

Approved 3/25/2019

Town of Chelmsford Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting MINUTES
January 14, 2019

Attending:

Glenn Diggs, Chairman
Kenneth Lefebvre, Vice Chairman
George Dixon, Selectman
Patricia Wojtas, Selectman

Paul Cohen, Town Manager
Michael McCall, Asst. Town Manager

Not Present:

Emily Antul, Clerk

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. The meeting was recorded by Chelmsford Telemedia and the Chelmsford Independent. Chairman Diggs called the meeting to order at 6:03 PM.

SIGN FEBRUARY 4, 2019 SPECIAL TOWN MEETING WARRANT

Article 1, Animals Accessory to Dwelling.

This Article will make the Board of Health the deciding & permitting group for residents housing chickens and other small animals.

Article 2, Robert Myers' Citizen Petition

This Petition seeks to increase setbacks for animals from surface water bodies.

Article 4, Tobin Ave. Easement

Town Counsel Ginny Kremer, has reviewed the Article, and finds no problems with it.

Atty. Philip Eliopoulos spoke for the applicant, SGC Development. The proposal is an access easement over the same parcel used by the Lost Valley Drive residents, which would also allow them to connect to sewer if desired, and would allow the North Water District to loop two water lines. Lost Valley Drive is currently a private road, containing 2 duplexes.

Brian Goudreau, Hancock Associates, and representing SGC Development, stated that currently Tobin Ave is a dead end street. There are four residences on Lost Valley Dr. The easement will allow access to a new development.

North Chelmsford Water District wants to loop water lines on Tobin Ave. to John St. in order to eliminate two dead end water lines. The applicant is proposing to pay for this work to loop the water lines. The new development will consist of four duplexes.

Potential access could be obtained off of John St., however it would be more difficult due to elevation changes. Tobin Ave. access provides more level topography. The parcel was always intended to be "dedicated for street purposes".

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Allowing this easement would provide the Lost Valley Drive residents the option to hook into sewer if they wish to connect to the Town's sewer system, and would eliminate the need for grinder pumps. Access from John St. would require use of grinder pumps for the new duplexes.

When the Lost Valley Dr. septic systems fail, they will be required to connect to sewer. The advantage of the easement would decrease costs to connect to sewer for the Lost Valley residents, as there will also be an easement to allow them to connect. The two duplexes on Lost Valley Dr. are a part of a Condominium Association.

If approved, the Board of Selectmen would negotiate what the consideration for granting the easement would be. Town Meeting authorizes the Board to grant the easement. If negotiations fail, there will be no changes to the existing easement for Lost Valley Drive.

Public Comments:

Kathleen Alves, Lost Valley Drive, advised that she was speaking for the residents of Lost Valley. There is a covenant in place that states that on any property on Lot J and Lot P, as well as any other property on the dedicated land plan associated with the covenant states there will be no further subdivision on this parcel. The easement area is Lot T. Disallowing this covenant is not something the Board wants to start, and granting this easement would change the covenant. Lot T was only supposed to be used as access for Lost Valley Condominiums. The Town does not have the authority to grant this easement. The Town does not have a clear title because of the covenant.

Atty. Kremer stated that as long as the new development doesn't impede access to Lost Valley Dr., then the Town can move forward. The Town can dictate the terms of the easement if Town Meeting approves granting the easement.

Ms. Alves will research whether the Town has the deeded rights. The Condominium developer needed this lot to acquire the frontage for their development. Her frontage is the width of the entire lot. Atty. Eliopoulos clarified that their frontage is off Lost Valley Dr., not from Town owned land. The builder of Lost Valley Condominiums granted the land to the Town for tax purposes.

Atty. Kremer advised that if the Planning Board approves, the frontage could be off the private way or the parcel. She agreed to research this and get back to the Board.

Article 3-Fund the Collective Bargaining agreement with the Police Superior Officers Union.

Motion: by Selectman Lefebvre to approve and sign the Special Town Meeting Warrant, to include the four articles, as presented. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

Next Regular Meeting: January 28, 2019

ADJOURN

Motion: by Selectman Lefebvre to adjourn at 6:45PM. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

Respectfully Submitted,

Approved 3/25/2019

Vivian W. Merrill
Recording Secretary

Supporting Documents:

- Warrant for Special Town Meeting, February 4, 2019
- Exhibit Plan for Tobin Avenue Easement
- Letter dated January 10, 2018 from Department of Public Works regarding Tobin Avenue
- Citizen Petition-Robert Myers