

Chelmsford Conservation Commission  
Town of Chelmsford  
50 Billerica Rd. Chelmsford, Ma 01824  
Meeting Minutes  
July 16, 2019  
Approved August 20, 2019

Meeting Location: 50 Billerica Rd., Room 204, Chelmsford, Ma 01824

**Members Present:** David McLachlan-Chairman Jack Souza, Chris Garrahan (6:34PM), William Vines, Mark Gibbs, Chris Tymula

**Members Absent:** April Mendez

**Others Present:** Katharine Guertin-Conservation Agent

Meeting was called to order at 6:30PM 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**

**Request for Determination of Applicability-new**

**5 Jerridge Lane, conversion of sunroom to all season addition**

Legal Notice read. Badhri Uppiliappan explained the size of the space will remain the same, and any excess material will be removed from the site. No further questions from the Commission.

There were no comments received from the audience.

**Motion:** by Mr. Garrahan to approve a Request for Determination for 5 Jerridge Lane with a Negative 3 Determination, as presented, with no Special Conditions. Seconded by Mr. Vines.  
**Motion carries, unanimous.**

**Notice of Intent-new**

**10 Sunrise Avenue, violation restoration and landscaping**

Legal Notice read. Maureen Herald, Norse Environmental, spoke for the applicant, Jacob Zechner. The violation was for unpermitted earth and tree removal. Restoration of the backyard area will include grading, loam and seed, and planting of 6 shrubs within the 25 foot buffer zone to demarcate this area.

Some tree cutting was done on water district property. Logs are still stacked there, and can be removed. Mr. Zechner explained the trees that were cut up had already fallen; he did not cut any live trees. He was cleaning up the area. Excess material will be removed, the rest will be used to fill in holes. Mr. Zechner's goal was to open up the yard and make it more usable. There will be no work done in the flood plain. Stumps will be removed in the 50-100 foot area, the ones in the 25 foot area will remain and be ground down.

There will be a Special Condition for the applicant to contact Mrs. Guertin to review the site prior to the loam and seed work.

No comments were received from the audience.

**Motion:** by Mr. Vines to issue a Standard Order of Conditions for 10 Sunrie Ave., with a Special Condition that the Applicant will contact the Conservation Agent for a Site Visit prior to loam and seeding the work area. The applicant will remove the log pile, and the 25-foot No-Disturb buffer area will be demarcated with shrubs or boulders. Seconded by Mr. Tymula. **Motion carries, unanimous.**

#### **Notice of Intent-new**

#### **9 Conestoga Road, detached garage**

Legal Notice Read.

Ian Amesley spoke for applicant Robert Gilinson. The proposal is to build a 14' x 22' single car garage on a slab foundation which will be located further away from the wetland than the existing house. This home was built in the 1960's, and most of the property is in the riverfront area. The proposed location for the garage is the least invasive option; it requires the least grading and tree removal, and is the furthest from the resource area.

No comments were received from the audience.

**Motion:** by Mr. Garrahan to issue a Standard Order of Conditions for 9 Conestoga Road, as presented, with no Special Conditions. Seconded by Mr. Vines. **Motion carries, unanimous.**

#### **Enforcement Order-continued**

#### **36 Turnpike Road, violation**

Maureen Herald, Norse Environmental, spoke for the applicant, Quay Ho. A Notice of Intent application has not been filed yet; she is providing an update to the Commission as was requested. A surveyed plan has been submitted. They are still looking for 1500 cubic feet Compensatory Flood Storage. The parcel is mostly flood plain and riverfront. Ms. Herald requested a continuance to continue researching Compensatory Flood Storage options. The applicant is aware that if CFS can't be configured, the patio will need to be removed. Negotiations with a neighbor may still be ongoing.

The paved play area is a pre-existing condition. Fines have maxed out at \$10,000.00.

No comments were received from the audience.

**Motion:** by Mr. Garrahan to continue the hearing for 36 Turnpike Rd. to August 6, 2019.  
Seconded by Mr. Tymula. **Motion carries, unanimous.**

### **Violation-continued**

#### **Tobin Ave, access through wetland/clear cutting**

Mrs. Guertin reported that silt fence was installed in two areas as requested. A letter was sent to St. John's Church- they have retained Atty. Jeff Brown to represent them.

Atty. Brown has indicated that the Church did not grant permission to Mr. Harvey to do any work on their property. Two light fixtures had been hit by cars and needed to be replaced. The fixtures are still being stored in the wetland. Atty. Brown will be advised that these fixtures need to be removed from the wetland.

An e-mail from Atty. Brown was read into the record. He is waiting for the pastor to come back from vacation. Mr. Harvey is not returning his telephone calls. Machinery may be needed to remove the lights and the concrete bollards. Atty. Brown will be asked to appear at the August 6 meeting.

**Motion:** by Mr. Garrahan to continue the hearing for Tobin Ave. to August 6, 2019. Seconded by Mr. Tymula. **Motion carries, unanimous.**

### **Request for Certificate of Compliance-new**

#### **DEP#129-0287 226 Westford St.**

This is a subdivision from 1990. A Partial Certificate is being requested. The lot is clean.

**Motion:** by Mr. Vines to issue a Certificate of Compliance for 226 Westford St., DEP #129-0287, as presented. Seconded by Mr. Gibbs. **Motion carries, unanimous.**

### **Election of Commission Officers**

**Motion:** by Mr. Vines to nominate Mr. McLachlan for Chairman. Mr. McLachlan accepted the nomination. Seconded by Mr. Garrahan. **Motion carries, unanimous.**

**Motion:** by Mr. Gibbs to nominate Mr. Garrahan for Vice Chairman. Mr. Garrahan accepted the nomination. Seconded by Mr. Souza. **Motion carries, unanimous.**

### **Discussion**

#### **184 Willis Drive complaint/violation**

Residents at 183 Willis will be sent a letter explaining the parcel at 184 Willis is public land. Mr. McLachlan and Mrs. Guertin will draft the letter.

#### **Invoice for tree work**

An invoice to remove a tree from conservation land on Old Stage Rd. was provided to the Commission. The cost of the work is \$1386.00. Mr. McLachlan will discuss this with the Town Manager.

A resident at 14 Green Valley Rd. has requested that two trees be removed. The Town Manager has authorized that the removal be paid from the Conservation Commission's Reservation Account. Mr. McLachlan will also discuss this with the Town Manager.

**Event at Red Wing Farm (Lockheed)**

This is an Annual event, and 340 people are expected to attend. The Event will happen on July 29, 2019. COSS will be notified.

**Event at Russell Mill (NEMBA)**

Discussion tabled, as event details have not been received. The event is in September.

**Regulation of Swain Pond outflow**

A resident on Swain Pond has filed a complaint that the water level of the pond is too low. It appears the flashboards may have been removed, and the concern is downstream flooding. The resident is also concerned about mosquitoes, and he was directed to contact the state mosquito control program. The area is very overgrown. Mr. McLachlan will advise the resident that the commission cannot control adjustment of the water level.

**Continual Business**

**Land Management update**

Brian Milicsi has advised that the water level is still very high and overtopping the dam at the Cranberry Bog Reservation. His report will be delayed.

A large pothole at the Lime Quarry Reservation entrance needs to be addressed.

**Agent's Report**

Documents were signed as required.

The next meeting will also begin at 6:30PM.

Mrs. Guertin will be leaving for maternity leave on September 5, 2019, and she will be away from the office for three months. She will work from home.

**Approve Minutes**

**May 7, 2019**

**May 21, 2019**

**June 4, 2019**

**June 18, 2019**

**Motion:** by Mr. Garrahan to approve the Meeting Minutes of May 7, 2019, May 21, 2019, June 4, 2019 and June 18, 2019, as presented. Seconded by Mr. Souza. **Motion carries, unanimous.**

**Adjourn**

**Motion:** by Mr. Garrahan to adjourn the meeting at 7:37PM. Seconded by Mr. Souza. **Motion carries, unanimous.**

**Next Meetings                      August 6th                      August 20th**

Respectfully submitted,  
Vivian W. Merrill  
Recording Secretary

- Supporting documents:
- RDA and Notice of Intent Applications and supporting documents
  - Certificate Of Compliance application and supporting documents
  - Draft Minutes