

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
April 25, 2023
Approved May 23, 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

• Daniel Calvo: Park benches at Warren-Pohl

Mr. Calvo was not present, discussion tabled. Mr. Bischoff was aware of the request, and he preferred the Conservation Restriction document for this reservation be completed first, before this project.

• Joel and Ruth Luna: Re-zoning River Meadow Brook Wildlife Refuge

Joel Luna 10 Carter Dr., explained the area of the wildlife refuge is currently zoned IA (Industrial). Mr. Luna provided background on the research done in this area, and there is at least one wetland area that has been mapped for rare species habitat. In 2002, he, Linda Jones and Ruth Luna found the first Wood Turtle. Natural Heritage then designated the area as habitat. There were more than 20 Wood Turtles there at one point. Some were radio tracked. There was a lot of time invested, and data was submitted to Natural Heritage. A few years later, a Blandings Turtle was found. This one was also radio tracked, and the habitat went all the way to the Chelmsford Water District land. The current zoning is inconsistent for this land. They would like to go before the Planning Board to ask for re-zoning. Community Development Director Evan Belansky suggested looking at Conservation lands in general in regard to zoning concerns. If the Commission was willing to pursue this, they (the Lunas) are very willing to help. At this time, Mr. Luna was looking for feedback and support.

On behalf of the Commission, Mr. Garrahan thanked him for doing this work, and he felt the Commission supports the efforts. Mr. Koonce agreed that it makes sense to do this, and he is willing to discuss it further with them. Mr. Luna added that the priority habitat maps exclude all private property. The parcels in question could be rezoned public or open space.

Mapping the lots could be a challenge, as there are over 100 lots. Mr. Luna will work with Mr. Koonce and Mr. Belansky to figure out next steps. Mr. Luna feels the zoning should match the use, and the zoning should be protecting priority habitat from development.

No action needed tonight. Mr. Luna will follow up with Mr. Koonce

Regulatory Hearings

• Request for Determination of Applicability (After-the-fact-filing); Chelmsford Lumber Company, Inc.; 203 Boston Road Bob McNamara/Property owner, representing Applicant

Legal notice read. Work was for the removal of brush, a pool deck, shed and fence, and the installation of loam and seed.

Chris Haas explained the applicant levelled out the ground, reseeded and planted. There are no plans for any more work. A dilapidated shed, brush piles, chain link fence were removed from the property.

Mr. Swenson felt the area has been cleaned up tremendously, a nice job was done. Mr. Spawn asked how much grading was done, and he was told there was not a drastic change to grading; the area was flattened out.

All the work is finished. The area will be mowed. A plot plan was done, and Mr. Gibbs requested to see the plot plan before the Hearing is closed.

Mr. Koonce agreed that the work was done well. However, there is still a problem with runoff from the paved area between the buildings. There is a lot of erosion near the pavement, going toward the buffer zone. Mr. Koonce recommended follow up, and that a Notice of Intent may be required for the storm water management system for both properties. A Request for Determination is sufficient for the work that was done already.

There were no comments received from the audience.

A site walk will be recommended.

Motion: by Mr. Gibbs to close the Hearing for 203 Boston Rd. Seconded by Mr. Spawn. **Motion carries, unanimous, 7-0.**

Motion: by Mr. Bischoff to approve the Request for Determination for 203 Boston Rd., with a Negative 3 Determination, and A Special Condition that a Notice of Intent be filed for Storm

Water Management by June 15, 2023. Seconded by Mr. Spawn. **Motion carries, unanimous, 7-0.**

• **Notice of Intent; Lighthouse School; 25 Wellman Avenue David Cowell/Hancock Associates, Inc. representing Applicant**

Legal notice read. Work is for the construction of a new school building., and associated utilities.

Mr. Cowell explained that work is near Bordering Land Subject to Flooding. The area is already paved. A small area is in the 50-foot buffer, but it is already paved.

The peer reviewer agreed with the presented calculations. Clarified cut-and-fill calculations are pending.

This Hearing will be continued awaiting peer review finalization.

This is a new building in addition to the existing building with additional parking area. A loop road will be added for fire access through a field. The loop road will be porous pavement.

The Commission has not seen the peer review report yet.

DPW is still reviewing storm water data. The outside consultant is only reviewing flood plain data.

Planning Board and Board of Appeals hearings are ongoing, and are expected to be completed by May 10, 2023.

A Compensatory Flood Storage area is proposed to be near the existing basketball court. There is a storm water basin by the parking area.

There is a lower level open air parking area which may also serve as flood storage, and the classrooms will be above the parking area. Snow storage areas were shown. The site has flooded twice since 1994. Flooding may still go into the new parking area at the base of the new building.

The Lighthouse School has a great reputation in education.

Mr. Spawn requested more detail in the landscaping plan that was provided. More detail is needed about what kind of plantings will be done. A proposed species list will be provided at the next meeting.

Jim Dalton, a manager for the school was present. Mr. McLachlan asked about a proposed garden for the students. Mr. Dalton agreed they would love to do a garden for educational purposes. There are a couple of small plots, and they want to do more.

Audience Comments:

Steve Kelly, 748 Wellman Ave, stated he lives next to the school. He recalled a flood that impacted the whole area including Williamsburg two years in a row. He questioned whether the basin would be enough to catch all the run-off, even with the new building. They are concerned about additional run-off and drainage to the area.

Motion: by Mr. Spawn to continue the Hearing for 25 Wellman Ave. to May 9, 2023. Seconded by Mr. Swenson. **Motion carries, unanimous, 7-0.**

Mr. McLachlan wished to encourage the submission of storm water drainage information, and Mr. Spawn wished to encourage more information sharing between committees.

Discussion

- **Letter of support for "Low Impact Development" guidelines, MVP grant application (Peter; vote possible)**

A Vote was taken at the last meeting. Mr. Koonce did submit a letter of support. Further edits will be made, and signatures will be added.

Mr. Spawn indicated that the phrases "Town's priority population" and "environmental justice" areas are referenced because they are in the legislation. It means they are going to look at these so called areas in Chelmsford. It refers to people.

There would be public outreach in the development of this manual. This will be a ten month study, involving about 200 hours of volunteer and staff time. There would be many people involved. Mr. Spawn anticipates hearing about the award in the Fall. Edits include that commercial and industrial residents will be added to residents as the beneficiaries of this study.

- **Use of Warren-Pohl Reservation for mosquito spraying**

The spraying was completed safely. The parking lot was closed for a day. The Town Manager was asked to find an alternative site for staging for next year.

Motion: by Mr. McLachlan to notify the Board of Health and the State's Mosquito Board that the Warren-Pohl Reservation cannot be used as a staging ground for the aerial spraying program for the FY24 year and forward. Seconded by Mr. Gibbs. **Motion carries, unanimous, 7-0.**

Continual Business

Mr. Vines noted that the Brook Walk walkway behind the Oddfellows Building may need to be 36" for ADA compliance. Mr. Koonce noted that the bylaw for private trails is a five foot minimum. The regulatory issue was to keep the trail 30 inches in order to qualify for some kind of exemption. Mr. McLachlan agreed that this is a good area for an ADA compliant trail, as it's short and flat.

Mr. Vines reported that the Wotton St. boat ramp was closed by the MA Fish and Game Department as it's very deteriorated. The Fire Department has noted great concern that the ramp cannot be used for emergency access. A Notice of Intent filing would be needed from MA Fish and Game to build a new ramp. Canoes and rooftop boats only are currently allowed to launch from this ramp. The Fire Chief has been pressuring MA Fish and Game to file the NOI and fix the issue. The Select Board could be asked to respond. The Police Department can't access it, either, and the ramp is needed for emergency access by both departments.

Land Management

• Update on Warren-Pohl Reservation

The granite sign could be available by June, 2023. The estimated installed price for the sign is \$5,200.00. A proposal needs to be sent to Mr. Koonce from the vendor.

Mr. Bischoff reported that the Conservation Restriction document is going through one more final review with the Land Trust and their attorney.

Agent's Report

Mr. Bischoff suggested that the Commission think about having a table at next year's Earth Day Fair at the library.

Next week's work session for May 2, 2023 begins at 7:00PM, in Room 204. This is to discuss the Master Plan Implementation Committee report, involving the Natural Resource and Open Space update.

The monthly site walk will be at Russell Mill Reservation, on May 6, 2023. Commissioners suggested they visit Chelmsford Lumber, also. Calls will be made to arrange the visit for 9:00AM, and Russell Mill at 9:30AM.

Mr. Spawn asked if there was a rule about golfing on Open Spaces, particularly at Russell Mill, by the soccer fields. There are not any regulations about this activity.

Mr. Gibbs asked if there were any updates with the fuel company on Route 110. Mr. Koonce reported that a letter has been sent to the property owner, and they have not responded. There may be a second company by the Enterprise bank. There will be more follow up.

Culvert work on North Rd. is beginning. The Water District may be replacing one of their culverts

A new boat ramp at Heart Pond has been installed and looks great. The replication area is still being worked on.

For Approval/Signature

• February 14, 2023; February 28, 2023; March 28, 2023; April 11, 2023

These Minutes were not ready for approval yet.

Adjourn

Next Meetings May 2, 2023 (Working Session) May 9, 2023

Motion: by Mr. McLachlan to adjourn the meeting at 8:26PM. Seconded by Mr. Spawn. **Motion carries, unanimous, 7-0.**

Respectfully submitted,
Vivian W. Merrill

Supporting documents:
-Applications for Regulatory Hearings