

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
March 16, 2021
Approved May 18, 2021

Meeting held via Zoom.

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

Members Absent: Chris Tymula

Others Present: Katharine Guertin-Conservation Agent

This 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, March 16, 2021, at 7:00 P.M. to consider the following applications:

Open Session / Citizen Concerns

Town Engineer Christina Papdopoulos notified the Commission that she is working on a grant to fund work to improve and renovate stream crossing standards for an area by Hunt Rd. and Alcorn Rd. There are two pipes that need replacement, and she is requesting a vote of support from the Commission to include in her application. Chairman McLachlan agreed this work is necessary.

Motion: by Mr. Garrahan to support the Grant request for culvert reconstruction at Hunt and Alcorn Rd., as presented by the Town Engineer. Seconded by Mr. Gibbs.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. Garrahan: Aye
Mr. McLachlan: Aye
Motion carries, unanimous.

Regulatory Hearings

Notice of Intent-continued

314 Dunstable Road, six lot single family subdivision

Ms. Guertin reported that the applicant has requested continuance to the next meeting. DEP comments are being addressed, and the 21E pollution evaluation continues.

The next meeting will be April 6, 2021 even with the Town Election.

Motion: by Mr. Garrahan to continue the hearing for 314 Dunstable Rd. to April 6, 2021.

Seconded by Mr. Swenson.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous.

Request for Determination of Applicability-new

Billerica Road and Westford Street, utility pole relocation/replacement

Two legal notices were read; one for each street.

Andrew Kohl filed as the applicant. The request is for pole installations on 84 Billerica Rd. and 40 Westford St.

Samantha Walker, SC Group, spoke for Mass. Electric. This work is a maintenance project as a nearby station is decommissioned. Additional poles are required to support additional lines. There will be tree removal. The poles are within the 100 foot buffer zones.

Work will be for three utility poles. One is on Westford St.; two poles will be installed by a driveway on Billerica Rd., near the Center School. Work will be along the roadside, in already disturbed areas. The construction process was described. Each pole will disturb less than four SF.

An upland seed mix will be used after the work is done. Erosion control will be straw waddles around the area of disturbance, staked into place.

Abutters have not been notified; however the Center School did receive notification. The Conservation Agent should be notified prior to work beginning.

DEP is allowing this to be heard as one application, even though the poles are very far apart. The poles will service the same transmission lines.

No comments were received from the audience. The Commission had no further questions.

Motion: by Mr. Garrahan to approve a Request for Determination of Applicability for 84 Billerica Rd. and 40 Westford St. with a Negative Three Determination, as presented. Seconded by Mr. Bischoff.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous.

**Request for Determination of Applicability-new
8 Bishop Street, family room addition**

Legal notice was read.

The applicants were Christopher and Peggy Sullivan. Work is to construct a family room addition.

Gary Baker spoke on behalf of the applicants. The proposal is to remove an enclosed porch and build a family room which is larger, 18' x 24', and building an 18' by 10' porch in back. The porch will be on sono-tubes, and the family room will be on a shallow foundation.

Excess material will be removed from the site. Wetlands are behind the above ground swimming pool.

There were no comments received from the audience, and no further comments from the Commission.

Motion: by Mr. Garrahan to approve a Request for Determination of Applicability for 8 Bishop St., with a Negative Three Determination, with Special Conditions the Erosion Controls be used, that excess materials will be removed from the site, and that any fill that is required be clean fill. Seconded by Mr. Vines.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous.

Request for Certificate of Compliance-new

153 Mill Road, DEP#129-0196

Work was done in the 1970's when the home was built. Home is now for sale.

There is no impact to the resource area, and the entire area has stabilized.

Motion: by Mr. Garrahan to issue a Certificate of Compliance for 153 Mill Rd., as presented.

Seconded by Mr. Gibbs.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous.

Discussion

Event request-Red Wing Farm

A request has been received from abutter Bob Morse to hold his daughter's wedding at Red Wing Farm on June 26, 2021. Mr. Morse regularly maintains the field at this reservation.

The Commission had no concerns with this request. There were no comments from the audience.

Mr. McLachlan suggested discussing a fee for use by non-Chelmsford residents, if demand becomes excessive. Mr. Gibbs suggested collecting a security deposit to ensure the site is kept clean.

Motion: by Mr. Garrahan to authorize the Conservation Agent to allow the use of Red Wing Farm for a wedding on June 26, 2021, as presented. Seconded by Mr. Gibbs.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Stormwater Bylaw presentation -Christina Papadopoulos

This bylaw will also be presented to Town Meeting at Fall Town Meeting.

Town Engineer Christina Papadopoulos explained that this bylaw is required by the EPA, under the Town's MS4 Permit by June 30, 2021. The firm of Weston and Sampson assisted with the Storm Water Master Plan, and another consultant, Tighe & Bond, was hired to develop this bylaw, through a NMCOG Grant.

There are several sets of bylaws related to storm water management used by the Planning Board, Conservation Commission, and the Board of Appeals.

This set will clarify that the DPW will oversee storm water regulations and management. Their purview would encompass project overview for projects that currently are not covered by existing regulations, particularly for projects that are on parcels between 20,000SF to an acre. The regulations will be updated as needed because conditions change. State and Federal Storm Water requirements will be changing again soon, and will include recordkeeping and post development maintenance requirements. The new bylaw will require 90% removal of Total Suspended Solids (TSS) and phosphorous and as-built plans must be submitted within one year. Requirements and impacts to/for developers, Boards, the DPW and residents were described. The goal for this bylaw is for improved water quality, wildlife habitat, erosion control, and groundwater recharge.

If the bylaw is not passed, the Town will not be in compliance with the current MS4 permit, and will get fined by the EPA.

All communities are in the process of updating their bylaws to comply with new State and Federal requirements.

Items that cause phosphorous concerns include runoff from rooftops and driveways, which run off into the water, causing excess algae and other organisms, creating unhealthy water bodies.

The bylaw still allows for peer review when needed. The Commission's review points will not change, and the Town Engineer will continue to review projects as has always been done. Current bylaws are somewhat antiquated, and need to be brought up to current engineering standards. The Commission may want to compare their bylaws to comply more with the storm water bylaws to minimize conflicts between the two bylaws. Mr. Vines noted that required annual reports are often not received. The DPW is working on a program to help resolve this issue, and would support assistance from the Commission and the Planning Board.

The success of these new regulations can be measured by monitoring compliance, implementing sanctions and civil penalties, remediation, creating and implementing pollution prevention plans, and daily fines. Reimbursement for remediation that has to be done by the Town could be considered.

There were no additional comments from the audience. .

Continual Business
Land Management

Warren-Pohl – update

Mr. McLachlan advised that a Budget was forwarded to Commission members.

Mr. Bischoff reported that the Conservation Restriction document is being actively discussed. A new draft is being prepared and will be reviewed. The site survey is near completion. Becky Warren is developing signage, and Town Meeting will address parking and access.

Photos of current main signs were shown for several of the Commission’s reservations.

The latest Budget spreadsheet was shown. The total budget was \$58,000.00 originally. Funding of \$30,080.00 has been requested from the Community Preservation Fund, with an additional \$7,000.00 from CPC for electrical work. Funding of \$21,000.00 is being requested from the Wright Trust Fund. An amount of \$50,000.00 for the Conservation Restriction was funded with the property purchase. The total budget including legal fees is now \$108,000.00. The budget is expected to become larger over time.

The Commission will be presented with invoices before they are paid.

The DPW will be doing much of the parking area work.

There will be potential additional costs for the Parker Rd. entrance, more trail markers, the Boston Rd. entrance work and signage. How to display the history of the site has not been developed. Over time there may be other costs. The Chelmsford Water District has a new chairman. There could be possible additional electric costs.

The granite sign would most likely be placed on Rt. 27.

Motion: by Mr. Garrahan to approve the Budget for the Warren-Pohl Reservation as presented.

Seconded by Mr. Vines.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous.

The Commission discussed potential formal names for this reservation, and further discussion will be had at future meetings. At this time, the parcel will be referred to as the Warren-Pohl Reservation.

Agent’s Report

Commissioners will go to the Town Offices to sign paperwork as required.

Approve Minutes

There were no Minutes to approve this evening.

Adjourn

Motion: by Mr. Bischoff to adjourn the meeting at 8:31PM. Seconded by Mr. Vines.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye

Mr. Swenson: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Next Meetings: April 20th

May 4th

Respectfully submitted,
Vivian W. Merrill

Supporting documents:

- Applications for Notice of Intent, Requests for Determination, & Certificate of Compliance
- Warren-Pohl budget presentation