



**TOWN OF TEWKSBURY  
CONSERVATION COMMISSION  
999 Whipple Road  
Tewksbury, MA 01876**

Anthony Ippolito, Chairman  
Carolina Linder, Vice-Chair  
Steve Deackoff, Clerk  
Dennis Sheehan  
Jonathan Parker

**MEETING MINUTES  
November 19, 2014**

The meeting was called to order at 7:02 p.m. by Anthony Ippolito, Chairman, at the Pike House (temporary town hall). Present was Carolina Linder, Steve Deackoff, Dennis Sheehan, and Jonathan Parker. Also in attendance was Kyle Boyd, Conservation Agent, and Melissa Johnson, Recording Secretary.

**Approval of Meeting Minutes – November 5, 2014**

**MOTION: Mr. Parker made the motion to approve the November 5, 2014 meeting minutes as presented; seconded by Mr. Sheehan and the motion carried 5-0.**

**A) Notice of Intent, Steve Cox, 1 Radcliff Road, Map 52, Lot 25, DEP #305-966**

Mr. Boyd noted that this matter will be continued to the next meeting on December 3, 2014.

**MOTION: Mr. Ippolito made the motion to continue Notice of Intent, Steve Cox, 1 Radcliff Road, Map 52, Lot 25, DEP #305-966 to December 3, 2014 at 7:02 p.m.; seconded by Mr. Parker and the motion carried 5-0.**

**B) Notice of Intent, Allen Boutiette, Allen Boutiette, 30 Frasier Lane, DEP #**

Mr. Boyd noted that this matter will be continued to the next meeting on December 3, 2014.

Ms. Linder noted that this is the fourth time this matter has been continued for lack of information. Mr. Boyd explained that some tree clearing occurred and he had previously informed the applicant that if trees were to be cleared, they would be required to file with the Commission and they did not. The applicant submitted some of the paperwork to Mr. Boyd who then put the matter on the agenda. It was then determined that the paperwork submitted was inadequate. The applicant then stated they would be consulting the services of a professional wetland scientist and engineer and would then submit a plan.

Ms. Linder suggested continuing the matter to December 17, 2014 and contacting the applicant to inform them that the information must be submitted by December 3, 2014.

Mr. Deackoff inquired about the DEP number not having been issued. Mr. Boyd explained that DEP has stated that they do not have sufficient information to issue a DEP number.

**MOTION:** Ms. Linder made the motion to continue Notice of Intent, Allen Boutiette, Allen Boutiette, 40 Frasier Lane, DEP #, to December 17, 2014, the applicant shall submit all necessary information to the Commission by December 3, 2014; seconded by Mr. Sheehan and the motion carried 5-0.

**C) Notice of Intent, Joseph Gillis, 20 Frasier Lane, DEP #**

Mr. Boyd noted that this matter will also be continued to the next meeting on December 17, 2014 as additional information is required.

**MOTION:** Ms. Linder made the motion to continue Notice of Intent, Allen Boutiette, Allen Boutiette, 40 Frasier Lane, DEP # to December 17, 2014, the applicant shall submit all necessary information to the Commission by December 3, 2014; seconded by Mr. Sheehan and the motion carried 5-0.

**D) Request for Determination, Eric & Sarah LeShay, 645 Rogers Street, Map 8, Lot 1**

Present was Dick Cuoco of Woodland Design, Robert Fowler, and Eric LeShay. Mr. Cuoco explained that the applicant filed a Request for Determination at the Request of the Commission. Mr. Cuoco explained that they have taken the map provided at the previous meeting and color coded the buffer zone areas. Mr. Cuoco noted that all of the work being done is outside of the 50 foot no disturb and the slope of the driveway almost comes up to the 50 foot no disturb.

Ms. Linder asked if grass will be planted at the bottom of the driveway. Mr. Cuoco confirmed this and explained that any disturbed areas will be replanted.

**MOTION:** Mr. Deackoff made the motion for a negative determination, Eric & Sarah LeShay, 645 Rogers Street, Map 8, Lot 1; seconded by Mr. Parker and the motion carried 5-0.

**E) Notice of Intent, Donald Smith, 1091 Main Street, Map 61, Lot 13, DEP #305-975**

Present was Joseph Andella on behalf of the applicant. Mr. Andella explained that he will be completing the work at this site. The work includes the construction of a 24 x 24,

576 square foot, detached garage. Mr. Andella noted that the applicant was approved for a variance by the Zoning Board of Appeals to come within 10 feet of the property line.

Mr. Boyd requested erosion controls be put in place.

Ms. Ippolito opened the hearing to the public and no one came forward to comment.

**MOTION: Mr. Ippolito made the motion to close the public hearing portion; seconded by Mr. Deackoff and the motion carried 5-0.**

**MOTION: Mr. Deackoff made the motion to approve Notice of Intent, Donald Smith, 1091 Main Street, Map 61, Lot 13, DEP #305-975, standard order of conditions; seconded by Mr. Parker and the motion carried 5-0.**

### **New Business**

Mr. Boyd noted that there are outstanding dues owed to the Massachusetts Association of Conservation Commissions (MACC) to renew the membership and requested to appropriate \$618 from the Wetland Protection Fund for this purpose.

**MOTION: Mr. Ippolito made the motion to appropriate \$618 from the Wetland Protection Fund for the purpose of the MACC dues; seconded by Mr. Parker and the motion carried 5-0.**

Mr. Ippolito noted that he, Mr. Parker, and Ms. Linder recently attended a Master Plan meeting to provide their input. The input provided is expected to be submitted to the town.

### **Old Business**

Mr. Ippolito noted that he and Mr. Boyd were to attend the gas line meeting and it was postponed to an undetermined time. Mr. Ippolito will inform the other members once the meeting has been rescheduled.

### **Administrator's Report**

There was no Administrator's Report.

### **Adjourn.**

**MOTION: Mr. Deackoff made the motion to adjourn; seconded by Mr. Parker and the motion carried 5-0.**

*Approved: 1/7/15*

*List of documents for 11/19/14 Agenda  
Documents can be located at the Community Development Office*

- 7:00 P.M.            Call Meeting to Order
- Approval of Meeting Minutes-November 5th, 2014
- A. 7:02 P.M        Notice of Intent, Steve Cox, 1 Radcliff Road, Map 52 Lot 25, DEP # 305-966
- *Review letter from Weston & Sampson dated April 14, 2014*
  - *Notice of Intent dated March 6, 2014*
  - *Amended Site plan dated March 12, 2014*
  - *Review letter from Weston & Sampson dated April 14, 2014*
  - *Notice of Intent dated March 6, 2014*
  - *Amended Site plan dated March 12, 2014*
  - *Parking layout worksheet dated September 10, 2014*
  - *Weston & Sampson review letter dated April 14, 2014*
  - *Letter from Mass DEP dated April 15, 2014*
  - *Waiver request form*
  - *Norse Environmental letter dated February 18, 2014*
- B. 7:05 P.M        Notice of Intent, Allen Boutiette, Allen Boutiette, 30 Frasier Lane, DEP #
- *Notice of Intent Form WPA 3*
- C. 7:07 P.M        Notice of Intent, Joseph Gillis, 20 Frasier Lane, DEP #
- *Notice of Intent Form WPA 3*
- D. 7:16 P.M        Request for Determination, Eric & Sarah LeShay, 645 Rogers Street, Map 8 Lot 1
- *Notice of Intent Form WPA 3*
  - *Proposed Plot Plan dated Nov 1, 2014*
  - *Enforcement Order dated 10/21/14*
- E. 7:18 P.M        Notice of Intent, Donald Smith, 1091 Main Street, Map 61 Lot 13, Mass DEP # 305-975
- *Notice of Intent Form WPA 3*
  - *Plan of Land-1091 Main Street Plot Plan dated November 2013*