

METHUEN CONSERVATION COMMISSION
Minutes of Meeting – February 21, 2008

The City of Methuen Conservation Commission held a public meeting on February 21, 2008, 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, George Kazanjian, Financial Secretary, and Commissioners Sandra Boulay and Isabel Tourkantonis. Absent were Christopher Parsons, Secretary and Joseph T. Giarrusso, Conservation Officer. Also present was Head Clerk, Dianne A. Dewan.

The Chairperson called the meeting to order at 7:02 p.m.

I. NOTICES OF INTENT:

A. Notices of Intent – DEP File # 219-1040 – MCC File # 07-015 – Lot 16, Old Ferry Road – HB & CS LLC – Apple Associates, Inc. (Con't from 01/24/08)

The Chairperson re-opened the public hearing for the above noted project and read an e-mail dated 2/21/08 from Stephen E. Stapinski of Merrimack Engineering Services, the new engineering firm for the project requesting the hearing be continued to the meeting of 4/3/2008.

Hearing no public input at this time, a motion was made by Mr. Kazanjian; seconded by Mrs. Boulay; so voted, UNANIMOUS to CONTINUE the public hearing to April 3, 2008.

Due to a conflict of interest, Commissioner Boulay stepped down for item B and left the room.

B. Notices of Intent – DEP File #219-1047 – MCC File# 07-022 – 83 & 87 Pleasant Valley Street – Gilbert G. Campbell and T & R Realty Trust – Wetlands Preservation, Inc. (Con't from 01/24/07)

The Chairperson re-opened the public hearing for the above noted project and Curtis Young of Wetlands Preservation submitted a revised plan (sheet 1 of 1) dated February 21, 2008 and a planting plan for the proposed removal of woody vegetation, invasive species and foreign debris from an existing resource area that was modified to serve as a detention pond and to create a re-vegetated view corridor to allow for an improved sight distance for commercial development on the site. In response to concerns of the Conservation Officer as noted in his report of February 7, 2008, he has submitted a new sheet 1 of 1 signed and stamped and noted that sheets 2 and 3 of 3 were in reference to the planting plan. He suggested a special condition be included in the Orders of Conditions that the plantings be done under the supervision of an Environmental Scientist or other professional.

Hearing no public input or questions of the Commission, a motion was made by Mr. Wilkens; seconded by Mr. Kazanjian; so voted, UNANIMOUS to CLOSE the public hearing for this project. The Commission now has 21 days in which to make their decision. It will not be made this evening.

METHUEN CONSERVATION COMMISSION
Minutes of meeting – February 21, 2008

Mrs. Boulay returned to her position on the Commission.

C. Notices of Intent – DEP File #219-10?? – MCC File# 08-003 – 210 Howe Street – Neve Holdings, Inc. – The Neve-Morin Group, Inc.

The file in order, a motion was made by Mrs. Boulay; seconded by Mr. Wilkens; so voted, UNANIMOUS to ACCEPT the Notices of Intent for the above noted project.

The Chairperson opened the public hearing and John Morin of the The Neve-Morin Group, Inc. presented the proposed project for the construction of a golf clubhouse, parking lot and associated utilities and drainage. He requested a waiver of the Commission's setback policy and explained the calculations submitted for drainage per DEP's Stormwater Management Policy.

Ms. Lamoureux read comments from the Conservation Officer's report and noted that she does not feel that rational reasons have been given for being in the 50' Buffer Zone. She noted her concern with the possibility of overflow parking. She suggested Mr. Morin meet with Mr. Giarrusso to discuss the request for waiver.

Mr. Wilkens asked what they meant by pavilion.

Mr. Morin explained it would be a covered patio area where the golf carts would be kept. He also explained the drainage with this area. He noted that he needs to meet with the City Engineering Department regarding a catch basin in Howe Street.

Hearing no public input at this time and a requested by Mr. Morin, a motion was made by Mr. Kazanjian; seconded by Mr. Wilkens; so voted, UNANIMOUS to CONTINUE the hearing to the meeting of March 20, 2008.

D. Notices of Intent – DEP File #219-1049 – MCC File# 08-002 – Lot 37M, Burnham Road
Phil Manzi – Meisner Brem Corporation

The file in order, a motion was made by Mr. Kazanjian; seconded by Mrs. Boulay; so voted, UNANIMOUS to ACCEPT the Notices of Intent for the above noted project.

The Chairperson opened the public hearing and read an e-mail dated February 20, 2008 from Chuck Strickland of Meisner Brem Corp. requesting the hearing be continued to the meeting of March 6, 2008. She referenced comments from the Conservation Officer in his report of 2/21/08, which have been forwarded to the applicant.

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 March 6, 2008.

II. CALL TO ORDER: The Chairperson called the regular meeting to order at 7:33 p.m.

METHUEN CONSERVATION COMMISSION
Minutes of meeting – February 21, 2008

III. ACCEPTANCE OF AGENDA / AMENDMENTS (IF ANY): A motion was made by Mr. Wilkens; seconded by Mr. Kazanjian; so voted, UNANIMOUS to ACCEPT the agenda with the addition of an Emergency Certificate for Hampstead Street and Discussion of Stone Castle Order of Conditions under Other Business.

IV. ACCEPTANCE OF MINUTES: 01/24/08 and 02/07/08 minutes were not ready.

V. OLD BUSINESS:

A. Enforcement Issues – There were none at this time.

B. Bond Reduction – MCC File # 06-006 – Cornelia Road – Kevin O’Brien (Con’t from 02/07/08)

Per letter dated February 20, 2008, from Kevin O’Brien, this item will be postponed until further notice and it will be removed from the agenda.

C. Certificates of Compliance/Bond Release – DEP File #219-879 – MCC File # 03-034 - Eagle Lane (roadway and drainage) – DC Development – Meisner Brem Corporation
AND

D. Certificates of Compliance/Bond Release – DEP File #219-883 – MCC File # 03-035 - Lot 1, Eagle Lane – DC Development – Meisner Brem Corporation
AND

E. Certificates of Compliance/Bond Release – DEP File #219-882 – MCC File # 03-036 - Lot 4, Eagle Lane – DC Development – Meisner Brem Corporation
AND

F. Certificates of Compliance/Bond Release – DEP File #219-880 – MCC File # 03-038 - Lot 6, Eagle Lane – DC Development – Meisner Brem Corporation

As requested in a letter dated February 21, 2008, a motion was made by Mr. Wilkens; seconded by Mr. Kazanjian; so voted, UNANIMOUS to TABLE items C thru F above until the next meeting of March 6, 2008 as the City Engineering Department was unable to review the as-builts due to illness.

G. Insignificant Change – DEP File # 219-967 – MCC File # 05-022 – Lot 13, Emerald Pines - R & D Development

As requested in a letter dated October 29, 2007, and shown on plan entitled “Proposed Plot Plan, Map 9-6, Block 76, Lot 13”, dated September 10, 2007, a motion was made by Mr. Wilkens; seconded by Mr. Kazanjian; so voted, UNANIMOUS to APPROVE the Change finding it Insignificant.

METHUEN CONSERVATION COMMISSION

Minutes of meeting – February 21, 2008

H. Order of Conditions/Bond – DEP File #219-1048 – MCC File # 08-001 – East Capitol Street
City of Methuen

A motion was made by Mr. Wilkens; seconded by Mr. Kazanjian; so voted, UNANIMOUS to ISSUE Orders of Conditions with Standard Boiler Plate under the local with General Conditions #4 changed from one to three years, # under both local and state to be waived and #24 under the local to be waived and adding the following:

Findings:

The City of Methuen Public Works Department has submitted Notices of Intent with plans by Camp Dresser & McKee, Inc. dated December 2007, revised 1/08/08 Sheets C-1 thru C-5 for the proposed installation of approximately 640 linear feet of two 6” HDPE piping for cross-country sewer siphons, by means of horizontal directional drilling and to construct a 10’ wide gravel access road in an existing utility easement within the Riverfront Area associated with an unnamed tributary to the Spicket River, (as stated in WPA Form 3, Section B (1)(f) and the buffer zone of Bordering Vegetated Wetlands. The project is proposed as a Limited Project under 310 CMR 10.53 (3)(d) for construction of public utilities. Silt fencing is proposed to control the limit of work and prevent impacts to the resource areas.

Special Conditions:

- A. **Before ANY work is done**, the Contractor, job supervisor, City Engineer and Clerk of the Works shall meet with the Conservation Officer to review the Order of Conditions, Construction Sequence and timetable for the project. At this time, the contractor shall identify all stockpile areas, which shall be approved by the Commission and/or its agent.
- B. **Before ANY activity on the site may begin**, erosion control consisting of double staked hay bales and silt fencing shall be installed at the limit of work as shown on the approved plans. The Conservation Commission or its agent shall inspect it before work may begin.
- C. **Before ANY activity on the site may begin**, copies of ALL easements shall be submitted to the Commission.
- D. The Clerk of the Works (also known as the Engineer) shall submit weekly progress reports to the Commission. The Commission office shall be contacted within 24 hours of any problems or violations of this Order.
- E. The Contractor shall be held responsible for any infringements beyond the scope of work approved under this Order. This shall include improper stockpiling of materials. Such infringements shall be considered a violation of this Order and the Contractor shall be issued fines of \$100.00 per day for each day that the area(s) are not in Compliance. Each alteration shall be considered a separate violation.

METHUEN CONSERVATION COMMISSION
Minutes of meeting – February 21, 2008

- F. Prior to any field changes, a written request to include drawings shall be submitted for review and approval by the Commission and/or its agent. Should dewatering be required for the construction, the Commission shall be notified and shall approve the methods used.

VI. INSPECTOR'S REPORT: (see written report)

VII. OTHER BUSINESS:

A. Emergency Certificate – 60 Hampstead Street

Beaver activity in the Maple Street area has resulted in flooding of property associated with 151 Maple Street. A beaver colony has established a lodge in the City drainage system and ditch system located on the property associated with 60 Hampstead Street (0708-70-3A), owned by George Baker. Mr. Giarrusso is managing the beaver population in the area and would recommend that the small step dam located approximately 30' from the edge of pavement be breached (3' by 2') to restore preexisting drainage flows in the area to prevent flooding.

A motion was made by Mr. Kazanjian; seconded by Mrs. Boulay; so voted, UNANIMOUS to ISSUE the Emergency Certificate to allow the work as described above.

B. Discussion of Order of Conditions – DEP File #219-844 – Stone Castle

Ronald MacLaren presented the Commission with a request and check for a three-year Extension to the Order of Conditions referenced above. He asked the Commission to accept his request even though the Order had expired.

Ms. Lamoureux read the letter of request and noted that others had been required to refile once the Order had expired.

Mr. MacLaren apologized for not catching it and assumed everything was in order as he had been pulling building permits for some of the dwellings. He explained the extent of what has been completed on the wetland work (approximately 75%) and noted that nothing has changed to the proposed project. The footings are in for the last crossing and all that is needed is to place the bridge span on the footings and do the plantings within the limit of construction.

After some discussion, a motion was made by Mr. Wilkens; seconded by Mr. Kazanjian; so voted, UNANIMOUS to ACCEPT the request to extend and place it for consideration on the next meeting.

VIII. ADJOURN: A motion was made by Mr. Wilkens; seconded by Mr. Kazanjian; so voted, UNANIMOUS to ADJOURN the meeting at 7:57 p.m.

METHUEN CONSERVATION COMMISSION
Minutes of meeting – February 21, 2008

Respectfully submitted by:

Dianne A. Dewan
Head Clerk

Reviewed by:

Suzanne M. Lamoureux
Chairperson

Approved on:

03/20/08
Date Approved