

**METHUEN CONSERVATION COMMISSION**  
**Minutes of Meeting – February 18, 2010**

The City of Methuen Conservation Commission held a public meeting on February 18, 2010, at 7:00 p.m. in the William Quinn Public Safety Building, Sanborn Hall. Present for this meeting were Suzanne M. Lamoureux, Chairperson, John Wilkens, Vice Chairperson, Sandra Boulay, Secretary (arrived 7:30 p.m.), and George Kazanjian, Financial Secretary. Also present were Joseph Giarrusso, Conservation Officer and Head Clerk, Dianne A. Dewan. Absent were Commissioners Christopher Parsons and Isabel Tourkantonis.

The Chairperson waited for a quorum to call the meeting to order at 7:30 p.m.

**I. NOTICES OF INTENT:**

A. Amended Notices of Intent – DEP File #219-911 – MCC File # 04-013 – Emerald Pines Country Club and Estates – R & D Development Realty LLC – Wetlands Preservation Inc. (Con't from 01/07/10)

AND

B. Amended Notices of Intent – DEP File #219-967 – MCC File # 05-022 – Emerald Pines Country Club and Estates – R & D Development Realty LLC – Wetlands Preservation Inc. (Con't from 01/07/10)

The Chairperson re-opened the public hearings for items A and B above and read an e-mail dated February 18, 2010 from Curtis Young of Wetlands Preservation Inc. requesting the public hearings be continued to the meeting of April 1, 2010.

Hearing no public input at this time, a motion was made by Mr. Kazanjian; seconded by Mrs. Boulay, so voted, UNANIMOUS to CONTINUE the hearings to April 1, 2010 as requested.

C. Notices of Intent – DEP File #219-1081 – MCC File # 09-009 – Lot 1, Atkinson Street – Joseph Fisichelli – Meisner Brem Corporation (Con't from 01/07/10)

The Chairperson re-opened the public hearing for the above noted project and Jeff Brem of Meisner Brem Corporation presented the revised plans, calculations and information responding to comments from the City Engineering Department and Conservation Officer. He noted that it was brought to his attention this evening that the data sheets have still not been submitted. He will talk to Michael Toohill of Coneco Engineers & Scientists about submitting them and requested a continuance to the meeting of March 4, 2010.

Mr. Giarrusso noted that normally through the standard boilerplate of conditions, any mitigation is done before any impacts. There is a conflict if they are impacting before mitigating. There is a question with the plan that was submitted showing the remainder of the site. He questioned the intent of submitting that information; is it part of this filing?

METHUEN CONSERVATION COMMISSION  
Minutes of Meeting – February 18, 2010

Mr. Brem noted that it is not part of this filing. They are just trying to show that there could be a potential subdivision on the large piece in the future that would entail one more crossing. The intent would be to keep it under 5,000 square feet total alteration between the two. They were trying to clarify that there are plans in the future.

Mr. Giarrusso noted that this results in them creating their own hardship with the rest of the site.

Mr. Brem noted that they are aware of this and wanted to put everything on the table.

Hearing no public input at this time, a motion was made by Mr. Wilkens; seconded by Mr. Kazanjian; so voted, UNANIMOUS to CONTINUE the hearing to the meeting of March 4, 2010.

E. Abbreviated Notice of Resource Area Delineation – DEP File # 219-1082 – 483 Howe Street  
Central Catholic High School of Lawrence – Hancock Associates

Ms. Lamoureux read correspondence dated February 18, 2010, from John Dick of Hancock Associates requesting the public hearing be tabled to the meeting of March 18, 2010.

A motion was made by Mr. Kazanjian; seconded by Mrs. Boulay; so voted, UNANIMOUS to TABLE the public hearing to the meeting of March 18, 2010.

**II. CALL TO ORDER:** The Chairperson called the regular meeting to order at 7:45 p.m.

**III. ACCEPTANCE OF AGENDA / AMENDMENTS (IF ANY):** A motion was made by Mr. Kazanjian; seconded by Mrs. Boulay; so voted, UNANIMOUS to ACCEPT the Agenda as posted.

**IV. ACCEPTANCE OF MINUTES:** A motion was made by Mr. Kazanjian; seconded by Mr. Wilkens; so voted, UNANIMOUS to ACCEPT the minutes of 02/04/10 as written.

**V. OLD BUSINESS:**

A. Certificates of Compliance – DEP File#219-1068 – MCC File # 08-018 – 6 Beechwood Drive – Ashley Kazanjian/Saba Hashem – Andover Consultants Inc. (Tabled from 1/7/10)

As there would not be a quorum if Mr. Kazanjian stepped down, this is tabled to the next meeting.

B. Certificate of Compliance on Determination of Applicability – MCC File # 02-008 – 156 Butternut Lane – Rufus B. Price, Jr.

With Mr. Price present for this request for a Certificate of Compliance, Ms. Lamoureux read comments from the Conservation Officer's report

A motion was made by Mr. Wilkens; seconded by Mrs. Boulay; so voted, UNANIMOUS to ISSUE a Certificate of Compliance for this project making special reference to conditions 12 & 13, Conservation Easement and markers remaining in perpetuity.

METHUEN CONSERVATION COMMISSION  
Minutes of Meeting – February 18, 2010

**VI. INSPECTOR'S REPORT:** In addition to his written report, Mr. Giarrusso noted the following:

1) NOV # 09-010 – 134, 136 & 138 Pelham Street

Mr. Giarrusso noted that he did a site walk with the representative on February 8, 2010. He has supplied the Commission with a copy of his report with photos showing the impacts to Bordering Vegetated Wetlands. He recommends that the site be stabilized when seasonal conditions allow, a planting plan providing a protective buffer with a hedge of manageable shrubs, and a proper snow removal and management plan be provided to the Commission.

Site manager, Michael Sullivan, explained that one of the Housing Authorities that has tenants in the building order the cutting of the vegetation hanging over into the parking lot. Not all the cutting that was done was required by the housing authority and he takes responsibility for the cutting done above and beyond.

Mr. Giarrusso also asked for a copy of the letter from the government agency ordering the cutting of vegetation along with the name of a contact person for that agency. After that he will set up a follow-up meeting and put it back on the agenda.

2) DEP File #219-1080 – Rte. 93 Rotary Project – MASS DOT

Mr. Giarrusso noted that he met with the representatives of MASS DOT and their contractor and walked the area as required in the Order of Conditions under DEP File #219-1080 and determined the routes of the areas that need borings. Their pavement Engineer is requiring that there be a couple of test pits in addition to the borings so that they can get a better profile. He asked the Commission if they want him to handle this administratively. As with the borings, all these areas would have to be properly stabilized. They will be starting this week or next in frozen conditions.

The Commission directed Mr. Giarrusso to handle this administratively.

3) Use of Funds from Receipts Reserved Account

Mr. Giarrusso explained that his laptop needs to be replaced and he would like to purchase several “Y” connectors for the recorder. He asked the Commission for permission to use the Receipts Reserved Account up to an amount of \$2,000.

A motion was made by Mr. Kazanjian; seconded by Mr. Wilkens; so voted, UNANIMOUS to EXPEND funds from the Receipts Reserved Account for the laptop and connectors up to an amount of \$2,000.

METHUEN CONSERVATION COMMISSION  
Minutes of Meeting – February 18, 2010

**VII. OTHER BUSINESS:**

1) Emergency Certificate – #10-001 – Rte. 93 @ Rte 213 – MASS Highway

Mr. Giarrusso explained the situation along the southbound ramp area by Rte. 213 and Rt. 93 where the roadway shoulder was eroding along the Spicket River. He issued an Emergency Certificate to allow them to stabilize the shoulder/slope of the road.

A motion was made by Mrs. Boulay; seconded by Mr. Kazanjian; so voted, UNANIMOUS to RATIFY the Certificate.

**VIII. ADJOURN:** A motion was made by Mr. Kazanjian; seconded by Mrs. Boulay; so voted, UNANIMOUS to ADJOURN the meeting at 8:00 p.m.

Respectfully submitted by:

\_\_\_\_\_  
Dianne A. Dewan  
Head Clerk

Reviewed by:

\_\_\_\_\_  
Sandra Boulay,  
Secretary

Approved on:

March 4, 2010  
Date Approved