

Chelmsford Conservation Commission  
Town of Chelmsford  
50 Billerica Rd. Chelmsford, Ma 01824  
Meeting Minutes  
July 12, 2022  
Approved August 9, 2022

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

**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.

**Reorganization**

This is the first meeting since the start of the new fiscal year, and new appointments are needed for Chairman, and the combined position of Vice Chairman and Clerk, and Representative to the Community Preservation Committee.

**Chairman**

**Motion:** by Mr. McLachlan to nominate Mr. Garrahan as Chair. Mr. Garrahan accepted the nomination. Seconded by Mr. Bischoff. There were no other nominations. **Motion carries, unanimous, 7-0.**

**Vice Chair/Clerk**

**Motion:** by Mr. Gibbs to nominate Mr. Bischoff for Vice Chair/Clerk. Mr. Bischoff accepted the nomination. Seconded by Mr. Tymula. There were no other nominations. **Motion carries, unanimous, 7-0.**

**Community Preservation Committee**

**Motion:** by Mr. Gibbs to nominate Mr. Swenson as Representative to the Community Preservation Committee. Mr. Swenson did not accept the nomination. **Motion fails for lack of a second.**

**Motion:** by Mr. Tymula to nominate Mr. Bischoff as Representative to the Community Preservation Committee. Mr. Bischoff accepted the nomination. Seconded by Mr. Swenson. **Motion carries, unanimous, 7-0.**

### **Open Session / Citizen Concerns**

No one came forward at this time.

### **Regulatory Hearings**

**• Request for Determination of Applicability (cont'd from 06.28.22); James Sullivan; 40 Old Stage Road Jeffrey Hannaford/NDS, Inc., representing Applicant**

Jeff Hannaford was present via Zoom. A site visit was done. Erosion control was added to plan with detail. The shed will be moved by rolling it with a truck on rollers. The other shed is being completely removed. Town owned property will be put back in a natural state.

**Motion:** by Mr. Tymula to approve the Request for Determination of Applicability for 40 Old Stage Rd. with a Negative Three Determination, as presented. Seconded by Mr. McLachlan. **Motion carries, unanimous, 7-0.**

Mr. Koonce advised he noticed there were a lot of encroachments on Town property all around the neighborhood. He is still verifying the boundaries and looking for other documents. There will be future discussion on the agenda on how to address the encroachments.

**• Notice of Intent; William & Tabitha Kelleher (cont'd from 06.28.22); 16 Pleasant Street, Gerald Foley, representing Applicant**

Gerald Foley was present. The DEP file number was received yesterday. Mr. Foley spoke with the concrete company, and there would be a pipe installed in the retaining wall to relieve hydrostatic pressure. Detail has not been received from them.

Mr. Swenson noted that he spoke with someone who has worked with Shea Concrete on an unrelated project in Newton, and said their system is very well done. It is known as the best in the industry.

Mr. Koonce advised that the receipt of final revised plans would be needed prior to the start of the wall construction.

There were no comments received from the audience.

**Motion:** by Mr. McLachlan to close the Hearing for 16 Pleasant St. Seconded by Mr. Tymula. **Motion carries, unanimous, 7-0.**

**Motion:** by Mr. McLachlan to issue a Standard Order of Conditions for 16 Pleasant St., with Special Conditions that revised plans are submitted for the wall prior to construction, and regular reporting to the Conservation Agent is provided during construction, with onsite meeting prior to the start of construction, and pool operating policy be provided to the property owner, as presented. Seconded by Mr. Vines. **Motion carries, unanimous, 7-0.**

### Discussion

• **Glenn Diggs: Operation and Maintenance Plan, Certificate of Compliance for bank restoration at Wellman Ave – DEP file #129-0831 (Waiting for confirmation)**

Discussion was tabled, as Mr. Diggs was not present.

Mr. McLachlan stated he had notes from the meeting of December 20, 2016 indicating the Condominium Association was to sign off on an Operation and Maintenance Plan. The Association never signed.

It is not known how a Certificate of Compliance was filed. The Order states the Association is responsible for the maintenance of the bank restoration work.

Discussion continued.

### Continual Business

#### **Land Management**

• **Update on Warren-Pohl Reservation (Conservation Agent)**

Mr. Koonce announced the DPW is starting work clearing vegetation to create access and parking area. At a meeting last week, the question was what sort of surface should be put down. The Order of Conditions states that no pavement is allowed. The alternative surfaces are road grindings or gravel. Mr. Koonce advised that muddy areas can be monitored, and regraded or filled in as needed. Mr. Bischoff noted that all of the Reservation sites get muddy and icy. Mr. McLachlan added that road grindings have been used at a few sites, which are plowed, and aprons do need replacement of material. The Commission agreed that the DPW could use a mix of grindings and gravel, with occasional leveling of the area and monitor the conditions.

Arbor East has removed 7 trees.

The kiosk will be installed once the holes are dug for the posts. Trails are being mowed on a regular basis. The Trail Map and signs will be done in a couple of weeks.

They hope to have the work done by the end of August.

A granite sign will need to be ordered. The sign will say “Warren-Pohl Reservation, Chelmsford Conservation Commission, 2020”

In a drought, beaver activity has created wetlands, which has saved a lot of wild life. Trail cameras capture much activity.

The area by Boston Rd. is already paved. More signage will be needed for traffic, and the DPW will determine appropriate signage. A guardrail may have been installed when the abutting condos were built.

The Chelmsford Land Conservation Trust's lawyer is still reviewing the latest changes to the Conservation Restriction document.

**• Wildlife Refuge press release**

Mr. McLachlan drafted a press release to announce the two parcels that have been designated as refuges. He read the drafted press release into the record.

Smith St. will be known as Black Brook Wildlife Refuge, with 16 acres, and Riverneck Rd. will be known as the Rivermeadow Brook Wildlife Refuge. The press release includes maps. This information can be put on the Town website.

**Motion:** by Mr. Gibbs to approve the Wildlife Refuge Press Release, as presented. Seconded by Mr. Vines. **Motion carries, unanimous, 7-0.**

**For Approval/Signature**

**• Certificate of Compliance 129-0909 (11 Plum Street)**

The Certificate was approved last week; paperwork was signed tonight.

**• Minutes of May 24, 2022; June 14, 2022**

There were no Minutes ready for approval this evening.

**Agent's Report**

Mr. Koonce stated that regular reports are being received on the Russell Rd. project. The foundation has not been poured. Erosion controls are in place.

Nothing is happening on the Freeman Lake treatment, as an appeal is expected., and the project is still in appeal period, which ends this Friday. It is doubtful work would be started this late in the year anyway.

**Adjourn**

**Next Meetings: July 26, 2022**

**August 9, 2022**

**Motion:** by Mr. Bischoff to adjourn the meeting at 7:41PM. Seconded by Mr. Tymula. **Motion carries, unanimous, 7-0.**

Respectfully submitted,  
Vivian W. Merrill

Supporting documents:

-Applications for Request for Determination of Applicability and Notices of Intent