

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
March 28, 2023

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

Members Absent:

Others Present: David Koonce-Conservation Agent

Meeting was called to order at 7:00PM by Mr. Garrahan.

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, and televised by Chelmsford Telemedia.

Open Session / Citizen Concerns

• Joel & Ruth Luna, Linda Jones offer to certify vernal pool(s) on Rivermeadow Brook Wildlife Refuge. Possible Conservation Commission contribution to the effort. (Conservation Agent)

The offer is to certify two potential vernal pools. Photos were shown, both vernal pools are on the National Grid easement. The land has been clear cut by National Grid, and the area is habitat for Blandings Turtles. The area is public land, and pedestrian access is allowed. Mr. Koonce asked the Commission to contribute to this effort by hiring Oxbow Associates to study invertebrates in these areas. Natural heritage should be involved. The potential of cost could be up to \$1,000.00. The proposal is to complete a comprehensive survey of invertebrates, salamanders, turtles and frogs. Mr. McLachlan suggested having the entire area surveyed.

Ms. Luna explained that Blandings Turtles were present in 2007. They would check several areas to see what is still out there. This is a good time of year to do this kind of survey. Any other potential vernal pools can be mapped out. Ms. Luna stated she had concerns with the area being zoned IA, and she would like to go to the Planning Board to rezone the area as public or conservation land. Further discussion can be added to the next agenda.

Mr. Spawn questioned whether anything could be done now to prepare for future development at abutting parcels on Riverneck Rd.

Motion: by Mr. Bischoff to authorize Joel Luna, Ruth Luna and Linda Jones to complete a survey of vernal pools on Rivermeadow Brook Wildlife Refuge through June, 2023, as presented. Seconded by Mr. McLachlan. **Motion carries, unanimous, 7-0.**

Motion: by Mr. Bischoff to authorize the Conservation Agent to put together a proposal and support up to \$1,000.00 for Oxbow Associates to assist with a study of vernal pools at Rivermeadow Brook Wildlife Refuge Seconded by Mr. Vines. **Motion carries, unanimous, 7-0.**

Regulatory Hearings

**• Request for Determination of Applicability; Town of Chelmsford DPW; Several locations
Christine Clancy/Town of Chelmsford DPW, representing Applicant**

Legal notice read. Work is for the replacement of culverts, headwalls, debris cleaning, vegetation removal, emergency relief valve cleaning at multiple locations.

Various culverts have been identified as needing work in Weston and Sampson's 21 year Storm Water Management plan.

Thirteen culverts will be replaced, as they have failed. Funding is coming from ARPA. Trees need removal, overgrowth needs clearing. No work will be done in the actual streams, but on the banks. The projects before the Commission tonight are scheduled to be done between FY21-FY23. Corrugated metal culverts will be replaced with concrete, as they have rotted out. Other concrete ones are broken, and will be replaced. Work procedures were described. Headwalls will be repaired, not replaced entirely to minimize disturbance. Stream cleaning will be done, and non-native soils (like sand) will be removed where necessary.

Mr. McLachlan requested that sand be removed from a culvert 25 on Graniteville Rd., by Crooked Spring Reservation sooner than when it is currently scheduled for FY31. Mr. Reppucci will look into this. Mr. Bischoff asked Mr. Reppucci to also look into the area of a pipe on Castlewood Rd., as it creates a very wet area.

Testing of the emergency valves is done by the Highway Department. This is done every Spring and Fall. Mr. Koonce warned of erosion concerns. Mr. Reppucci described the process. Mr. Koonce wants to look at the area, and he requested continuance until he can do site visits. The site visit will be coordinated.

Mr. Spawn noted that a couple of the streams are on the new bio-maps as critical natural habitat. Stream crossing standards may apply. He asked whether the culvert water flow could be adjusted to allow for easier fish travel.

The current budget for each year's work is \$150,000.00. Additional grant funding will be pursued.

Any potential ecological restoration limited projects would require a separate application.

Mr. Vines asked who manages the gate that controls the water level of Freeman Lake. Mr. Reppucci Tony will find out. A survey may be needed. Mr. Spawn noted there are state grants available for culvert replacements which might help.

Motion: by Mr. McLachlan to continue the Hearing for the Town of Chelmsford Culvert projects to April 11, 2023. Seconded by Mr. Vines. **Motion carries, unanimous, 7-0.**

• Notice of Intent (cont'd from 03.01.22); Town of Chelmsford; 1-104 Turnpike Road Bridget Myers/Howard Stein Hudson, representing Applicant

Mr. Koonce stated that the engineers need a contract amendment for more funding.

Compensatory Flood Storage cannot be in the proposed location, as National Grid cannot allow it. They will need to find a new location in the same watershed. New sites being considered are not on this parcel, but on Water District land. DEP will advise whether this is acceptable. There is a possibility that there may not be any Compensatory Flood storage.

Motion: by Mr. McLachlan to continue the Hearing for 1-104 Turnpike Rd. to the second Commission meeting in July, 2023. Seconded by Mr. Gibbs. **Motion carries, unanimous, 7-0.**

• Notice of Intent; DIV Riverneck, LLC (cont'd from 02.14.23); 191, 195, 199, 201 Riverneck Road Zachariah Chornyak/Tighe & Bond, Inc., representing Applicant * The Applicant has withdrawn the Notice of Intent *****

Motion: by Mr. McLachlan to close the Hearing for 191,195, 199, 201 Riverneck Rd. Seconded by Mr. Vines. **Motion carries, unanimous, 7-0.**

Discussion

Mr. Koonce will visit the site at 255 Littleton Rd. where three oil trucks have been outside the building. He will send a letter if no one answers the door. The parcel across the street is being delineated.

An application for a Request for Determination of Applicability has been received for 201 Boston Rd. This will be heard at the next meeting. There are some erosion concerns.

Continual Business

• Update on Tree Master Plan (Peter) Land Management

Mr. Spawn reported that NMCOG did not approve the funding request for this plan. He is working on an MVP Grant for Sustainability. The plan will provide low impact development guidance for the Town and homeowners. Other funding sources are also being sought out.

Topics in the plan will include guidelines on public trees and planting help, tree canopy measurement method, and sustainability. There will be discussion on whether the Town should consider private tree ordinances. The plan might be tied in to the Planning Board's Master Plan. Some communities are doing Urban Tree Master Plans. Mr. Spawn's goal is to put together best practices. It might take 6 months to do

the study, and \$30-40,000.00 . The plan could also include habitat heat island analysis and storm water management, especially near wetlands. The MVP grant proposal is still being drafted. Mr. Koonce noted the Open Space and Recreation Plan will be a new 7-year plan, and will include many of these concepts.

More information will be coming; discussion continued to the next meeting

• Update on Warren-Pohl Reservation

Mr. Bischoff reported that the Conservation Restriction document is still pending with Town Counsel. Presentations will be done with the Select Board and the Conservation Commission. The document will then be submitted to the State for approval, which could take months. Many activities will require Land Trust approval.

Acquisition and installation of the granite sign is still pending. A new company has been chosen to do the work. The prior company will need to refund the Town's deposit.

An RDA application for invasive plant removal will be forthcoming, particularly by the stream bank.

• Sudbury Valley Trustees (Karl)

Mr. Bischoff met with one of the Trustees at Warren Pohl Reservation to discuss invasive plant management. She suggested continued cutting, and provided other suggestions.

Mr. Bischoff recommended the Town sign up to be a member of the Metro-West Conservation Alliance which shares information and best practices on invasive plant management. There is no cost to join, and they sponsor many programs.

• Bluebird Houses on Conservation property (Karl)

The DPW has five Bluebird houses they are looking to install somewhere. Mr. Bischoff suggested putting some on the Warren-Pohl Reservation. Giancarla Kaplas has installed many of these at Red Wing Farm Reservation.

There are bluebirds at Warren-Pohl now. The houses will require maintenance and upkeep, as sparrows are known to take over the houses, and kill the bluebirds.

The Commission decided not to install the houses at Warren-Pohl Reservation.

• ConCom site visit, Saturday, April 1 at 9:00 AM: Crooked Spring Reservation (Karl)

Mr. Bischoff announced this visit is an annual review of conditions and storm water management, especially by Castlewood Rd.. A beaver dam has been re-built, and it is very large.

Due to predicted inclement weather and commissioner availability, the visit was re-scheduled to Sunday, April 2, 2023.

Agent's Report

• **Update on Commission accounts**

A copy of the record for the last fiscal year was displayed. Fees collected from all sources came to \$16,575.00. A total of \$7190.00 was paid out in expenses. Other line items were shown and explained. The total account balance is \$87,342.07 in the Wetland Filing Fee account. Funding is used for enforcement, not maintenance.

A vote for certain expenses should be voted on before Spring Annual Town Meeting. These items will be on the next agenda.

The Land Maintenance account was shown. These funds include donations, supplies expenses, tree removal costs, and similar items, and the current balance is \$5,756.93.

Grand total of both accounts is \$92,341.40.

Oxbow work will be paid from the Wright Reservation Trust Account and a request will be made through the Community Preservation Committee. .

Town Meeting could be asked to contribute to the land maintenance fund.

The Cynthia Moore Park line item is included with the Commission's accounts, even though it is not a Conservation site. Mr. Koonce advised he could request this line be removed.

Town Meeting approves some funding for the Commission, such as staff education, dues and fees, reservation expenses and signs. There is a current balance of \$1952.89 in this account. An amount of \$7565.00 is put in every year. Additional funding can be requested. Unspent funds from this account go back to the General Fund every year. Encumbrances can be used if needed.

For Approval/Signature

• **Request for Extension 129-0895 (24-30 2nd Lane)**

This request was withdrawn, as the applicant still has another year to complete their work under their existing Order.

• **Minutes Approval: January 24, 2023; February 14, 2023; February 28, 2023**

The Minutes were not ready at this time.

Adjourn

Next Meetings: April 11, 2023

April 25, 2023

Motion: by Mr. Vines to adjourn the meeting at 8:29PM. Seconded by Mr. Spawn. **Motion carries, unanimous, 7-0.**

Respectfully submitted,

Vivian W. Merrill

Supporting documents:

-Applications for Request for Determination of Applicability