

CONSERVATION COMMISSION
LOWELL, MASSACHUSETTS
September 8, 2021

Note: These minutes are not completed verbatim. For further detail, video recordings are available at the Pollard Library, second floor reference desk or online at www.LTC.org.

Due to the COVID-19 pandemic, this meeting was held both in person and virtually using Zoom.

Members Present: Louisa Varnum, Brad Buitenhuis (Zoom), William Lovely, Perry Downs, Kevin Dillon (Zoom), Weston Standish

Members Absent:

Others Present: Peter Cutrumbes, Assistant Planner

CALL TO ORDER

Meeting called to order at 7:02 PM

ORDER OF BUSINESS

NEW BUSINESS

CONTINUED BUSINESS

Notice of Intent

Chantho Mo

138 Martin Street

Lowell, MA 01854

Project Location: 138 Martin Street 01854

The applicant is seeking to construct an addition to a single-family home within the 100 year floodplain. The applicant has proposed to demolish an existing addition at the rear of the property and construct a larger addition. **MassDEP has not assigned a number to this project yet.**

On Behalf:

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion: W. Lovely proposed a motion to continue to the September 22nd meeting, P. Downs seconded. (Unanimous, 6-0).

NEW BUSINESS

Request for Determination of Applicability

James Hevner

744 Varnum Avenue

Lowell, MA 01854

Project Location: 744 Varnum Ave 01854

A Request for Determination of Applicability has been filed by James Hevner to construct an above ground pool at 744 Varnum Avenue within the FEMA 100-Year Flood Plain.

On Behalf: J. Hevner spoke and described the project briefly.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion: W. Lovely asked if the sand for the liner would be at grade. J. Hevner said it would, as the yard is flat. L. Varnum asked if there is a deck leading up to the pool, J. Hevner said no. W. Lovely brought a motion to issue a Negative 3 determination. Seconded by B. Buitenhuys. (Vote was unanimous, 6-0)

Notice of Intent

City of Lowell

375 Merrimack Street

Lowell, MA 01852

DEP #206-0807

Project Location: Beaver Street Bridge over Beaver Brook

A Notice of Intent has been filed by the City of Lowell to replace the Beaver Street Bridge over Beaver Brook. The replacement would impact the following resource areas: Bank, Land Under Waterbodies and Waterways, Bordering Land Subject to Flooding, and Riverfront Area.

On Behalf: Bob Niccoli, TEC Engineering, described the project. He said MASSDOT found severe deterioration of the steel superstructure. TEC has created a plan to replace the superstructure while only making surface level repairs to the concrete substructure (which is in good condition). They are taking large precautions to disturb the resource area as little as possible. The new superstructure will be a prefabricated truss structure.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion: L. Varnum asked about drilling the micropiles down the existing wooden piles. She is curious as to whether that will damage the wooden piles. B. Niccoli answered that the micropiles are modern and are strong enough to bear all the weight that current wooden piles are. L. Varnum asked about a barge under the bridge being able to catch debris. B. Niccoli said that because its a steel superstructure, they can just cut the pieces of the steel and grab them, as barges are usually for concrete superstructures that need to be chipped away. He also said they have talked to the contractor that no piece of the bridge will stay in the water.

S. Colarusso (40 Beaver Street) asked if the concrete drilling they did on the VFW project (which shook her home) would be happening here. She lives close to the bridge and is worried about structural damage to her home. B. Niccoli said they will not be doing concrete drilling. S. Colarusso also asked if they will touch any of the flood protection measures in the area, to which B. Niccoli responded no. S. Colarusso asked how the contractors will fit on the site. B. Niccoli said that they will do most of the staging on the Martin Street side.

B. Buitenhuys, W. Standish, K. Dillon, and P. Downs spoke in full support of the project.

W. Lovely asked what the timeline of the project is. B. Niccoli said he predicts April through November of 2022.

Motion made by B. Buitenhuis to close the public hearing. (Vote was unanimous, 6-0)

W. Lovely motioned to issue a standard City of Lowell OOC, seconded by B. Buitenhuis (The vote was unanimous, 6-0)

Order of Conditions Extension

Markley Group

2 Prince Avenue/1 Markley Way

Lowell, MA 01852

DEP File #206-0787

Project Location: 2 Prince Avenue/1 Markley Way 01852

The Applicant has requested an OOC extension request for 2 Prince Ave, 1 Markley Way. The OOC is set to expire on September 17, 2021.

On Behalf: Theo Kidman and Luke Kipfer, STANTEC. T. Kidman summarized the process this site has gone through, including the revisions to the OOC. He presented a diagram of the Site Plan to show which portions of the OOC are unfinished. He says the Markley Group needs more time to finish the work. The work in front of the building will continue taking place next year.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion: L. Varnum asked about one of the special conditions of the OOC, which required a landscaping project within the first year. T. Kidman said most of the landscaping and screening work along the brook has been completed. Jake Fortes (36 Iowa Street) asked how much longer this work will keep going on, and how many generators will be on the site. L. Kipfer said they will never exceed the amount of generators on the presented plan and that he projects the work will take 3 more years.

W. Lovely motioned to issue a standard City of Lowell OOC extension, seconded by P. Downs (Vote was unanimous, 4-0*)

*B. Buitenhuys left the meeting and W. Standish recused

Minor Modification

Amanda Ho

141 Cashin Street

Lowell, MA 01851

Project Location: 141 Cashin Street

A Minor Modification has been filed on behalf of Amanda Ho to construct a patio at 141 Cashin Street. The applicant is seeking approval to modify the previously approved NOI to add a patio within the 100 foot buffer zone of a protected wetland. The applicant is also seeking approval to regrade a portion of the lawn. All proposed work is located within the 100 foot buffer zone of a protected wetland.

On Behalf: K. Dickinson, landscape architect with Carpenter Costin summarized the project. The house is newly purchased, with a yard that was not left in good condition, so extensive landscaping is required. Additionally, the owners are going to expand their deck.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion: L. Varnum asked if they can keep the silt fence in the same area it is in and to be notified if any work would be happening beyond the silt fence. L. Varnum also asked if they could dig out some soil from the area, instead of bringing in soil. K. Dickinson said there is not enough soil, but that the fence is remaining there. They need to mix around 3 or 4 inches of soil with the lawn in order to bring it up to grade. This will prevent runoff into the resource area. K. Dickinson asked if the silt fence can be taken down in the stabilized area. L. Varnum said yes.

Motion made by W. Standish to grant the minor modification, seconded by W. Lovely. (Vote was unanimous, 5-0).

Request for Determination of Applicability

Salath Tek

155 Woodward Avenue

Lowell, MA 01854

Project Location: 155 Woodward Avenue 01854

A Request for Determination of Applicability has been filed by Salath Tek to construct a roofed deck at the rear of the existing single-family structure at 155 Woodward Avenue. The proposed project is located within the 100 foot buffer zone to a protected wetland.

On Behalf: Rodrigo Cabral, contractor. He is building a 12 foot by 30 foot deck within the protected wetland for the applicant.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion: L. Varnum asked how the deck will be supported. R. Cabral said there will be footings and posts. K. Dillon said a neighbor has a very similar deck and thus it should be approved.

K. Dillon motioned to make a Negative 3 determination, seconded W. Lovely. (Vote was unanimous, 5-0).

OTHER BUSINESS

Minutes

August 11, 2021 Minutes

K. Dillon motioned to accept the minutes. Seconded by W. Lovely. (Vote was unanimous, 5-0).

ADJOURNMENT

W. Lovely motioned to adjourn, seconded by W. Standish. (Vote was unanimous, 5-0). Meeting adjourned at 8:17 PM.