

Chelmsford Conservation Commission  
Town of Chelmsford  
50 Billerica Rd. Chelmsford, Ma 01824  
Meeting Minutes  
February 16, 2021  
Approved April 20, 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, February 16, 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**

**17 Zeus Drive, garage addition**

Legal notice was read.

Brian Milicsi, Whitman & Bingham, spoke for John Thibault, the applicant.

Work will be in the buffer zone only, as the new garage will be about 58 feet from the wetland, placed next to an existing garage.

The Commission had no further questions, and there were no comments from the audience. No Special Conditions were recommended.

**Motion:** by Mr. Garrahan to issue a Standard Order of Conditions for 17 Zeus Dr., with no Special Conditions, as presented. Seconded by Mr. Vines.

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.**

Mr. McLachlan asked Mr. Milisci about some flagging he had done at the Warren-Pohl property. Mr. Milisci explained that the only flagging he did was for a house lot next to the farm, and that was some years ago. Mr. Milisci agreed to forward the information he has on file to Mr. McLachlan.

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

#### **314 Dunstable Road, six lot single family subdivision**

Legal notice read.

Katie Enright, Howard, Stein, Hudson, spoke for the applicant, David Guthrie.

This parcel currently has one single family house on it. The house will be razed, and the lot will be subdivided into six house lots, all with over 4000SF of land. A new roadway will be built where the driveway is today. The culvert for Deep Brook that is under the driveway will be upgraded to meet current stream crossing standards. There will be a sidewalk on one side of the road. Drainage will be directed towards a pocket wetland near the road and the stream crossing. The proposal is to create a new wetland where the water table is high.

There will be three separate infiltration ponds throughout the site. Each home will have a septic area, due to the sewer moratorium.

If an abutting condominium development is approved in Westford, there will be another road that exits the subdivision from the cul-de-sac in Chelmsford to the development in Westford. The Westford project is still in its conceptual stage.

The Planning Board has approved the subdivision, subject to some minor details being finalized.

The Town Engineer has reviewed plans, and is recommending moving one pond over another 10 feet, closer to the new home, and farther from an abutter's home.

Ms. Enright agreed to forward additional information regarding Flood Plain requirements to the Commission.

The Board of Health is requiring a 21E Environmental study to rule out pollution concerns, as the prior owner collected many things on the property, and the property was the site of the former Hamel dump in the 1960's and 1970's. Test pits dug so far have not found any indication that trash is underground.

Mr. McLachlan recalled a nearby project on Dunstable Rd. several years ago, and he noted that Deep Brook was in very poor condition at that time. Ms. Enright stated that she did not notice any issues with the brook on this property.

The Board of Health will be working on requirements for the septic systems.

The homeowners will be designing their own landscaping. Mr. McLachlan suggested xeriscaping for water conservation purposes, if possible.

Plans for the new box culvert installation are still being developed. Deep Brook would be diverted as the work is done. It was recommended that this work be done in the late summer, when the brook is at its lowest.

A snow storage area was created per the request of the Planning Board. The DPW will be plowing the main road as it will be a public road.

A sewer line will be sleeved along the culvert; however, the Planning Board waived the requirement for a dry line as it is unknown when sewer capacity will become available again.

Town Engineer Christina Papadopoulos confirmed that she is finalizing several details with the applicant and for the Planning Board.

Two catch basins and the pocket wetland will be maintained by Chelmsford's DPW, the third catch basin will need to be maintained by the developer in Westford, as it is handling Westford's storm water.

If the abutting development in Westford is not constructed, or approved for construction, there will not be a road going into Westford.

Mr. Garrahan asked who confirmed the wetland delineations. Ms. Guertin has not completed a site visit, due to the current snow cover. Ms. Enright will obtain the plan with the original flagging so the verification can be done.

Waivers of the 25 foot no disturb and 30 foot no impervious buffers will be needed for the stream crossing & culvert work.

The Fire Department issued its recommendations to the Planning Board. Access to the Westford parcel would be through Chelmsford.

No DEP comments have been received to date.

The Commission will await the environmental report, DEP comments, to verify the wetland flagging, and will complete a site walk. Ms. Guertin recommended no use of chemical fertilizers or deicers.

Public comments:

Christine Urban, 294 Dunstable Rd. confirmed that this was the location of Hamel's Dump area many years ago. Dump trucks used to deposit things there in the 1960's and 1970's. She was also concerned about increased traffic, as the Town is looking at traffic congestion and concerns on Dunstable Rd. from Ledge Rd. already.

**Motion:** by Mr. Bischoff to schedule a site walk for 314 Dunstable Rd., for March 13, 2021, at 9:00AM, contingent on the snow cover being melted. Vines to a. Seconded by Mr. Tymula.

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.**

**Motion:** by Mr. Vines to continue the hearing for 314 Dunstable Rd. to March 16, 2021.

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.**

Mr. McLachlan asked Ms. Enright about the DEP e-mail regarding the Central Square project. Ms. Enright conformed that the DEP did not support pedestrian use near the river. Mr. McLachlan suggested more research be done, as the Center Village Master Plan included a brook walk, which crosses multiple properties in the area.

**Notice of Intent-new**

**140 Westford Street, drainage ditch maintenance**

Legal notice was read. The applicant is The Town of Chelmsford.

Town Engineer Christina Papadopoulos explained that 2,220 feet of maintenance work will be done from 140 Westford St. to 36 Abbott Lane.

Work will be done with hand tools, and includes debris removal, removal of grass and fallen trees, leaves, trash, etc. Loose stones will be put back in. Culvert cleaning will be done if it is needed. Workers will start at the downstream end by Abbott Lane and they will work upstream to 140 Westford St. Doing this work should improve the water flow. There will not be any dredging or moving of the land.

Mr. McLachlan advised that at Clara Way and Westford St., there have been arguments between neighbors about damage to the ditch there. Ms. Papadopoulos was familiar with the situation, and stated the work needed in this area is not that severe.

There were no further questions from the Commission. Ms. Guertin suggested adding clarification of the jurisdictional areas for DEP's benefit, as was required in previous requests.

No comments were received from the audience.

**Motion:** by Mr. Tymula to issue a Standard Order of Conditions for drainage ditch maintenance for 140 Westford St. to 36 Abbott Lane, using the same Special Conditions that were listed in the approval of work done on Manwell Rd., as presented. Seconded by Mr. Gibbs.

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.**

**Notice of Intent-new**

**272 Old Westford Road, drainage ditch maintenance**

Legal notice read. The applicant is The Town of Chelmsford.

Town Engineer Christina Papadopoulos explained this request is to perform drainage ditch maintenance for 435 feet between 272 Old Westford Rd. and 4 Thomas Drive. The work will be to remove 4 cubic yards of material from each end of the pipes/culverts, as there is debris and water is backing up. The outfall area is behind 4 Thomas Drive. The material being removed is excessive yard debris.

There were no questions or concerns raised from the Commission, nor the audience.

**Motion:** by Mr. Vines to issue a Standard Order of Conditions for drainage ditch maintenance for 272 Old Westford Rd. to 4 Thomas Drive, using the same Special Conditions that were listed in the approval of work done on Manwell Rd., as presented. a. 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.**

### **Open Space Land Use Regulations Revision Discussion**

Changes were discussed at the previous meeting.

Regulation 1.1A is now applies to individuals, who must fill out and submit a request form.

Regulation 1.1B addresses organizations who want to use the reservations, and must fill out and submit a request form. Prior authorization from the Commission will be required for both types of requests.

Mr. Gibbs asked whether a bow and arrow was considered a weapon under Section J. Mr. McLachlan advised that a bow and arrow qualifies as a weapon. Mr. Gibbs suggested that this be clarified in Section J.

**Motion:** by Mr. Vines to add Regulation 1.1B to the Conservation Land Use Regulations, as presented. 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.**

### **Continual Business**

#### **Land Management**

##### **Warren-Pohl – update**

Mr. Bischoff will ask Asst. DPW Director Steve Jahnle who did the flagging of the wetlands on this parcel.

Mr. Bischoff also noted that the Commission's application for funding for the parking areas is not on the agenda for tomorrow evening's Community Preservation Committee meeting. They had requested more information about the parking and access areas at their previous meeting.

A parking sketch was done to include four parking spaces by the barn; however, access to the shed is still needed. There will be more work done to figure this out.

Mr. Bischoff will be returning a telephone call to Dale Williams of the Land Trust to discuss the Conservation Restriction.

Mr. Vines complemented Mr. Bischoff and Mr. McLachlan on their presentation to the Select Board.

Mr. Bischoff is trying to update all the trails with maps, tags and signage, and requested the purchase of a post hole digger, which would be shared with and stored by COSS.

Research is still being done on the online trail maps, as they need to match what is on the ground. All the trails are on GPS. DPW will be asked to assist in this process.

### **Agent's Report**

Commissioners will come to Ms. Guertin's office to sign required paperwork.

### **Approve Minutes**

**2-2-21**

**Motion:** by Mr. Garrahan to approve the Meeting Minutes of February 2, 2021, as amended. presented. Seconded by Mr. Bischoff.

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 8:32PM. 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 March 2nd**

**March 16<sup>th</sup>**

Respectfully submitted,  
Vivian W. Merrill

Supporting documents:

- Applications for Notice of Intent & Certificate of Compliance
- Draft Regulations
- Draft Minutes