



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

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

**Meeting Minutes
November 18, 2015**

The meeting was called to order by Jonathan Parker, Chairman at 7:00 p.m. at the Pike House. In attendance were Carolina Linder, Anthony Ippolito, Dennis Sheehan, and Steve Deackoff. Also in attendance was Kyle Boyd, Conservation Agent, and Melissa Johnson, Recording Secretary.

Approval of Meeting Minutes – November 4, 2015

MOTION: Mr. Ippolito made the motion to table the November 4, 2015 meeting minutes; seconded by Ms. Linder and the motion carried 5-0.

A) Notice of Intent, New Horizons Realty Group, 1201 Main Street, Map 60, Lot 39, DEP #305-997

Mr. Parker noted that this matter will be continued to December 2, 2015.

MOTION: Ms. Linder made the motion to continue Notice of Intent, New Horizons Realty Group, 1201 Main Street, Map 60, Lot 39, DEP #305 to December 2, 2015 at 7:02 p.m.; seconded by Mr. Ippolito and the motion carried 5-0.

B) Vote on NOI Guidance Document

Mr. Boyd noted that the document was reviewed by the town engineer, Kevin Hardiman, and he has suggested one revision regarding the size of the plans. Mr. Hardiman feels 1 inch x 40 feet is best. Otherwise, the document is fine.

MOTION: Mr. Ippolito made the motion to approve the Notice of Intent Guidance Document with the town engineer's revision; seconded by Ms. Linder and the motion carried 5-0.

C) Request for Determination of Applicability, Robert Rosa, 60 Westcott Circle, Map 7, Lot 117

Present was Kimberly Rosa of 60 Westcott Circle. Mrs. Rosa explained that they would like to construct a cabana and patio in their backyard with a sink and toilet.

Mr. Boyd explained that he visited the site and there is an addition and other activity that has occurred within the past 10-15 years that the previous agent signed off on stating there were no wetlands. Mr. Boyd feels that some of the new development on the site has resulted in an increase of runoff to the wetlands on the side. The cabana would be approximately 80 feet from the wetlands.

Mr. Parker opened the hearing to the public.

There were two abutters in attendance who both informally stated that they were not opposed to the cabana and thought the hearing was regarding another matter.

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

MOTION: Mr. Deackoff made the motion for a negative determination, Robert Rosa, 60 Westcott Circle, Map 7, Lot 117; seconded by Ms. Linder and the motion carried 5-0.

D) Notice of Intent, Arnold Martel, 15 Starbird Avenue, Map 58, Lot 169, DEP #

Mr. Parker noted that this matter will be continued to December 2, 2015.

MOTION: Mr. Deackoff made the motion to continue Notice of Intent, Arnold Martel, 15 Starbird Avenue, Map 58, Lot 169, DEP # to December 2, 2015; seconded by Mr. Ippolito and the motion carried 5-0.

E) Notice of Intent, Maplewood Road, Map 54, Lot 2, Map 40, Lot 26, DEP #

Mr. Boyd explained that the DPW submitted the e-filing to DEP some months ago. Approximately one month ago it still had not been processed and Mr. Boyd resubmitted. To date, the DEP number has still not been issued. The applicant is requested an emergency certification as they would like to begin work as soon as possible. The project is for a culvert replacement.

Mr. Deackoff explained that an emergency order can be issued; however, the applicant still has to come before the Commission.

MOTION: Mr. Deackoff made the motion to grant an emergency order, Maplewood Road, Map 54, Lot 2, Map 40, Lot 26, DEP # until the notice of intent is processed by the State; seconded by Mr. Ippolito and the motion carried 5-0.

New Business

Mr. Boyd noted that National Grid was present at the last meeting and they wanted an answer and Bill Manuell had not reviewed it. Mr. Boyd called Mr. Manuell the next day to tell him not to go out to the site and he already had on the same day of the meeting. Now there is a bill for Mr. Manuell's services that he does not believe National Grid will pay. Mr. Deackoff asked if

there is a deadline for when he has to review a matter. Mr. Boyd noted that this was definitely beyond the typical time and that the Commission would not force a bill upon National Grid for services that were not used. Mr. Deackoff noted that National Grid was upset to begin with. Discussion took place on Mr. Manuell knowing there was a meeting and no call was made to inform Mr. Boyd or the Commission to inform them that he had reviewed the matter. It was the consensus of the Commission that bill should not be submitted.

Old Business

Enforcement Order Updates

82 Pinta Drive

Mr. Boyd noted that the homeowner, Anthony Venuti, has provided the members with a rough plan via email. Suggested the members review for the next meeting. Mr. Venuti is proposing to put a mat down, stabilize the area, put down erosion control and wetland seed mix under the map.

Mr. Parker noted that he visited the site and he can sympathize with the homeowner and this is a tough situation.

Mr. Ippolito agreed with Mr. Parker and requested a site plan of the area showing the patio, driveway, wetlands, etc. as there is a lot going on at this site. Mr. Boyd noted that the homeowner has agreed to work with the Commission.

Mr. Deackoff noted that the plan states to stabilize the entire area with a biodegradable mat and asked if the proposal is to put the mix under the mat and Mr. Boyd explained it would be on top of the mat. Mr. Deackoff noted that the description submitted appears to out of order and suggested it be clarified with the homeowner on what exactly has to be done and in which order.

60 Victor Drive

Ms. Linder noted that the homeowner has not yet installed the erosion controls. Mr. Boyd noted that he will visit the site tomorrow to obtain an update as the erosion controls were to be installed immediately.

Adjourn.

MOTION: Mr. Ippolito made the motion to adjourn; seconded by Ms. Linder and the motion carried 5-0.

Approved: 12/2/15

List of documents for 11/18/15 Agenda
Documents can be located at the Community Development Office

Approval of Minutes November 4

- 7:02 P.M Notice of Intent, New Horizons Realty Group, 1201 Main Street, Map 60 Lot 39, DEP #305-997
- *Notice of Intent submittal dated October 9, 2015 prepared by TEC*
 - *Review letter from Conservation Agent dated October 19, 2015*
- 7:06 P.M Vote on NOI Guidance Document
- *Guidance Document with final revision date of October 29th, 2015*
- 7:08 P.M Request for Determination of Applicability, Robert Rosa, 60 Westcott Circle, Map 7 Lot 117
- *Request for Determination of Applicability WPA 1 Form*
 - *Site Plan Sketch submitted by Robert Rosa*
 - *As Built Plans signed and stamped by Robert Masys*
 - *Plot Plan of Land dated November 3, 2015 signed and stamped by David Torenzoni*
- 7:14 P.M Notice of Intent, Maplewood Road, Map 54 lot 2, Map 40 lot 26, DEP #
- *Letter from DPW Superintendent dated December 3, 2015*
 - *Culvert replacement plans submitted by Joseph Guiliano*
 - *Notice of Intent Package dated September 23, 2015*

Old Business

- Enforcement Order updates