



**TOWN OF TEWKSBURY
CONSERVATION COMMISSION
1009 Main Street
Tewksbury, MA 01876**

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

**MEETING MINUTES
May 25, 2016**

The meeting was called to order at 7:00 p.m. by Carolina Linder, Vice-Chair. In attendance was Steve Deackoff, Anthony Ippolito, and Dennis Sheehan. Also in attendance was Kyle Boyd, Conservation Agent, and Melissa Johnson, Recording Secretary.

Approval of Meeting Minutes – May 17, 2016

MOTION: Mr. Ippolito made the motion to approve the May 17, 2016 meeting minutes; seconded by Mr. Deackoff and the motion carried 4-0.

A) Enforcement Order, Helen Leigakos, 56 Colab Road, Map 22, Lot 78 & 79

Mr. Boyd noted that this is a sensitive enforcement order and explained that he had to track down the current owner of the property as there was a death that left the property in a trust. Mr. Boyd has contacted the owner and will be meeting with him at the site this Tuesday and has indicated that they are willing to cooperate and restore the area.

MOTION: Mr. Deackoff made the motion to continue Enforcement Order, Helen Leigakos, 56 Colab Road, Map 22, Lot 78 & 79 to June 8, 2016 at 7:00 p.m.; seconded by Mr. Sheehan and the motion carried 4-0.

B) Notice of Intent, FTO Realty Trust, 20 Riverview Avenue, Map 98, Lot 121, DEP #

Mr. Boyd noted that this matter will be continued to June 8, 2016.

MOTION: Mr. Deackoff made the motion to continue Notice of Intent, FTO Realty Trust, 20 Riverview Avenue, Map 98, Lot 121, DEP # to June 8, 7:02 p.m.; seconded by Mr. Sheehan and the motion carried 4-0.

C) Notice of Intent, Town of Tewksbury, Shawsheen Street, Map 56, Lot 147, DEP #

Mr. Boyd suggested tabling this matter to the end of the agenda as the applicant is not yet present.

D) Request for Certificate of Compliance, New England Power Company, DEP #305-991

Mr. Boyd noted that this matter will be continued to June 8, 2016 at 7:03 p.m.

MOTION: Mr. Deackoff made the motion to continue Request for Certificate of Compliance, New England Power Company, DEP #305-991 to June 8, 2016 at 7:03 p.m.; seconded by Mr. Sheehan and the motion carried 4-0.

E) Notice of Intent, Town of Tewksbury, Shawsheen Street, Map 56, Lot 147, DEP #305-1009

Present was Dave Hedrick, representing the Town of Tewksbury. Mr. Hedrick explained that this project is for a culvert replacement on Shawsheen Street, specifically 31 Shawsheen Street, located just south of Sullivan Parkway and north of Whipple Road. The applicant is filing as a limited project for the repair, maintenance, and improvement of an existing culvert and drain pipe. Mr. Hedrick showed the location of the culvert and explained that in November of 2014, the sides of Shawsheen Street collapsed and an emergency repair under the wetland protection act was done. In making the repair, the town added a culvert extension, made the slope more gradual, and stabilized it with rip rap. The inspection of the culvert shows it is in poor condition and clogged with sediment.

Mr. Hedrick explained that the proposed work is to replace the culvert pipe and restore the conditions that existed prior to the November, 2014 collapse, and also to replace another existing drain pipe for the storm system that shares the same headwall as the existing culvert. There is a 12 inch drain pipe and the culvert is an 18 inch drain pipe; both are constructed of corrugated metal and appear to be failing.

Mr. Hedrick explained that the proposed work will consist of an open cut culvert placement. The pavement will be saw cut for both pipes to create a trench and the existing headwalls and pipes will be removed. The depth of excavation will be approximately 7 feet. A considerable amount of hand excavation is expected due to the location of the utilities.

Mr. Hedrick reviewed the resource areas on the site; which includes an intermittent stream, land under water, bank associated with the intermittent stream, buffer zone, and riverfront area and they are also within the 25 foot no disturb zone. Mr. Hedrick noted that there is a bordering vegetated wetland that will be located more than 100 feet from the project area. A staging area is being proposed and most of the work will be done from uplands. Any work being done using machinery or excavators will be done from uplands. It is expected that the only work being done in the actual stream would be on foot and would be as part of forming or pouring concrete for the new headwalls. Mr. Hedrick explained that they have not yet determined if the headwalls will be replaced with a precast structure or poured in place. If they are poured in place, a proprietary wash out device for the concrete is being proposed. Although do not expect any bypass pumping as the stream is generally dry and they are proposing to do work during low flow, there may be some fluids generated from dewatering and should this occur a sediment treatment device is being proposed.

Mr. Boyd noted that he has seen water in the stream, but only on one side; which indicates there is a problem.

Ms. Linder asked how much of the stream crossing standards are being applied and Mr. explained that although they are not using all of the stream crossing standards, as it is rather difficult due to the location of the utilities, a larger structure could possibly have more of an impact on the neighborhood due to the amount of work required and disconnection of utilities.

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

MOTION: Mr. Deackoff made the motion to close the public hearing portion; seconded by Mr. Sheehan and the motion carried 4-0.

MOTION: Mr. Deackoff made the motion to approve Notice of Intent, Town of Tewksbury, Shawsheen Street, Map 56, Lot 147, DEP #305-1009, all work shall be done during low flow conditions; seconded by Mr. Sheehan and the motion carried 4-0.

Old Business

There was no old business.

New Business

There was no new business.

Adjourn.

MOTION: Mr. Deackoff made the motion to adjourn; seconded by Mr. Sheehan and the motion carried 4-0.

Approved: 6/8/16

List of documents for 5/25/16 Agenda
Documents can be located at the Community Development Office

Approval of Minutes April 6, 2016

- A. Enforcement Order, Helen Leigakos, 56 Colab Rd, Map 22 Lot 78 & 79
 - *Enforcement Order dated March 28, 2016*
 - *Map of disturbed area dated March 29, 2016*
 - *Pictometry aerial of land dated November 12, 2008*
 - *Tax title document dated February 28, 1990*

- B. Notice of Intent, FTO Realty Trust, 20 Riverview Avenue, Map 98 Lot 121, DEP #305-1010
 - *'Grading & Utility Plan' prepared by Civil Design Consultants, Inc., signed and stamped by James E. Hanley dated December 4, 2016 with a final revision date of February 2, 2016*
 - *Notice of Intent submittal package dated April 19, 2016 prepared by Civil Design Consultants, Inc.*
 - *Notification of Wetlands Protection Act file number from DEP dated June 7th, 2016*
 - *Review email from Kevin Hardiman dated May 20, 2016*

- C. Request for Certificate of Compliance, New England Power Company, DEP # 305-991
 - *Letter from the BSC Group signed by Theresa Portante dated April 21, 2016*
 - *Request for Certificate of Compliance Form 8A*

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- *Site Photographs submitted by the BSC Group dated February 2016*
- D. Request for Certificate of Compliance, Marc P. Ginsburg, Settlers Way (Formerly 357 & 379 Pleasant St.) DEP # 305-964
- *WPA Form 8A*
 - *Email correspondence between Town Engineer Kevin Hardiman and Civil Design Engineer Jim Hanley dated May 24, 2016*
- E. Non-Substantial Change Request, New England Power Company, Merrimack Valley Reliability Project, 305-1003
- *Review letter submitted by Bill Manuell dated May 23, 2016*
 - *Letter from VHB dated May 26, 2016 signed by John Vieira*
 - *Notice of Intent Permit Plans dated January 1, 2016*