

Chelmsford Conservation Commission  
Town of Chelmsford  
50 Billerica Rd. Chelmsford, Ma 01824  
Meeting Minutes  
May 18, 2021  
Approved June 1, 2021

Meeting held via Zoom.

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

**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, May 18, 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-continued**

**Heart pond, aquatic invasive treatment**

Mrs. Guertin reported that not all abutters were notified properly, and therefore the hearing needs to be re-heard at the June 1, 2021 meeting.

**Motion:** by Mr. Garrahan to continue the Hearing for Heart Pond to June 1, 2021. 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.**

**Notice of Intent-new**

**45 Richardson Road, construct a two-story addition**

Legal Notice read. Maria Haime is the applicant. Hoosman Afshar of TAJ Engineering spoke for the applicant.

The Agent's report and a map were provided to Commissioners.

The proposal is to build a two-story addition to the right front corner of the existing home, which will square off the home, with a canopy roof to the existing detached garage. A shed attached to the garage will be removed, as will a second shed in the back of the property. The addition will be built on piers, three feet off the ground, as the house is partially in flood plain. The applicant will also repair the garage, as it is deteriorating. Silt fence will be used all around the house. A dumpster will be in the driveway. No material or equipment stockpile will be kept on the property.

This is a half-acre lot. The home was built in the 1930's. The existing house is at the edge of the wetland. The addition is about 25-30 feet from the wetland. All work will be done from the front of the building. The only excavation will be for each individual pier.

DEP has not sent comments to date.

The applicant is essentially creating flood plain by removing the sheds. In an unrelated application, DEP requested the flood plain be replicated because of the installation of the piers on a solar farm.

The Commission suggested that pervious pavers should be used for the pathway, as the area floods frequently.

This parcel is in the aquifer for the North Chelmsford Water District, and is considered a very sensitive site.

Mr. Vines asked if there were any impacts from the study being done at the DPW site across the street. The Dog Park is directly across the street, and is part of the study area.

Audience comments:

Bruce Harper, North Chelmsford Water District Superintendent, stated the existing property is being used as a business. Excavation for a stone wall has already begun. The Dog Park has high levels of PFAS from its monitoring well. Another two monitoring wells are to be installed behind 45 Richardson Rd. For the benefit of the Commission, Mr. Harper summarized the PFAS issues being investigated at 52 and 54 Richardson Rd. Fifteen monitoring wells have been installed in the general area. No wells have been placed directly on 45 Richardson Rd. The Town is trying to identify the extent of the situation. The plume appears to be getting closer to the District's water supply wells. Mr. Harper feels this property has been in violation of wetlands regulations for many years. The ground should not be altered at all while the PFAS study is ongoing.

Mrs. Guertin agreed that the work on the wall needs to stop, as it was not part of this application. The Town Engineer will be asked to look at this application. Assistant DPW Director Steve Jahnle will be asked what the implications of the PFAS study will be for this property. A cease and desist order will be issued, and an amended Notice of Intent to include all of the work for the property will also need to be submitted. The applicant was requested to appear at the next meeting.

**Motion:** by Mr. Garrahan to authorize the Conservation Agent to issue a Cease and Desist Order to stop all construction activity for 45 Richardson Rd. 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.**

**Motion:** by Mr. Garrahan to direct the applicant for 45 Richardson Rd. to submit an amended Notice of Intent to include all activity on the site. 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. Garrahan to continue the Hearing for 45 Richardson Rd. to June 15, 2021.

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. Afshar requested a summary of actions from Mrs. Guertin, so that he could share this with his client.

### **Discussion**

#### **Tree removal at fire tower (Con Com land)**

A state fire tower on Robin Hill Rd. is on conservation land. A total of 34 trees are now blocking the microwave signal to the Fire Department. Mrs. Guertin authorized two trees to be removed on an emergency basis. A map showing the other 32 trees will be provided. The trees have been flagged. Mr. Bischoff will visit the site. A state contractor is dropping the trees and leaving them lying on the ground. Mr. McLachlan supports this action as it will create wildlife habitat.

#### **Wetland concerns around Town**

Mrs. Guertin reported that there have been a number of neighbor/abutter disputes in multiple neighborhoods. Police were involved in a situation on Groton Rd., and most of the other complaints were minor, usually involving tree removal.

### **Continual Business**

#### **Willis Drive property**

A laminated copy of the Land Use Regulations for this property has been attached to a major tree on the property.

The raft is being re-built. Some boats were removed.

Ongoing monitoring of the site will continue.

### **Land Management**

#### **Warren-Pohl – update**

Mr. Bischoff reported that the Natural Resource Inventory is scheduled to be done on May 20, 2021.

Mr. Bischoff will visit the site again to ensure whether the fire hydrant was installed.

The Commission's requested amendments to the Conservation Restriction document were sent to the Land Trust over a week ago. There has been no feedback received to date.

Town meeting begins on June 17. Commissioners were encouraged to talk to their Town Meeting Representatives about the funding request for the parking area.

The granite sign location still needs to be determined. The sign will take 5 weeks to create.

Mr. Swenson is obtaining a gate for the property.

Mr. Bischoff contacted one of the neighbors in the abutting brown house; he has not received any feedback yet.

**Other:**

Zoo New England is visiting conservation land off Riverneck Rd. to improve habitat for wood turtles.

The Cranberry Bog art exhibit has another week for its display. Mrs. Guertin reported that some residents did not support this use of the reservation.

**Agent's Report**

In-person meetings can begin on June 1, 2021 as a hybrid, and fully in-person meetings can begin on June 15, 2021.

The hybrid model was described. Public input is monitored from Zoom. The Select Board is doing this method now.

**Approve Minutes**

**3/16/21, 4/6/21, 4/20/21**

One change to the Minutes of March 16, 2021 was provided, to correct the spelling of "Sono tubes".

**Motion:** by Mr. Garrahan to approve the Meeting Minutes of March 16, 2021, April 6, 2021, and April 20, 2021 as amended. Seconded by Mr. Gibbs.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Bischoff: Aye on 3/16 & 4/20, Abstained on April 6, 2021

Mr. Swenson: Aye

Mr. Tymula: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

**Motion carries, unanimous.**

**Adjourn**

**Next Meetings:            June 1            June 15**

**Motion:** by Mr. Garrahan to adjourn the meeting at 7:55PM.

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.**

Respectfully submitted,

Vivian W. Merrill

Supporting documents:

-Applications for Notices of Intent

-Draft Minutes