

**Regular Meeting
Billerica Conservation Commission
January 9th, 2013
Town Hall, Room 210
365 Boston Road, Billerica, MA**

ATTENDANCE: Commission Members Jon Metivier (Chair), Paul Hayes (Vice Chair), Diane DePaso (Secretary)(7:03pm), JoAnne Giovino, Betsy Gallagher and staff members Adam Bossi (Director of Environmental Affairs), Isabel Tourkantonis (Land Use Assistant) and Janine Depper-Nash (Senior Clerk)

CALL TO ORDER: 7:00pm

- I. 7:00pm - PUBLIC COMMENT – no comments**

- II. 7:01pm - WETLANDS PROTECTION ACT & BILLERICA WETLANDS PROTECTION BY-LAW WETLANDS HEARING – NOTICE OF INTENT –**
Continued Public Hearing - Nashua Road – Scott Green – DEP File No. 109-1200/Billerica File No. BBL-1200

Documents submitted: 1-2-13 – Correspondence from Doug Lees, Land Engineering & Environmental Services, Inc. to Billerica Conservation Commission re. Variance Request, DEP File #109-1200 with attached plan titled Site Grading Plan prepared by Land Engineering & Environmental Services, Inc. dated 10-9-12 revised 1-2-13, Scale: 1”=30’
- Correspondence from Doug Lees to Billerica Conservation Commission re. 153 Nashua Road, DEP File #109-1200

Conservation Staff reported that the proposed project was still under review with the Board of Health. An additional site meeting has been set up with municipal staff from Conservation, Board of Health and DPW to further review abutter drainage concerns. The applicant had submitted a request to continue the hearing.

MOTION: TO continue this Hearing to 1-23-13 at the Applicant’s request. Moved by Commissioner Giovino, seconded by Commissioner Hayes. Carried. All in favor.

III. 7:05pm - WETLANDS PROTECTION ACT & BILLERICA WETLANDS PROTECTION BY-LAW WETLANDS HEARING – NOTICE OF INTENT –
Continued Public Hearing - Black Cove LLC – 241 Treble Cove Road – DEP File No. 109-1201/Billerica File No. BBL-1201

Documents submitted: Variance Request for 241 Treble Cove Road, Black Cove LLC

- 2 photos, each 8.5” x 11”
- informational brochure on The Eliminator
- informational brochure on Stormceptor

Anthony Guba of Ayoub Engineering attended the hearing and submitted additional information regarding stormwater BMPs. Mr. Guba provided a brief recap of the project and discussed the information submitted since the last hearing with the Commission. Mr. Guba noted he met with MA DOT earlier in the day and believes MA DOT will permit the proposed stormwater work on their land. MA DOT will also require the project to incorporate the “Eliminator” trash/debris removal device into the proposed catch basins and will require an emergency shut off be installed in the stormwater system prior to the discharge point. The Commission and Mr. Guba discussed the stormwater management aspects of the proposed project. The Commission noted the stormwater operations and maintenance plans must be revised to increase street sweeping frequency to twice a year and increase the area to be swept to include both the 1 Republic Road and 241 Treble Cove Road lots that are associated with the proposed project. Mr. Guba noted the changes would be made and revised plan would be submitted. Mr. Guba requested this be included as a condition of the Order and Commission agreed to such.

The Commission and Mr. Guba discussed the Bylaw variance request and Mr. Guba reported that MA DOT was amenable to allowing the applicant to remove existing debris and sediment from the wetland and allow for seeding and stabilization of existing exposed soil in/near the wetland. The Commission requested the applicant and Conservation staff coordinate on this work to ensure minimal wetland disturbance from the enhancement work. The Commission noted no other issues appeared to be outstanding. Mr. Guba requested to close the public hearing.

MOTION: TO grant the variance as requested. Moved by Commissioner Giovino, seconded by Commissioner DePaso. Carried. All in favor.

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

IV. ADMINISTRATIVE MATTERS/DIRECTOR’S REPORT
Requests for Certificates of Compliance:

- Swan Lane-DEP File #109-1163/BBL-1163
- Mass Electric Company – DEP File #109-398
- Mass Electric Company – DEP File #109-849

The Director reported that none of the three above noted Requests for Certificates of Compliance could be fully reviewed as the project sites were snow covered. The Director noted the applicants were advised of this issue and recommended that the Commission take no action to approve or deny the Requests until staff has had the opportunity to fully review site conditions.

The Commission concurred with the Director and took no action to approve or deny the Requests. The Commission requested staff to schedule review of the Requests for the next public hearing.

Minutes: 9-26-12 – **MOTION:** TO accept the minutes with changes as discussed. Moved by Commissioner Giovino, seconded by Commissioner Hayes. Carried. 4 in favor, 1 abstained (Commissioner Metivier)

Administrative NOI Review Process – the Director advised the Commission he had been reviewing the Commission’s NOI file review procedures and filing requirements and noted staff would be making some adjustments to the process to improve service. Minor changes in the review process will include the staff’s use of a new NOI checklist and review form. The Commission request to review the forms.

The Administrative NOI review discussion led to a brief discussion regarding the Bylaw and Regulations. The Commission noted it is a good time for them to review and potentially update their rules and filing requirements. The Commission discussed the potential for forming a subcommittee to review the Bylaw and Regulations and discussed the potential for forming a separate subcommittee to work on conservation land management issues.

7:55pm MOTION: TO adjourn. Moved by Commissioner Giovino, seconded by Commissioner Hayes. Carried. All in favor.

Respectfully submitted,

Diane DePaso, Secretary

Prepared by Janine Depper-Nash, Adam Bossi