

CONSERVATION COMMISSION

Thursday, February 18th, 2021

Minutes to the Meeting/ Hearing

Roll Call:

Tennis Lilly, Chair- Present
Rachel Torres- Absent
Eric Lundquist- Present
Mary DiMauro- Present

Also Present:

Jorge Martinez, Minute Taker- Absent
Daniel McCarthy, Land Use Planner- Present

Upon a motion made by Mr. Lundquist and seconded by Ms. Torres, the commission unanimously voted to open the public meeting.

Upon a motion made by Mr. Lundquist and seconded by Ms. DiMauro, the commission unanimously voted to hear the RDA for 152-154 Jackson Street out of order and hear it first.

*152-154 Jackson Street
Yohel Pena
Request for Determination of Applicability*

Present to address the commissioners was Yohel Pena of 152-154 Jackson Street.

Mr. Pena indicated that he purchased a three-family home about four years ago and he has tried for a while to get a gas line into the home. He then stated that since then he has tried to submit all of the proper permitting to the city and that the last item he needs is an RDA from the Conservation Commission.

Mr. Lilly then asked if Mr. Pena needed permission from the Conservation Commission in order to

Mr. Lilly then asked if Mr. Pena needed permission from the Conservation Commission in order to install a gasoline line. Mr. Pena stated that this is correct.

Mr. McCarthy stated that he spoke to the agent at Eversource and the reasoning behind requesting Conservation Commission approval is because 152-154 Jackson Street is in close proximity to the Spicket River which is a protected area. He then stated that this work will be done in the street and it is utility work and the submission of the RDA is strictly a matter of procedure. He then stated that RDA is to determine whether or not a Notice of Intent (NOI) would be necessary. He then stated that he had spoken with Katie Hillsgrove and it was stated that the connection will be to the front yard of the house at street level. He then stated that the excavation will be well outside of the river. He then stated that the letter says that erosion control barriers will be installed, catch basins will be protected with filter fabric, drainage controls will be inspected on a regular basis and maintained, no soil will be stockpiled overnight, no work will be performed adjacent to the resource area and the work on the gas line will not permanently alter the landscape and paved areas would be repaved to the standard that they were before the work took place. He then stated that he would leave the matter up to the board's discretion.

Mr. Lilly then asked if there were any measurements because if the location is within 200 feet of the river, then it barely is. Mr. McCarthy then stated that this part of the river is a 25ft setback according to our local ordinance. He then stated that it is not within the 200ft or even the 100ft setback. He added that this part of the river is bordered by Irving Street and that the bank of this section of the river is all pavement. He then stated that this house is 100 feet higher than Jackson Street and that most of the work will be done outside of the 200ft setback.

Mr. Lilly then stated that the project is either exempt as a minor project, Mr. McCarthy then added that it is a negative determination where the location is in an area that is subject to protection by the act, but will not fill, dredge or alter the area which will not require the filing of an NOI. He then stated that the other would be that the location is within an area that is protected by the act, but it meets the utility work exemption.

Mr. Lilly then stated that the first of the two options would be best. He stated that this would be a negative two.

Upon a motion made by Mr. Lunduist and seconded by MS. DiMauro, the members of the commission unanimously voted to issue a Negative Two determination.

Modification Request to an Order of Conditions
13 Wells Street & 354-358 Park Street
The Morin-Cameron Group, Inc.

Present to address the members of the commission was Michael Laham with the Morin and Cameron Group. He stated that he was present on behalf of Alberto Nunez and what he and his client are attempting to do is develop the property located at 13 Wells Street and 354-358 Park Street.

He stated that there was a hearing two months ago on the modification request and since that meeting there have been some revisions and the location has been staked out. He stated that this was done right before a snowstorm and as a result, this confounded with everyone's schedule and there had not been a site walk. He then stated that he does have some photos from a preliminary site walk. He then presented these images to the commission. He stated that the plan that they had submitted originally was similar to the original application in the area of the riverfront. He then stated that as far as what is proposed, there was a great deal of confusion on the original plan in regards to where the work was and where the existing trees were.

He then stated that surveying has been done and referred to the plans that he was presenting to show the proposed limit of work as well as the existing and proposed tree line. He then stated that these plans were drawn up to show the existing tree line and the proposed limit of work and provide more information in regards to the tree line. He then stated that there may be a tree that gets removed behind the proposed line, but the desirable trees would stay. He then stated that in addition to saving the trees that provide some value, other trees would be planted to add to the tree line as well. He then listed off some of the types of trees that would be planted and stated that they are flexible when it comes to the types of trees as well. He then stated that crushed stone mulch could also be installed so as not to clog up the area. He stated that this area will be designed to facilitate drainage. He then stated that there would be plants that naturalize overtime. He then stated that he drew up a 50ft buffer to show a 50ft riparian buffer and pointed that out to the commissioners. He then showed images to the commissioners of the existing tree line and used this image to point out the trees that would be staying and the ones that would not. He then stated that this plan has not been presented to the commissioners and the plan is to submit this plan next month.

Mr. Lilly then stated that this presentation was strictly informational and the commission will not be voting on anything. He then stated that this will be a vote to amend the original order of conditions.

Mr. Lundquist stated that he does not have any questions and that he thinks that the trees that are proposed are acceptable. He then stated that the work is getting close to the 100ft barrier.

Mr. Lilly asked if the encroachment for the parking lot would be enlarged. Mr. Laham stated that the shift would be a few feet in order for the parking to work better. He stated that he revised the plan with new drainage and made sure that everything would work. He stated that he also tried to make the parking flow work better and that there will be more riprap and more stabilization along the banks.

Mr. Lilly then asked if Mr. Laham could provide more information about the other plantings in the design. Mr. Laham then stated that the concept was to get shade trees in the area because they would prove to be a nice feature. He then gave the commissioners a few options of trees that can be placed in that area. He stated that they would be some sort of hearty tree that is suitable for city life.

Mr. Lilly then asked what snow storage would look like. He asked if the snow would be trucked off or piled up in an area. Mr. Laham stated that some snow will end up on the site and trucks

would be on the site as well. He then stated that in the event of heavy snowfall, some snow would need to be trucked off-site.

Mr. Lilly stated that this is a lot more informative and there is more information than the original plan. He then stated that he thinks that the commission needs to get out and visualize while the stakes are still there. He then stated that it does help visualize the placement of everything. Mr. Laham stated that he would be amenable to a site walk.

Mr. Lilly then asked if it would be possible to send a copy of the plan electronically.

Mr. McCarthy then referred to one tree on the plan and stated that the fire department would not like the location of it. Mr. Lilly then suggested that this tree be changed to one that will provide more clearance for the fire department's trucks. Mr. McCarthy then stated that the issue is the trees cause issues with the turning radius. He stated that there is more room in the East and West that are much more suitable for shade trees.

Mr. Laham stated that this area would be a better area for seed or some type of perennial or grass. Mr. Lilly stated that this is a possibility and that there is a lot of potential in the plan.

Mr. Lilly then stated that he likes the species selection along the riverfront areas. Mr. Laham stated that he wants these trees to thrive and that irrigation may be a good idea for the first couple of years. Mr. Lilly then suggested more trees and stated that they would do well in the riparian corridor. He stated that they thrive in Lawrence.

Mr. Lilly asked if the project would have to go before the Planning Board or Zoning Board, he added that he would like to digest this information. Mr. Laham stated that he does not know.

Upon a motion made by Mr. Lundquist and seconded by Ms. DiMauro, the commission voted unanimously to continue the matter until the next meeting.

Upon a motion made by Mr. Lundquist and seconded by Ms. DiMauro, the commission voted unanimously to adjourn the public meeting.