

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
March 19, 2019
Approved May 7, 2019

Meeting Location: 50 Billerica Rd., Room 205, Chelmsford, Ma 01824

Members Present: David McLachlan-Chairman, Chris Garrahan, Chris Tymula, Chris Garrahan
William Vines, Jack Souza, Mark Gibbs

Members Absent: April Mendez, Katharine Guertin-Conservation Agent

Others Present:

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 hand recorded via the Recording Secretary.

Open Session / Citizen Concerns

No one came forward at this time.

Regulatory

Request for Certificate of Compliance-new

DEP # 129-0805, 20 Hoyt Drive

All work has been completed as approved.

Motion: by Mr. Vines to issue a Certificate of Compliance for 20 Hoyt Drive, DEP#129-0805, as presented. Seconded by Mr. Garrahan. **Motion carries, unanimous.**

Discussion

Old Stage Road Conservation Commission land

Ann Gardner, Old Stage Rd., explained her home is located adjacent to Farley Brook. Her concern is a large tree on the bank of the brook actually located on conservation property. About 8 years ago, a very large oak tree was leaning over a neighbor's house and the neighbor called the Town Manager's office. Half of the tree was cut down and left on the ground.

Mrs. Gardner provided a statement and quote from an arborist who also noted there are a number of other dead trees that have been killed by bittersweet. The big oak tree in question could hit her house if it fell. Mr. Jahnle, Assistant Public Works Director, came to see the tree, and said his department only deals with trees by the road.

Mr. McLachlan advised that he has spoken with the Town Manager. The Town's policy is that if a town tree is a hazard to private property, written notice must be received. DPW does a site visit to determine whether tree should be removed.

Mr. McLachlan recommended that the package provided to the Commission by Ms. Gardner be given to DPW Director Gary Persichetti. If Mr. Persichetti disagrees with the assessment, they may not remove the tree. If the tree falls on her property, Ms. Gardner would pay to remove it. If the tree overhangs her property, she could trim it. Ms. Gardner indicated that she wants the tree removed as she feels it is a hazard. She spoke up 8 years ago when half the tree was removed, and she received no response. The remaining tree is now dead.

Mr. Vines looked at the tree yesterday and agrees the tree is dead.

Mr. McLachlan advised he would write up an internal policy on how to address this type of situation, as there are many trees near homes all over town. The Commission would review and discuss this statement.

Motion: by Mr. Garrahan to forward the request by Ms. Gardner to the DPW, and that the Commission follows up with Assistant DPW Director Steve Jahnle. Seconded by Mr. Vines.

Motion carries, unanimous.

Ms. Gardner had another issue to discuss with the Commission.

Last year she noticed that Farley Brook is getting blocked by more branches and debris going into the stream. Mrs. Guertin has previously confirmed that people pile up yard debris by the bank, which goes into the water and goes downstream. Toys and trash are in the water. Yard waste is obstructing the stream.

Last year, Mrs. Guertin suggested sending a letter to stream abutters. DPW did not formally address this situation at all. Mr. McLachlan will add this request in the letter to Mr. Jahnle, as well as to check the culvert that runs under Old Stage Rd.

Mrs. Guertin will be authorized to send letters to abutters of Farley Brook, particularly 47 Old Stage Rd.

Mr. McLachlan noted that if the debris is not causing flooding, it will not be removed.

Cranberry Bog Dam

Mr. McLachlan reported that Brian Milisci of Whitman and Bingham Associates provided a quote, scope of work statement, obtained maps pertinent to the dam, and completed a site visit to evaluate the dam. His report will use current ODS inspection standards, a topographic survey, benchmarks for the site, field locate elevations, a field survey, a dam evaluation report and recommendations for a fee of \$2750.00.

The Commission agreed the fee is reasonable.

Motion: by Mr. Vines to accept the proposal from Whitman and Bingham Associates in an amount not to exceed \$2,750.00 for the evaluation of the Cranberry Bog Reservation Dam. Seconded by Mr. Tymula. **Motion carries, unanimous.**

Mr. McLachlan indicated there has been no more news from the Town of Carlisle regarding the status of the Cranberry Bog.

Continual Business

Land Management update

Mr. McLachlan reported that work with Zoo New England has started. They are anticipating that salamanders will show up this week (Thursday). They will be looking for salamanders, frogs and other amphibians, turtles in May or June, as well as a species of butterfly. Their work will encompass four private properties, and multiple Town parcels.

Agent's Report

Mrs. Guertin previously advised Mr. McLachlan that there has been no update on the NOI for 36 Turnpike Rd. Mr. McLachlan reminded the Commission that the NOI filing is expected to be heard at the April 16, 2019 meeting.

Sign off paperwork for the Certificate of Compliance was not available for signatures this evening.

Approve Minutes

December 18, 2018

Motion: by Mr. Tymula to approve the Meeting Minutes of December 18, 2018, as presented. Seconded by Mr. Garrahan. **Motion carries, unanimous.**

January 8, 2019

Motion: by Mr. Garrahan to approve the Meeting Minutes of January 8, 2019, as presented. Seconded by Mr. Vines. Mr. Tymula abstained, all others in favor. **Motion carries.**

Adjourn

Motion: by Mr. Souza to adjourn the meeting at 7:35 PM. **Motion carries, unanimous.**

Date of next meetings: **April 16th** **May 7th**

Respectfully submitted,

Vivian W. Merrill
Recording Secretary

Supporting documents:

- Application for Certificate of Compliance
- Quote for Tree Removal off Old Stage Rd.
- Quote for Cranberry Bog Evaluation