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December 6, 2019

In accordance with the Massachusetts General Laws Chapter 131, Section 40, and the City of Lowell Wetland Ordinance Section 280.1-13, the Lowell Conservation Commission will hold a meeting on Wednesday, December 11, 2019 at 7:00 PM. The meeting will be held in the City Council Chambers, City Hall, 375 Merrimack Street, 2<sup>nd</sup> Floor, Lowell, MA 01852.

### AGENDA

#### CALL TO ORDER

#### ORDER OF BUSINESS

##### **Request for Determination of Applicability**

City of Lowell

50 Arcand Drive

Lowell, MA 01852

Project Location: 52 E Merrimack Street 01852

Removal of dead and decaying trees along the Concord River adjacent to the Lowell Memorial Auditorium

##### **Request for Certificate of Compliance**

Rachel Nachabia

9 Day Street

Dracut, MA 01826

DEP# 206-0583

Project Location: 14 Watson Street 01852

Request a partial Certification of Compliance for Unit 1

##### **Notice of Intent**

LandPlex, LLC on behalf of Community of Khmer Buddhist Monks, Inc.

10 George Street

Lowell, MA 01852

DEP #206-0791

Project Location: 48, 58, & 66 Townsend Avenue and 800.1 & 810 Varnum Avenue 01854

A Notice of Intent has been filed by LandPlex, LLC on behalf of Community of Khmer Buddhist Monks, Inc. to construct an approximate 16,800 sq. ft. Religious Temple at 48, 58 & 66 Townsend Avenue and 800.1 & 810 Varnum Avenue with two hundred and seventy-four (274) parking spaces, ancillary landscaping, stormwater management and utility improvements. The subject property contains Bordering Vegetated Wetlands, Isolated Wetlands, and Bordering Land Subject to Flooding with Clay Pit Brook crossing the northern portion of the property.

##### **Enforcement Order**

Jilyan and Jose Silva

24 Bigelow Street

Lowell, MA 01852

Violation Location: 24 Bigelow Street 01854

The existing asphalt driveway and walkway were dug up, fill was removed and relocated to the rear yard in front of the stone wall. A garage was recently installed on a concrete slab on grade without a building permit or any approval from the Conservation Commission to the left of the house. Resource areas associated with property include buffer zone to Bordering Vegetated Wetlands and riverfront area to a stream.

**Notice of Intent**

Benjamin Rivera

172 Eighteenth Street

Lowell, MA 01854

DEP #206-0795

Project Location: 172 Eighteenth Street 01854

Applicant is proposing to relocate boulders, repair ruts, install a 6' privacy fence, above ground pool, extend deck and stairs, install a 8'x6' storage shed and utilities within the 100' Buffer Zone of Bordering Vegetated Wetlands.

**Enforcement Order**

Benjamin Rivera

172 Eighteenth Street

Lowell, MA 01854

Violation Location: 172 Eighteenth Street 01854

Property owner removed existing wall along the perimeter of the rear property line. The rear property line essentially delineates the edge of the Bordering Vegetated Wetlands. The applicant relocated the rock wall to create a "pathway" further into the wetlands.

**Enforcement Order**

RB Lowell Meadow Brook LLC

211 Plain Street

Lowell, MA 01852

Violation Location: 211 Plain Street 01852

Tree removal along River Meadow Brook without a permit

**OTHER BUSINESS**

42 Wellman Street: DEP# 206-0767

Order of Conditions Extension –new signatures required due to recording issue.

Environmental Notification Form: MassDOT Project File No. 609038

Andover Street and River Road Intersection Improvements

Massachusetts Bay Transportation Authority's (MBTA)

Notice of exempt activities associated with the Automatic Train Control (ATC) Project for work in areas within jurisdiction of the Wetlands Protection Act (WPA).

MassDEP Proposed Wetland Regulation Revisions: 310 CMR 10

Proposed amendments:

1. Timely submittal of Orders and Determinations to DEP;
2. Clarification of standing for abutter appeals; and
3. Updating the reference to the list of wetlands indicator plants.

**Minutes**

**ADJOURNMENT**