

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

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

Members Absent:

Others Present: David Koonce-Conservation Agent

Meeting was called to order at 7:02PM 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

• Allen Beebe; 28 Aberdeen Road, North Chelmsford: “What is the origin/history of a large pipe draining water from Freeman Lake into Stony Brook?” (5-minute video presentation)

Mr. Beebe is working on a video project on the history of Stony Brook and Freeman Lake with Chelmsford Telemedia. During his research, he followed a stream of water about a quarter of a mile long, and came across this pipe. It is likely the pipe was installed in 1976, after the dam burst. Mr. Beebe did another video in the 1990’s about Stony Brook. The 1976 break was the 3rd break. There was another break in 1905 by Spring St.

The video was shown.

Mr. Beebe asked the Commission for more information about the pipe and how the dam was constructed. Mr. McLachlan advised the Commission recently took control of the parcel where the pipe is located, and no one was familiar with the pipe in question. It could have been an emergency spillway. Fred Merriam from the Historic Commission did not have any record of the pipe. There is a mention of some funding from a Town Meeting Warrant. Mr. Swenson recalled hauling sand from the lake in 1978, by the bath house area. Mr. Beebe thinks the water is percolating from the ground, but he is not sure where it is coming from. Mr. Beebe has also contacted the North Chelmsford Water District, and they could not provide any information. The pipe is very old. It was suggested he speak with local residents. The Commission agreed to let him know if any information can be found.

Regulatory Hearings

• Notice of Intent; Maple Multi-Family Land SE, LP; 255 Princeton Street Mark Arnold/Goddard Consulting, LLC, representing Applicant

Legal notice was read. Work is to construct a new road, storm water management system, residential development and landscaping.

Mr. Arnold, and Mason Riddick of Maple Multi-Family was present, and Mark Morency was available on Zoom. The DEP file number is 129-932.

An ANRAD was done last summer on this 34 acre parcel. Resource areas were shown. Existing meadow areas will continue to be maintained along the driveway and Princeton St. The goal is to mow it once a year, in November to minimize impacts to wildlife. There are also wooded areas, and other open areas. They will widen the existing access road, and install two storm water basins. There will be a pocket park. There will be some grading in the buffer zone. There are no structures or pavement in the buffer zone, just a small area they will grade. The apartment buildings, parking areas, and other amenities are outside the Commission's jurisdiction. Beta Group is doing the peer review for the Planning Board.

There will be a locally held Conservation Restriction document to protect the parcel from further development. Town counsel is already reviewing a template with the Planning Board. The Commission has not been involved in the document, and requested to be kept in the loop. Mr. Koonce suggested the applicant provide an endowment for maintenance of the Conservation area. Mr. Arnold stated the applicant is maintaining the meadow area, and the Town has enforcement rights. The Commission will review the Conservation Restriction before the Hearing is closed. The Commission could be asked to hold the Conservation Restriction, which must be in place before the property can be occupied. The proposed document is a type of deed restriction, called a local conservation restriction, and is not a restriction in the traditional sense of the State Restrictions.

Mr. Koonce recommended awaiting the storm water review and Conservation Restriction documents.

Mr. Bischoff stated he supports the concept of the meadow habitat.

Mr. McLachlan noted there are a number of retention areas on the parcel. Runoff may not get to one of the two ponds on the parcel. The ponds should remain the same after this new development. Storm water from a development across the street may also be running into one of the ponds. Mr. Arnold showed two pipes that come into the pond. There might be public access to the ponds. Mr. McLachlan & Mr. Koonce would recommend the open areas be used as a wildlife refuge.

The applicant is still responding to the peer reviewer's comments. The Planning Board will have read and critiqued the storm water management practices. Mr. Arnold will re-send the O&M Plan to Mr. Koonce to forward to the Commission. Mr. McLachlan questioned what the Commission's role is in the storm water management process, now that there is a dedicated Storm Water Department. Mr. Tymula offered to help Mr. Koonce review the Storm Water and O&M plans. The DPW is starting to track annual reports. Mr. McLachlan was concerned about the lack of Commission involvement in the planning process. Beta Group will be asked to include the Commission on future communications.

Mr. McLachlan asked what kind of trees would be planted, and what water conservation measures would be taken. A list of trees and shrubs was read off the landscaping plan. There will be low flow toilets and fixtures in the apartments. There will be some irrigation, but not extensive.

There were no comments received from the audience.

Motion: by Mr. Swenson to continue the Hearing for 255 Princeton St. to September 13, 2022.
Seconded by Mr. Tymula. **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

There have been no updates from National Grid.

This Hearing will be continued to December 13, 2022.

Motion: by Mr. Bischoff to continue the Hearing for 1-104 Turnpike Rd. to December 13, 2022.
Seconded by Mr. Swenson. **Motion carries, unanimous, 7-0.**

Discussion

Continual Business

Land Management

Town Manager Cohen was contacted by the Avila family to purchase their property by the High School where he had animals. Mr. Bischoff would support agricultural use, but not a park. Because of Riverfront Protection Regulations, it cannot be developed as multifamily housing. Commissioners were asked to think about this parcel. It has 4 acres, with no connection to any other Conservation land. It is surrounded by busy roads, and several schools.

Discussion continued to the next meeting.

• Update on Warren-Pohl Reservation

Discussion and vote to approve \$5800 for granite sign

Site walk was done, and the Commission agreed the site looks great. The access road is greatly improved.

The proposed granite sign will need a source of funding.

A budget has been put together, as the site will have some regular annual costs.

The Commission does not have enough funds to pay for the sign, and there are other commitments that need to be paid. The Community Preservation Committee could be asked for funding. Mr. Koonce listed various expenses that need to be addressed.

The DPW is still working on the parking area.

Vote tabled on sign payment until funding can be organized.

The Town allows \$5500./year for reservation maintenance as a general budget line items.

Mr. Koonce suggested a CPA transfer annually for conservation purposes. Other towns, such as Boxboro, have requested up to \$10,000.00 annually to be used for invasive management and biodiversity.

Discussion and vote to submit warrant article for Fall Town Meeting to transfer care, custody, and control from Select Board to Conservation Commission

The Commission supported the concept: Mr. Bischoff read the draft warrant article language into the record.

Motion: by Mr. McLachlan to recommend approval and submit the proposed Warrant Article regarding Warren-Pohl Reservation to Town Meeting, as presented. Seconded by Mr. Gibbs.

Motion carries, unanimous, 7-0.

The Conservation Restriction document has come back from the Chelmsford Conservation Land Trust, and both parties are in agreement with the document. Next steps include completing a Water District plan and other baseline documentation, and several easements are still pending. The Baseline study will need funding.

• Approval of regulations governing use of designated Town of Chelmsford Wildlife Refuges For Approval/Signature

This was addressed at a previous meeting.

• Minutes of July 12, 2022; July 26, 2022

July 12, 2022

Motion: by Mr. McLachlan to approve the Meeting Minutes of July 12, 2022, as presented. Seconded by Mr. Bischoff. **Motion carries, 7-0.**

July 26, 2022

Motion: by Mr. McLachlan to approve the Meeting Minutes of July 26, 2022, as presented. Seconded by Mr. Bischoff. Mr. Tymula abstained, all others in favor. **Motion carries, 6-1.**

Agent's Report

There were no further things discussed at this time.

Adjourn

Next Meetings August 23, 2022 September 13, 2022

Motion: by Mr. Gibbs to adjourn the meeting at 8:30 PM. Seconded by Mr. Vines. **Motion carries, unanimous, 7-0.**

Respectfully submitted,
Vivian W. Merrill

Supporting documents:

- Video of Stony Brook
- Application for Request for Notices of Intent
- Draft Warrant Article
- Draft Minutes