

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
June 4, 2019
Approved July 16, 2019

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TOWN OF CHELMSFORD
PATRICIA E. DZURIS
TOWN CLERK

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

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

Members Absent: April Mendez

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

Minor plan change-new

6 Regina Drive, previously approved Determination

The previous approval was to construct a detached garage. DPW has requested that a drywell be installed. The Commission cannot act on this request as the plans have not been received yet.

Enforcement Order-continued

36 Turnpike Road, violation

Maureen Herald, Norse Environmental spoke for the applicant. Pat Flaherty is going out this week to begin a survey. A request was made to continue the Hearing to July 16, 2019. She will forward a plan once she receives it, and they are still evaluating a possible easement on a neighbor's property for compensatory flood storage. The applicant also needs to plant 10 replacement trees and shrubs from a prior enforcement order. Ms. Herald will return on June 18, 2019 with an update.

Motion: by Mr. Vines to continue the Hearing for 36 Turnpike Rd. to July 16, 2019. Seconded by Mr. Gibbs. **Motion carries, unanimous.**

Motion: by Mr. Vines that the applicant or his representative will appear at the meeting on June 18, 2019 for an update on the status of the original restoration plan and the status of the current plan. Seconded by Mr. Gibbs. **Motion carries, unanimous.**

Violation-new

Tobin Ave, access through wetland/clear cutting

Mrs. Guertin received a report from the Town Engineer reporting disturbance to flagged wetland where trees were clear-cut. The original approved plan was to access the lot to be developed from an easement, not through the isolated wetland. The area in question is owned by St. John's Church.

Susan Macarthur, Macarthur Environmental, Framingham, explained that the developer's hired company inadvertently did this work.

The area does have wetland vegetation. The flags in place do not extend to the area of work, but it is an isolated wetland. A wetland seed mix was planted and raked out. There are tire marks there where someone backed into the newly planted area. The abutting church may need to install a fence (they will be notified to do so). William Harvey explained he had cleaned up the area for the church shortly after he bought the adjoining property.

An easement access is pending approval. Brian Goudreau will be filing a Notice of Intent for the subdivision. A plan in this filing will need to include addressing disturbance in the 25-foot no disturbance buffer.

Ms. Macarthur will provide a restoration plan and letter.

Mr. Vines noted that this area of wetland was created from runoff from the parking lot. The real wetland is off to the left.

Motion: by Mr. Vines to order William Harvey to submit a restoration plan showing where the restoration has been made on a parcel on Tobin Ave., abutting St. John's Church. Seconded by Mr. Souza. **Motion carries, unanimous.**

Motion: by Mr. Vines to authorize the Conservation Agent to notify St. John's Church to install a barrier around the edge of wetlands (orange fencing). Seconded by Mr. Garrahan. **Motion carries, unanimous.**

Discussion

Heart Pond complaint

Marty Spaulding, 19 Moore St., explained that last week she noticed someone had dumped paving material in the parking lot of Heart Pond. Mrs. Guertin explained that the DPW uses road grindings to fill in holes in the parking lot. Ms. Spaulding thought this lot was a gravel lot, and road grindings would make it smell bad.

Mr. McLachlan will follow up with Mr. Stanway of COSS to verify what material was used in the lot, and how far the lot was expanded.

Discussion continued to the next meeting.

14 Green Valley Drive, tree issue.

The property owner is requesting that the Town remove a tree on conservation property abutting her property. Quotes were obtained, and she feels they are not reasonable.

Tree cutting regulations

Mr. McLachlan drafted a potential regulation that he recommended be added to the Commission's existing regulations, edited as follows:

3. General Provisions

3.5. Tree Removal on Conservation Land

Any tree that is located on Conservation Land and is deemed to be a safety hazard to an abutting property will be removed by the Town of Chelmsford's Department of Public Works. Determination of the hazard tree will be conducted by the Department of Public Works or its agent.

DPW Director Gary Persichetti has advised Mrs. Guertin that he was sending the Commission an invoice for the tree removal on Old Stage Rd. Mr. McLachlan advised that the Commission will await the bill and he will address it with the Town Manager.

Per the Town Manager, DPW needs to determine whether a tree should be removed.

Amendments to the proposed regulation included proposed verbiage that a tree can be removed at the Town's expense and the Commission will not be charged for this work, removal of the last sentence, and the addition of language stating that a tree can be removed by "the Town of Chelmsford DPW or its agent".

Motion: by Mr. Vines to approve the proposed Tree Removal Regulation as amended. .
Seconded by Mr. Gibbs. **Motion carries, unanimous.**

The regulation will be forwarded to DPW and the Town Manager, with a request to assess the tree at 14 Green Valley Drive.

Continual Business

Land Management update

Mr. Souza and Mr. McLachlan met with Chelmsford Housing Authority Director David Hedison, who is working with the new owner of the UMass West Campus to in regard to developing future housing.

Mr. McLachlan is meeting with Carlisle on an update on the status of the Cranberry Bog. The directors of the Chelmsford Water District are also requesting an update on what is going on. The Town of Carlisle would like to maintain their water withdrawal rights. They are two years into a five year agricultural exemption. If a plan is not completed, the bog area will return to the category of protected wetland.

COSS is doing a reasonable job maintaining the various reservations. Mr. McLachlan will reach out to DPW about maintaining the fire access road and parking lot entrances.

Mrs. Guertin visited the area of 184 Willis Drive. The fire pit area is Sewer Department land. The abutting conservation land is filled with sheds and other debris. Commissioners will visit the area on their own to assess.

Agent's Report

Paperwork for hearings at the next meeting was provided to Commissioners.

Mr. Tymula asked if meetings can start earlier, at 6:30PM, for July 16, 2019, and both meetings in August. The Commission agreed to allow this.

Approve Minutes

There were no minutes approved this evening.

Adjourn

Motion: by Mr. Tymula to adjourn this meeting at 7:52PM. Seconded by Mr. Vines. **Motion carries, unanimous.**

Next Meetings	June 18th	July 16th
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Respectfully submitted,
Vivian W. Merrill
Recording Secretary

Supporting documents:
-Draft Tree Removal Regulation