



Billerica Conservation Commission

Town Hall
Billerica, Massachusetts 01821
Telephone (978) 671-0966



Regular Meeting
Billerica Conservation Commission
February 26, 2020
Town Hall, Room 210
365 Boston Road, Billerica MA

ATTENDANCE: Commissioner Members Paul Hayes (Chairman), JoAnne Giovino (Co-Chair), Diane DePaso (Secretary), Jack Bowen, Jeff Connell and Marlies Henderson. Staff Members Isabel Tourkantonis, (Director of Environmental Affairs), Mike DeVito, (Conservation Land Use Assistant)
Absent: Commissioner Betsy Gallagher, Liz Ells (Sr. Clerk)

(Salute the flag)

- I. 7:00 PM - PUBLIC COMMENT – No Comments**

- II. 7:01 PM – WETLANDS PROTECTION ACT & BILLERICA WETLANDS PROTECTION BY-LAW WETLANDS HEARING – Notice of Intent – Staples Street (Map 35, Parcel 36-9) – Applicant Shannon Eosco – DEP File No. 109-1405/BBL-1405**

Documents submitted:

1/21/20 Received Notice of Intent for Staples Street, from Stephen Dresser, Dresser, Williams & Way, for Shannon Eosco, Map 35, block 9, Lot 36. Notice of Intent Site Plan, signed and stamped by Stephen Dresser, dated 1/2/2020. Scale: 1"=20' (DEP 109-xxxx).
2/7/20 Received 21 Day Waiver Notice from Stephen Dresser for Staples Street (109-1405). (Continued to 2/26/2020 due to Lowell Sun error – advertisement was not printed in time).
2/27/20 Received Operations & Maintenance Plan from Stephen Dresser for Tow Path Road (Staples St.). Received revised Notice of Intent Site Plan, signed and stamped by Stephen Dresser dated 2/27/2020. Scale: 1"=20' (DEP 109-1405)

Stephen Dresser, Dresser, Williams & Way, Inc. represented the applicant, Shannon Eosco. An Order of Resource Area Delineation was issued for this property on January 29, 2019 (DEP 109-1369). The applicant proposes to construct a new dwelling with a driveway and utilities on the vegetated lot. An infiltration system is proposed to infiltrate stormwater runoff from the new roof. A post and rail fence will be installed at the 50' No Alteration Zone boundary. A variance was submitted seeking permission to remove miscellaneous debris and large mound from the inner buffer zone. The mound area will be restored to match surrounding grade, and stabilized with loam and a conservation wildlife seed mix and native shrub plantings.

MOTION: TO grant the variance 3.03.C.3 (a), 50' No Alteration Zone. Moved by Commissioner Giovino, seconded by Commissioner DePaso. All in Favor. Carried.

MOTION: TO close, sign and issue an Order of Conditions within 21 days. Moved by Commissioner Giovino, seconded by Commissioner DePaso. All in Favor. Carried.

III. 7:16 PM - WETLANDS PROTECTION ACT & BILLERICA WETLANDS PROTECTION BY-LAW WETLANDS HEARING - Notice of Intent – Continued Public Hearing - 313 Boston Road – Applicant Rick Soly, 313 Boston Road Realty, LLC – DEP File No. 109-1402/BBL-1402 (Continued to 3-11-2020)

Documents submitted:

2/24/20 Received email from Stephen Dresser, Dresser, Williams & Way, Inc. requesting a continuance for 313 Boston Rd. to 3/11/2020. (DEP 109-1402)

MOTION: TO continue this hearing per the applicant's request to March 11, 2020. Moved by Commissioner Henderson, seconded by Commissioner DePaso. All in Favor. Carried.

IV. 7:17 PM - WETLANDS PROTECTION ACT & BILLERICA WETLANDS PROTECTION BY-LAW WETLANDS HEARING - Notice of Intent – Continued Public Hearing – 27-29 Rogers Street, 7-9 Millstone Way & 1-6 Millstone Way – Applicant 27 Rogers Street, LLC and Millstone Way, LLC – DEP File No. 109-1406/BBL-1406 (Continued to 3-11-2020)

Documents submitted:

2/24/20 Received email from Stephen Dresser requesting a continuance for Millstone Village to 3/11/2020 (DEP 109-1406)

MOTION: TO continue this hearing per the applicant's request to March 11, 2020. Moved by Commissioner Henderson, seconded by Commissioner Bowen. All in Favor. Carried.

V. 7:18 PM - WETLANDS PROTECTION ACT & BILLERICA WETLANDS PROTECTION BY-LAW WETLANDS HEARING – Notice of Intent – Continued Public Hearing - 68R Baldwin Road – Applicant Robert Belanger – DEP File No. 109-1394/BBL-1394 (Continued to 3-11-2020)

Documents submitted:

2/21/20 Received email from Bob Belanger requesting a continuance for 68R Baldwin Rd. to 3/11/2020 (DEP 109-1394)

MOTION: TO continue this hearing per the applicant's request to March 11, 2020. Moved by Commissioner Bowen, seconded by Commissioner DePaso. All in Favor. Carried.

VI. 7:22 PM - WETLANDS PROTECTION ACT & BILLERICA WETLANDS PROTECTION BY-LAW WETLANDS HEARING – Abbreviated Notice of Resource Area Delineation – Continued Public Hearing - 67 High Street – Applicant Ballston Grid, LLC - DEP File No. 109-1403/BBL-1403 (Continued to 3-11-2020)

Documents submitted:

2/21/20 Received email from Maria Firstenberg of TRC Companies requesting a continuance for 67 High Street to 3/11/2020 (DEP 109-1403)

MOTION: TO continue this hearing per the applicant's request to March 11, 2020. Moved by Commissioner Henderson, seconded by Commissioner Giovino. All in Favor. Carried.

VII. 7:28 PM - WETLANDS PROTECTION ACT WETLANDS HEARING – Notice of Intent – Continued Public Hearing – 1000 High Street – Applicant Massachusetts Bay Transportation Authority (MBTA) - DEP File No. 109-1396 (Continued to 3-11-2020)

Documents submitted:

2/25/20 Received email from Holly Palmgren requesting a continuance for MBTA Track Rehab to 3/11/2020 (DEP 109-1396)

MOTION: TO continue this hearing per the applicant's request to March 11, 2020. Moved by Commissioner Henderson, seconded by Commissioner Giovino. All in Favor. Carried.

VIII. 7:19 PM - ADMINISTRATIVE MATTERS/DIRECTOR'S REPORT

- **Request for Certificate of Compliance:**
 - DEP File No.109-1329/BBL-1329 (25 Sycamore Lane)

MOTION: TO issue the Certificate of Compliance. Moved by Commissioner Giovino, seconded by Commissioner DePaso. All in Favor. Carried.

- **Miscellaneous Updates**
- **Violations/Enforcement Orders**
 - 24 Buckingham Drive - The Director indicated Steve Dresser, Dresser, Williams and Way, Inc. stopped by the department and shared a draft of the existing conditions plan. The plan includes a recent wetland delineation, FEMA floodplain elevations, spot elevations where fill and portions of the site were altered. A formal existing conditions plan will be submitted to the Conservation Commission/Department for review.
- **Minutes:** 8-15-18, 9-12-18, 12-11-2019 - table minutes to the next meeting to allow for editing.

IX. 7:28 ADJOURN

MOTION: TO adjourn. Moved by Commissioner Connell, seconded by Commissioner Bowen. All in Favor. Carried.

Respectfully submitted,

Diane DePaso, Secretary

Prepared by Liz Ells and Isabel Tourkantonis