

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
February 18, 2020
Approved July 7, 2020

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

Members Present: David McLachlan-Chairman William Vines, Marc Gibbs, Chris Garrahan, Karl Bischoff, Chris Tymula

Members Absent: 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 and hand recorded via the Recording Secretary.

Mr. McLachlan announced to the audience that Jack Souza passed away this weekend. Mr. Souza's work was summarized. A ginger ale/cranberry juice toast was made in his memory.

Open Session / Citizen Concerns

Iva Mooney, 38 Proctor Rd., asked whether the Commission meetings could be televised through Chelmsford Telemedia. She was advised this could be looked into.

Ms. Mooney stated that at the joint Carlisle/Chelmsford Conservation meeting, it was suggested that a log of water levels and board changes at the Cranberry Bog Reservation be kept so this can be monitored. No one knows who controls the boards that control the water levels. She is also concerned about damage to the dam. She feels there are advantages for people to know what's happening and whether current practices are effective. She noted there is water damage further downstream at the State park. She thought the Heart Pond Association does their own monitoring for Heart Pond, but this should be done at the bog as well.

Mr. Garrahan and Mr. Bischoff agreed this is worth looking into.

Regulatory Hearings

**Request for Determination of Applicability-new
6 Crabapple Lane, garage addition**

Legal notice read. Mike chamberlain is the applicant. The contractor for the project explained he will be digging to add a second bay to an existing garage. The closest point of work is 89 feet from the edge of wetland. No grading will be needed. Material will be removed from the site. There will be a small amount of added asphalt to extend the driveway for the second bay. Straw waddles will be used.

No comments from the audience.

Motion: by Mr. Vines to approve a Request for Determination for 6 Crabapple Lane, with a Negative 3 Determination and no Special Conditions. Seconded by Mr. Tymula. **Motion carries, unanimous.**

Notice of Intent-new

10 Clydesdale Road, garage and breezeway construction

Legal notice read. Guaranteed Builders is the applicant. Karen Kegan spoke on behalf of Guaranteed Builders, and explained that their request is to build a 24' x24' garage, with a 6'x14' breezeway attached. The closest point of work is 25 feet from the wetland, they will use straw waddles and silt fence. Excess material will be taken offsite, and the structures will have slab foundations. Mrs. Guertin advised that DEP has not issued a file number yet, and their portal has been down.

No comments were received from the audience.

Motion: by Mr. Garrahan to issue an Order of Conditions for 10 Clydesdale Rd. subject to receiving an issued DEP File number and compliance with any of DEP's comments. Seconded by Mr. Tymula. **Motion carries, unanimous.**

Notice of Intent-new

60 Elm Street, dam maintenance

Legal Notice read. The Town of Chelmsford Conservation Commission is the applicant. Scott Smiers, Oxbow Associates, spoke on behalf of the applicant.

The biggest concern has been the trees along the earthen dam at the Cranberry Bog Reservation. The proposal is to cut the trees flush to the dam, and removing them. The goal is to avoid causing water damage downstream if the dam were to be breached. The dam is 275 long, 5 feet wide. There is a mix of shrubs and trees. They propose to remove 28 trees; all work is within the 25 foot No Disturb buffer area. Erosion controls to be used will be silt fence and straw waddles. They will be as careful as possible. A Wetland Specialist will be onsite. Other shrubs will be cut back also. Loam and seeding with native seed mixes will be done, and proposed mowing twice per year should keep trees from returning. This qualifies as a limited project, and may enhance and diversify wildlife habitat. A DEP file number of 129-0884 has been received, with no additional comments. A photo of the trees was shown. Completing this work will also create a path for smaller emergency vehicle access.

There will be a warrant article on the Spring Town Meeting to fund the project, including the engineering and consulting costs. Work is anticipated to be completed this Summer.

Mr. Bischoff reported that the Community Preservation Committee has discussed whether this work would be considered maintenance or a capital improvement; the Committee has not committed support at this time.

Audience Comments:

Mr. Sperry noted that COSS has removed several trees from the dam. Over time, the stumps will rot out and more work will be needed.

Phil Stanway, COSS, noted there have been two medical and one fire incidents at this reservation. Emergency vehicles coming in from Carlisle takes a lot of time. This will help response times, and will make maintenance much easier. The road could also be made ADA compliant. Ice and roots make it hazardous for people with mobility issues, or the wrong kind of shoes.

Iva Mooney, 38 Proctor Rd. asked whether DPW could outsource the work. She reiterated her prior concerns about monitoring water levels. She asked that the Ladyslippers growing here not be damaged.

Motion: by Mr. Garrahan to issue an Order of Conditions for 60 Elm St., with Special Conditions that the area in question be mowed twice per year, and that a Wetland Scientist be present while the work is completed. Seconded by Mr. Tymula. **Motion carries, unanimous.**

Request for Certificate of Compliance-new

Wellman Avenue, Merrimack River bank stabilization

The applicant was not present. Mrs. Guertin inspected the site in July; plantings appear to have been looking good. Three growing seasons have passed. Not entirely in compliance with the Ongoing Condition, only one annual operation and maintenance report was received from the Condominium Association.

Approval tabled, until the Ongoing Condition language and compliance can be clarified.

Discussion

Russell Mill/Red Mill wildflower garden, parking, walkway and boat launch

Mr. Bischoff described the area in question as vacant land with a tool shed on it. The proposal is to cut a trail from the parking lot to the pond, construct and install a boat launch for row boats and canoes, and create a flower garden. This is the excess property retained after the sale of 101 Mill Rd.

COSS will be doing most of the work.

Mr. Bischoff advised that the plot plan is being certified, to confirm which parcel the shed is actually on.

Mr. Stanway added that there could be up to 5 small areas of gardens. A photo of the proposed trail was shown. Accessibility has been a concern for the Millstream. There will be coordination needed with the Youth Soccer Association.

In the future, there will be invasive weed removal needed for water plants in the pond. A Notice of Intent may be needed for this work and the boat launch work.

Burning permits are on file to help with the clearing.

The Commission supported the work, and will await additional information.

The dock would be open to the public from sunrise to sunset.

152 Turnpike Road violation

Runoff from rain is causing damage and erosion issues into the wetland. Developer John Norton advised that erosion controls were installed, however, what is there may not be enough. At the end of last week, DEP notified Mrs. Guertin that runoff was impacting a certified vernal pool, and they are investigating. Pam Merrill sent a letter to the developer with a list of things to do immediately. Much of this work has been done, however, with the recent additional rain, more damage has been caused.

DEP recommended either an enforcement order be issued, or file a violation. DEP stepped in because of the damage to the vernal pool. The developer has been cooperative. Sediment still needs to be removed from the wetland. Mrs. Guertin will draft an enforcement order for the record.

Brian Latina, 15 Jessie Rd., stated that he was involved with getting the vernal pool certified in 2003, due to a project in 2004 at 130 Turnpike Rd. had a lot of tree clearing, and 26 condominiums were put in the wetland. The Town did tree clearing, too. Sand and silt has been pushed into the wetland, making the retaining pond defective. The project at 152 Turnpike Rd. is on top of a hill, about 200 feet from the vernal pool. Mrs. Guertin advised that the wetland was created by the drainage from Stonegate Condominiums.

Mr. Latina was also concerned with the pond at the end of Jessie Rd. He requested that two bales of hay placed at the end of Jessie Rd. to stop the runoff going into the pond. A side of the slope was cut out, which caused the problem. This has now been ripped.

Mr. Latina maintained that the wetland is being violated, and he would like the vernal pool cleaned up as well.

The Commission agreed that a site visit can be done.

Review priority of available Land inventory

The last survey was done about 10 years ago. This document was shown, and several parcels were described. Commissioners were asked if there were any parcels to add, priorities to change, or parcels to delete.

There were no changes proposed at this time.

Land Management

No further reports were provided at this time.

MACC Annual Conference

This Conference will begin on February 29, 2020. Mr. Garrahan will get back to Mrs. Guertin on whether he will attend.

Continual Business

Documents were signed as needed.

Paperwork for the next meeting was provided to the Commissioners.

The meeting for March 3, 2020 will be rescheduled. Mrs. Guertin will contact the applicant.

Agent's Report

No further reports were provided at this time.

Approve Minutes

There were no minutes approved this evening.

Adjourn

Next Meetings

March 3rd

March 17th

Motion: by Mr. Tymula to adjourn the meeting at 8:28PM. Seconded by Mr. Vines. **Motion carries, unanimous.**

Respectfully submitted,
Vivian W. Merrill

Supporting documents:

-Applications & supporting documents for Request for Determination, Notices of Intent, and Request for Certificate of Compliance