

RECEIVED
2019-04-25
1:42 PM
TOWN OF CHELMSFORD
PATRICIA E. DZURIS
TOWN CLERK

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
February 5, 2019
Approved April 16, 2019

Meeting Location: 50 Billerica Rd., Room 205, Chelmsford, Ma 01824

Members Present: David McLachlan-Chairman, Chris Garrahan, Chris Tymula, William Vines, Mark Gibbs

Members Absent: April Mendez, Jack Souza

Others Present: Katharine Guertin-Conservation Agent

Meeting was called to order at 7:00PM by Chairman McLachlan.

All documents referenced in these minutes are available for review at the Community Development Office, 50 Billerica Rd., Chelmsford Town Offices Building. This meeting was audio recorded and hand recorded via the Recording Secretary.

Open Session / Citizen Concerns

No one came forward at this time.

Regulatory

Notice of Intent- continued

53 Parkhurst Road, new building construction

The applicant has requested a continuation as the soil borings are still pending.

Motion: by Mr. Gibbs to continue the hearing for 53 Parkhurst Rd. to February 19, 2019.
Seconded by Mr. Vines. **Motion carries, unanimous.**

Enforcement Order- new

36 Turnpike Road, resource area violation

The property owner was present. The Enforcement Order includes a sequence of events, and allowable actions that may be taken. The order was issued on January 25, 2019.

The Building Inspector has also issued a violation letter for unpermitted commercial vehicle and contractor equipment storage.

Mr. McLachlan stressed the need to get this situation rectified. Mr. Quay explained through his personal representative Sam Poulton that trees were planted, but they died. Mr. Quay thought the brick patio would help, and then he was going to plant trees again. All vehicles have been removed.

Mrs. Guertin noted that the patio was not there in July, 2018. The patio was not permitted. The patio is still there today, and is located in buffer zone and in flood zone, which is not allowed. An application needs to be submitted for the proper permit. All activity within 25 from a wetland is prohibited, as is all impervious surfaces within 30 feet of a wetland. Mr. Quay could still be required to remove the patio.

The original restoration order was issued two years ago, and has not been complied with. Mr. Quay was advised that \$300/day in fines could be issued. Mr. Quay was advised that he will need to provide a certified plot plan, as well as a Notice of Intent application for the patio, and he will need to hire a wetland scientist to determine compensatory flood storage areas, if possible. The dead trees must be replaced.

Mr. Poulton stated that Mr. Quay is very sorry. They will consult with Leah Basbanes again. Debris has been removed, and Mrs. Guertin was asked to please let him know if more work is needed. Mr. Quay now understands he needs to go through the Commission for future work.

Mr. Quay was advised to contact his engineer prior to March 5, 2019 to determine a plan to file the Notice of Intent application.

In July, 2018, 4 out of 10 of the trees were already dead. Mr. Quay was told he could use pines instead of maples.

Mr. McLachlan requested a status report for February 19, 2019, or else a fine would be instituted. Mrs. Guertin agreed to provide a list of acceptable potential engineers to Mr. Poulton.

Motion: by Mr. Garrahan that Mr. Quay will provide a work plan to the Conservation Agent by February 9, 2019, to include identification of an engineer, the status of the project, a timeline for filing the Notice of Intent application, and providing a certified plot plan. Seconded by Mr. Vines.
Motion carries, unanimous.

**Request for Certificate of Compliance-new
Meadowbrook Substation, DEP # 129-0775**

Work was permitted in 2014. The area is stabilized, and all work was completed by National Grid. Photos were provided. There were no ongoing conditions.

Motion: by Mr. Gibbs to issue a Certificate of Compliance for Meadowbrook Substation, DEP#129-0775, as presented. Seconded by Mr. Garrahan. **Motion carries, unanimous.**

Discussion

No items were discussed at this time.

Continual Business

Land Management update

Mr. McLachlan advised that the meeting with Brian Milisci will be rescheduled when the weather is not as cold.

Mr. Stanway is pursuing the issue of ADA parking at all conservation reservations. Currently, there is at least one spot available in lots of more than 10 spaces. None of the reservation parking areas are paved. Most of the trails are not ADA accessible due to slope and topography. Mr. McLachlan was concerned that putting in ADA parking signs may increase liability concerns as the trails are not ADA accessible.

The Klondike Derby Boy Scout event went very well.

Agent's Report

Mrs. Guertin will be signing off on all chicken/small animal permits. Coops would be considered a shed, up to 144 SF.

Documents were signed by commissioners as required.

Mrs. Guertin will be attending a Chelmsford Vulnerability work shop. The discussion will be to see what needs to be done to protect the Town & its residents in the event of various natural disasters.

Approve Minutes

November 20, 2018

Motion: by Mr. Garrahan to approve the Minutes of November 20, 2018, as amended. Seconded by Mr. Gibbs. Mr. Tymula abstained, all others in favor. **Motion carries.**

Adjourn

Motion: by Mr. Tymula to adjourn the meeting at 7:38 PM. Seconded by Mr. Souza. **Motion carries, unanimous.**

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Supporting Documents:

-Applications and supporting documents for Permit Extension Request as listed above.

-Draft Minutes

Next Meetings **February 19th** **March 5th**