

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
February 2, 2021
Approved February 16, 2021

Meeting held via Zoom.

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

Members Absent:

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, and televised via 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, January 19, 2021, at 7:00 P.M. to consider the following applications:

Open Session / Citizen Concerns

No one came forward at this time.

Regulatory Hearings

Notice of Intent-new

5 Eugenie Terrace, in-ground pool

Mr. Garrahan recused himself from this hearing.

Legal notice was read.

Pat Flaherty spoke for the applicant, Seth Lerner. The lot was created in 1953, and is near Putnam Brook. There is some flood plain in front of the house; however, the work area is not in flood plain. There are

several wetland areas on the left side of the property. The location of the pool is about 60 feet from the wetland, and there will be a patio around the pool. The proposed location for the pool is the flattest area in which to place the pool. Material storage area was shown; as was the silt fence location. Work is anticipated to begin in the summer of 2021. There will be a fence and alarm installed for the pool. In the future, there may be a shed added to store pool equipment.

Mrs. Guertin will correct the agent's report, as there is an added sentence that doesn't belong in this report. Standard pool operating procedures will be added to the Order.

There were no comments received from the audience.

Motion: by Mr. Vines to issue a Standard Order of Conditions to include Pool Operating Procedures for 5 Eugenie Terrace, as presented. Seconded by Mr. Gibbs.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Tymula: Aye

Mr. Garrahan: Recused

Mr. McLachlan: Aye

Mr. Swenson: Aye

Motion carries.

**Request for Certificate of Compliance-new
104 Turnpike Road, DEP#129-0850**

Katie Enright, Howard, Stein, Hudson, was present for this request. The project has been completed. The wetland replication area was reviewed and constructed in the Fall of 2020. The request is to bond the 180SF replication area, which will be monitored and maintained over the next two growing seasons and three years. Dave Guthrie explained they are in the process of re-financing their loan, and a closed Order is a requirement of this refinance. Ms. Enright clarified how the replication area was determined. Mr. McLachlan suggested that a \$5,000.00 bond should be adequate, as the applicant said the replication area cost would be \$3500.00 to construct.

Mr. Garrahan noted that bonds have been used successfully by the Planning Board.

There were no comments received from the audience.

Motion: by Mr. Vines to grant a Certificate of Compliance for 104 Turnpike Rd., subject to the Conservation Commission receiving a Bond for \$5,000.00 to ensure the successful growth of a 180SF wetland replication area as noted on the plans in the Order of Conditions, as presented. Seconded by Mr. Tymula.

Roll Call vote:

Mr. Gibbs: Aye

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

Motion carries, unanimous.

Open Space Land Use Regulations Revision

Commissioners were provided with two draft documents. Mr. McLachlan explained there are currently two sets of regulations used by the Commission. One document is for Freeman Lake, and one document applies to the rest of the reservations.

Section L in the regulations indicated that “no person may use, camp or remain overnight on any of the reservations without prior authorization of the Commission”. The word “organization” was added- “no person or organization may use...”. A change was made to ensure everyone knows there is an application to obtain permission to hold events on any of the reservations.

Another change was made to clarify the posting of public notices on conservation lands. Parties wishing to post such notices must obtain prior authorization from the Commission. Information can only be posted in kiosks, and for no longer than 6 months.

Section L as amended was confusing and will be further edited and presented at the February 16 meeting

Commissioners supported the document regarding the posting of information.

Motion: by Mr. Vines to approve the Regulation in regard to the Posting of Public Information on Conservation Reservations, as presented. Seconded by Mr. Garrahan.

Roll Call vote:

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

Motion carries, unanimous.

Discussion

Parcel donation near River Meadow Brook and Route 3

The parcel is behind Stop & Shop, and abuts two other lots that the Commission already owns. The parcel is landlocked, and cannot be developed.

The Commission agreed to accept the donation.

Motion: by Mr. Vines to accept the donation of Parcel 53-218-3, also known as the Delgarian parcel, as presented. Seconded by Mr. Garrahan.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Tymula: Aye

Mr. Garrahan: Aye

Mr. Swenson: aye

Mr. McLachlan: Aye

Motion carries, unanimous

Continual Business

Land Management

Warren-Pohl – update

Mr. Bischoff reported that a walk-through was done for the proposed parking areas on this past Sunday. He and Mr. McLachlan spoke with the Conway School of Landscape Design on February 1, 2020 on assistance for creating a Master Plan for this reservation. This school completed a similar plan for Red Wing Farm 17 years ago.

Next Monday, there will be a presentation before the Select Board.

There is consideration to expand the parking area of Wright Reservation to help create parking for this reservation.

The Community Preservation Committee is requesting more information on the funding request for a parking area off Boston Rd.

Each parking area would provide an up to 20 spaces on each reservation.

Visitor access from Parker Rd. is still being evaluated. The area is very overgrown, and there are some abutter encroachments.

Negotiations are continuing with Caroline Parlee on haying the field.

Work will continue.

Agent's Report

Commissioners were requested to sign paper work at Town Offices as soon as possible.

Approve Minutes

January 19, 2021

Motion: by Mr. Garrahan to approve the Meeting Minutes of January 19, 2021, as presented.

Seconded by Mr. Vines.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Tymula: Aye

Mr. Swenson: Abstained

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Adjourn

Motion: by Mr. Vines to adjourn the meeting at 7:44PM. Seconded by Mr. Bischoff.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. Tymula: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Next Meetings:

February 16

March 2nd

Respectfully submitted,

Vivian W. Merrill

Supporting documents:

-Applications for Notice of Intent & Certificate of Compliance

-Parcel map of 53-218-3

-Draft Regulations

-Draft Minutes