

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
July 7, 2020
Approved October 20, 2020

Meeting Location: Virtual Meeting

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

Members Absent: Chris Garrahan

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 video recorded via the Zoom Platform and Chelmsford Telemedia.

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, the Town of Chelmsford Conservation Commission will conduct a remote public hearing on Tuesday, July 7, 2020, at 7:00 P.M. to consider the following applications:

Open Session / Citizen Concerns

No one came forward at this time.

Regulatory Hearings

Abbreviated Notice of Resource Area Delineation- continued

6 & 24-30 Second Lane, approval of delineated wetlands and buffer zones

A site walk was completed earlier this week. Mr. McLachlan agreed the wetland delineation was straightforward. Mrs. Guertin requested the revised plan from Mr. Larkin, which he will provide.

There were no comments from the audience.

Motion: by Mr. Gibbs to approve the delineation of wetlands for an ANRAD for 6 & 24-30 Second Lane, as presented. Seconded by Mr. Vines.

Roll Call vote:
Mr. Tymula: Aye
Mr. Gibbs: Aye
Mr. Vines: Aye
Mr. Swenson: Aye
Mr. Bischoff: Aye
Mr. McLachlan: Aye

Motion carries, unanimous.

Notice of Intent- continued

236-240 Groton Road, residential subdivision

Katie Enright, Howard, Stein, Hudson, wished to ensure the Commission was comfortable with the delineation after last evening's site visit, which included the Planning Board. The applicants will be before the Planning Board tomorrow night. She will be requesting a continuance tonight.

Changes to the plan include relocating 2 of the homes, and the plans will be re-engineered again. Also the road is a little shorter, and the homes will have shorter driveways. The changes will result in less impervious surface. The Town Engineer will provide a revised report.

Any overflow from the smaller detention area will go directly to the wetland.

The Commission supported the changes. Mr. Swenson will arrange to meet with Mrs. Enright for a separate site walk.

Audience Comments:

Mike Walsh, Burton Lane, advised that he agreed the revised plans address the abutters' concerns, and he thanked the Commission and the applicant for these changes.

Beth Logan, 36 Lovett Lane, also agrees this is a better plan.

Motion: by Mr. Vines to continue the hearing for 236-240 Groton Rd. to August 4, 2020.
Seconded by Mr. Bischoff.

Roll Call vote:
Mr. Tymula: Aye
Mr. Gibbs: Aye
Mr. Vines: Aye
Mr. Swenson: Aye
Mr. Bischoff: Aye
Mr. McLachlan: Aye

Motion carries, unanimous.

Notice of Intent-new

Locke Road, new single family home

Legal Notice was read. Maureen Harrold, Norse Environmental, spoke for the applicant, James Paterno. The proposal is to build a single family home, garage, and deck, as well as to install grading and utilities within 100 feet of bank. This lot was part of 3 Locke Rd., which was separated. Erosion controls shown; the site will have Town sewer and water. No work is proposed to the stream or the farmer's pond. Some material will be brought in for grading. There will not be any storage of materials in the buffer zone.

The Commissioners had no issues with the proposal.

No Comments were received from the audience.

Motion: by Mr. Gibbs to issue a Standard Order of Conditions with no Special Conditions for Locke Rd., as presented. Seconded by Mr. Tymula.

Roll Call vote:

Mr. Tymula: Aye

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Swenson: Aye

Mr. Bischoff: Recused

Mr. McLachlan: Aye

Motion carries.

Notice of Intent-new

24 Fenwick Road, construct a garage and 3 additions

Legal Notice was read. Pat Flaherty spoke on behalf of Peter Spawn, the applicant. This lot has 34,000 SF. A garage will be expanded, and additions will be built to the rear of the house. The driveway will be widened. Cultec chambers and a rain garden will address storm water.

The wetlands are in the back and to the right of the property. All additions are outside the 50-foot buffer zone. All but one addition will have a foundation. The other will be built on Sono tubes. Material storage will be in the front of the lot. Silt fence will be installed. An existing deck will remain.

The Commissioners had no issues with the proposal.

There were no comments received from the audience.

A DEP File number still needs to be issued.

Motion: by Mr. Vines to issue a Standard Order of Conditions with no Special Conditions for 24 Fenwick Rd., as presented. Seconded by Mr. Bischoff.

Roll Call vote:

Mr. Tymula: Aye

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Swenson: Aye
Mr. Bischoff: Aye
Mr. McLachlan: Aye
Motion carries, unanimous.

**Request for Certificate of Compliance-new
DEP#129-0867, 176 Mill Road**

Pat Flaherty advised this work was done, and the vegetation has established.

Motion: by Mr. Gibbs to issue a Certificate of Compliance for 176 Mill Rd., as presented.
Seconded by Mr. Tymula.

Roll Call vote:

Mr. Tymula: Aye
Mr. Gibbs: Aye
Mr. Vines: Aye
Mr. Swenson: Aye
Mr. Bischoff: Aye
Mr. McLachlan: Aye

Motion carries, unanimous.

**Request for Certificate of Compliance-continued
DEP #129-0831, Merrimack bank stabilization**

Work was completed about 3 years ago, and the area has stabilized. The Condominium Management Association is maintaining the vegetation, as promised.

No Comments were received from the audience.

Motion: by Mr. Vines to issue a Certificate of Compliance with ongoing conditions for Merrimack River bank stabilization, as presented. Seconded by Mr. Bischoff.

Roll Call vote:

Mr. Tymula: Aye
Mr. Gibbs: Aye
Mr. Vines: Aye
Mr. Swenson: Aye
Mr. Bischoff: Aye
Mr. McLachlan: Aye

Motion carries, unanimous.

Discussion

Willis Drive Conservation Commission Property

Mrs. Guertin received a report from local resident Mrs. Farrell that the boundary markers have been removed from the site, and a dock has been installed. An abutter is telling people they cannot use the dock, which is not allowed if the dock is on public property.

Mr. McLachlan explained that residents on the lake sometimes get confused and consider the public land as private property. Boundary markers will be replaced, and the abutter will be spoken to about the dock.

Beaver issue

Lime Quarry

Mrs. Guertin and Mr. McLachlan explained this issue occurred near the Lime Quarry. The property owner at 143 Littleton Rd. has notified the Board of Health there are mosquito issues from stagnant water between her property and 141 Littleton Rd. DPW has cut the beaver dams three times, and the dams are re-built overnight. The Board of Health could issue a permit to trap the beavers, but they want direction from the Commission. The DPW could install a pipe under the stream. A breach of the dam is not possible as heavy equipment will not fit in the area.

Mr. Bischoff and Mrs. Guertin will do a site visit. Mr. Gibbs would support trapping, as the beavers cannot legally be re-located. Mrs. Guertin advised that even with trapping, more beavers would move in.

The Board of Health will be directed to address the situation in their usual manner by issuing a trapping permit.

Mr. McLachlan requested the Conservation Agent to also have the Board of Health check on a property next to Mill Pond, as he has received trash complaints.

Cushing Place

Mr. Gibbs and Mrs. Guertin visited the site and had concerns about how the work was done in the rip-rapped area of the culvert area. The plans were shown that confirm this work was allowed. Mr. Tymula advised that if the rip-rap is removed, there would be significant erosion. Invasive plant removal was not completed, either, which was promised.

The applicant will be before the Commission at the next meeting for a different project, and this issue can be discussed at that time.

Continual Business

Land Management

Mr. McLachlan reported there is another parcel of land being offered to the Commission on Littleton Rd. This is a four acre parcel that is not developable as it is completely wet. The Town already owns several small abutting parcels, and it is very close to the Lime Quarry. Mrs. Guertin suggested that if the land is being donated, the Commission should consider accepting the land as a donation.

The Commission agreed to direct the Conservation Agent to relay to the Town Manager that the Commission is not interested in buying the parcel, but they would accept a donation of the parcel.

Approve Minutes

Motion: by Mr. Bischoff to approve the meeting minutes of December 3, 2019, December 17, 2019, January 7, 2020 and February 18, 2020, as presented. Seconded by Mr. Vines.

Roll Call vote:

Mr. Tymula: Aye

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Swenson: Abstained

Mr. Bischoff: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Agent's Report

Commissioners will come in to sign documents, and pick up paperwork for the next meeting.

Mr. Gibbs reported that he was speaking with Bob Delaney of the Chelmsford Water District, and the District is very interested in Misty Meadows. Mr. McLachlan noted that the land would effectively still be open space, and Mr. Vines commented that other agreements and easements with abutters may be impacted by this decision. The Commission will continue to monitor.

CPC will be discussing Misty Meadows and the Warren-Pohl properties next week in Executive Session.

Adjourn

Next Meetings July 21st August 4th

Motion: by Mr. Gibbs to adjourn the meeting at 8:15 PM. Seconded by Mr. Vines. **Motion carries, unanimous.**

Mr. Tymula: Aye

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. McLachlan: Aye

Motion carries, unanimous.

Respectfully submitted,
Vivian W. Merrill

Supporting documents:

-Applications for Regulatory Hearings

-Site Plans for Discussion Items