have permanent markers in place either by a boulder wall or post and rail fence. Mr. Sullivan and Mr. Smith agreed on a post and rail fence.

Motion made by Randy Mason, seconded by Jim Cheney, Voted 4-0 to issue an Order of Conditions to include a post and rail fence along the 12' No Disturb Zone.

25 Olde Coach Road (245-1756) tree removal, grading, deck, patio and sports court. Luke Roy, LJR Engineering on behalf of the applicant, Joe Travaglene. Mr. Roy stated that the lot is just over 64,000 sf and there's a BVW area that crosses the rear 3rd or ½ of the property. It was delineated and they delineated the other side of the wetlands. He mentioned that there are some wetlands on the upland area but within the property boundary. The applicant is proposing to expand and make some improvements to the rear yard of the existing house. The house is outside the 100' buffer. There is an existing shed and a stone wall/boundary wall around the existing lawn area. The applicant would like to do some grading to expand the yard by moving that wall, and using those boulders as a demarcation at the new outer edge of the lawn. He would like to expand the deck on the back of the house, construct a patio and grade it to level the area out for a playset for the children, along with a sports court. The numbers with the additional alteration of the buffer zone, expanding the backyard, is up to 45.7%. The altered area and the impervious area is at 8.4. There is a silt fence for erosion control around the outer edge of the work area. Lori Chekal, Chair, asked Mr. Roy why they were proposing to remove 4 trees outside of the work area. Mr. Roy responded that these trees were unhealthy and leaning towards where the proposed sports court would be. Lori Chekal, Chair, mentioned she would like to go out and look at the site and a site visit was set for Wednesday, December 20th at 10:00 a.m.

Motion made by Randy Mason, seconded by Melissa Campbell, Voted 4-0 to issue a continuance to the January 11, 2024 meeting.

Adjourn

Randy Mason moved, seconded by Jim Cheney, and voted 4-0; that the Conservation Commission adjourn the meeting at 7:04 PM.

Approved  Dated 1-16-23