

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
June 27, 2023

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

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

• V. Merrill: Commission issues of concern for airing on July 6th edition of City Life

Mrs. Merrill explained she has been invited to speak on this local cable television show about what is happening in the Committees she works for. The Commission encouraged her to look at their website, and pick out highlights from recent meetings. Mr. Spawn will forward some information on the eight categories of interests covered by Conservation Commissions. Mrs. Merrill was thanked for participating in this outreach.

Regulatory Hearings

• Request for Determination of Applicability; David Bernstein; 25 Purcell Drive Thomas Schomburg/Civil Design Consultants, Inc., representing Applicant

Legal Notice Read. Work is for the removal of two trees, and the construction of an addition to a single family home.

Mr. Bernstein is very willing to plant two new native trees to replace the spruce and the white pine that are being taken down. The dumpster will be placed on the side of driveway. This will be a 12 x 24 addition.

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

Motion: by Mr. McLachlan to approve the Request for Determination of Applicability for 25 Purcell Drive with a Negative 3 Determination, and a Special Condition to plant two native trees to replace the trees being taken down, as presented. Seconded by Mr. Gibbs. **Motion carries, unanimous, 7-0.**

• Notice of Intent (after-the-fact filing; cont'd from 06.13.23); Keith Silva; 120 Gorham Street Susan McArthur/McArthur Environmental Consulting, LLC, representing Applicant

Mr. Koonce spoke with Mr. Silva, and there have been no updates since the last meeting. Hay bales are to be installed, and Mr. Koonce will go back to look at the site tomorrow. Heavy rains have been problematic. Some of the work that was done has been eroded.

Mr. Koonce will continue to monitor the situation. The Commission wants the proposed work to be completed, as this matter has been going on for almost a year. There is the potential to refer the matter to legal counsel. Mr. Swenson added that local farmer Henry Parlee may have some construction quality hay bales available for this purpose.

Motion: by Mr. McLachlan to continue the Hearing for 120 Gorham St. to July 11, 2023. Seconded by Mr. Bischoff. **Motion carries, unanimous, 7-0.**

• Notice of Intent; MassDOT (cont'd from 06.13.23); Tyngsboro Road from Vinal Square to Wellman Avenue Alyssa Jacobs/Epsilon Associates, Inc., representing Applicant

This Hearing was continued pending further discussion on impacts to trees, and Storm Water Management. Mr. Koonce received an e-mail today indicated that the DPW is in agreement with the storm water management that has been presented. State projects are exempt from local bylaws. Mass DOT plans to use air excavation and root pruning to protect the trees.

Mr. Koonce will request a preconstruction meeting, to include a member of the Tree Committee and the state arborist.

Alyssa Jacobs was present via Zoom. Modifications to the tree protection will be worked out with the tree warden.

No comments were received from the audience, and there were no further questions from the Commission.

Motion: by Mr. McLachlan to close the Hearing for Tyngsboro Rd. Seconded by Mr. Swenson. **Motion carries, unanimous, 7-0.**

Motion: by Mr. McLachlan to issue a Standard Order of Conditions for Tyngsboro Rd. from Vinal Square to Wellman Ave. with a Special Condition that the Conservation Agent will organize two Pre-construction meetings to include the DPW, Mass. DOT, the conservation agent,

and a representative from the Tree Committee at the site and an offsite meeting, as presented. Seconded by Mr. Bischoff. **Motion carries, unanimous, 7-0.**

Discussion

Continual Business

• Updates on 0 Littleton Road, 221 Littleton Road, 35 Brick Kiln Road, 201/203 Boston Road

Mr. Koonce reported that Town Counsel was contacted about 221 Littleton Rd. Attorney Haverty has not heard back from the property owner's attorney. A filing for a Request for Determination of Applicability is requested. The Commission needs to review options in the event that non-cooperation continues. There's been up to 6-7 trucks on the site at a time.

0 Littleton Rd, the trailer has been removed from the 25 foot No-Disturb buffer. Surveyor's flags have been noticed. No additional information is available at this time.

35 Brick Kiln Rd. has no updates. Mr. Koonce will follow up again, as permission to visit the property was rescinded. A multi-department meeting did happen, and some of the zoning issues may have been worked out. There have been no additional complaints received.

201-203 Boston Rd. has no updates. Mr. Koonce will follow up again on the status of a Notice of Intent filing.

Land Management

• Update on Warren-Pohl Reservation

Mr. Bischoff reported that no updates have happened. The Conservation Restriction is still pending review by the Chelmsford Conservation Land Trust. Two open issues need to be resolved. The two easements are almost ready.

• Proposed creation of 3-4 parking spaces on Riverneck Road parcel (vote possible)

Mr. Bischoff summarized information from the last meeting/ The Land Trust now owns another parcel next to a Conservation parcel, and the Trust wishes to put in a park and garden. The Trust has requested putting some parking spaces on the conservation land. There is a potential for a short trail through the conservation land. This would be a combined Land Trust/Conservation Commission project. The house that was on the Land Trust's parcel has been removed, the two sheds are still there.

Motion: by Mr. McLachlan to support the creation of 3-4 parking spaces on the Conservation Commission's parcel on Riverneck Rd., as presented. Seconded by Mr. Gibbs. **Motion carries, unanimous, 7-0.**

Agent's Report

Mr. McLachlan asked if there are concerns about forest fires in Chelmsford. There have been two in the past years.

Mr. McLachlan reported that there was a Cranberry Bog Sub-committee meeting in Carlisle recently. The Town of Carlisle has decided to turn the former cranberry farm into a wet bog/meadow. They will keep vegetation cut back. The dam that has broken has to be rebuilt. This is the dam on the far left of their property. They hope to repair the dam in August. They will not stop the flow, but it will be reduced. Mr. McLachlan asked if the dam was needed at all, and they responded that they want the vista. There was a complaint about the lack of water during droughts. There was discussion about a resident suggestion to measure water points between Mill Pond and Heart Pond, but nothing was agreed to.

Mr. McLachlan noted that some work is still needed on the Chelmsford dam.

For Approval/Signature

• IMA Well Exploration Chelmsford Water District

Mr. Koonce reported that the draft document was revised. State Exemptions are still being researched. The Scope of Work was expanded, and some detail was added. Language was read into the record.

Approval is contingent upon verifying these exemptions. The proposal is now calling for 12 observation wells, which are different than test wells. Frequency of sampling has not been identified. Mr. Spawn is getting concerned about the creation of new trails, and more motorized vehicles in a priority rare species habitat area. The Commission wants more details about what the Water District actually wants to do. They want to see a plan. This area is all priority habitat. Natural heritage will want more info as well. They will want to know how long the wells will be operational.

The last proposal was for 2 inch drilled test wells, but this proposal is calling for 6-inch monitoring wells with casings.

The Commission requested the Water District come back to explain further. The work description has changed. The Commission did not sign the document, and Mr. Reid will be asked to return at the next meeting.

• Meeting Minutes of June 13, 2023

These were not ready for approval.

Reorganization

The fiscal year ends June 30, 2023. The new assignments will become effective July 1, 2023.

Chair

Motion: by Mr. Vines to nominate Mr. Bischoff as Chair. Mr. Bischoff accepted. Seconded by Mr. Spawn. **Motion carries, unanimous, 7-0.**

Mr. Garrahan appreciated all the work and support over the past year.

Vice Chair/Clerk

Motion: by Mr. McLachlan to nominate Mr. Garrahan as Vice Chair & Clerk. Mr. Garrahan accepted the nomination. Seconded by Mr. Gibbs. **Motion carries, unanimous, 7-0.**

Adjourn

Next Meetings July 11, 2023 July 25, 2023

Motion: by Mr. McLachlan to adjourn the meeting at 8:08PM. Seconded by Mr. Gibbs. **Motion carries, unanimous, 7-0.**

Respectfully submitted,
Vivian W. Merrill

Supporting Documents:

-Applications for Regulatory Hearings.