

Chelmsford Conservation Commission
Town of Chelmsford
50 Billerica Rd. Chelmsford, Ma 01824
Meeting Minutes
October 20, 2020
Approved January 5, 2021

Meeting held via Zoom.

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

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.

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 October 20, 2020, at 7:00 P.M. to consider the following applications:

Open Session / Citizen Concerns

The Commission hopes to hold an in-person meeting on November 10, 2020, in the Town Offices Gym. Mrs. Guertin is still working on details.

No one else came forward at this time.

Regulatory Hearings

Notice of Intent-new

235 Littleton Road, 8-unit apartment building

Legal Notice read. Brian Milisci of Whitman and Bingham Associates spoke on behalf of Charles Hillman who is the applicant. Abutter notification cards were dropped off at the Town Offices.

Mr. Milisci explained that this proposal is very similar to a building developed at 237 Littleton Rd. two years ago. The proposed building is virtually identical. Sewer service was brought in to the parcel at the same time as the earlier development. Storm water management for this project will be similar to that which was done for 237 Littleton Rd. as well. The Planning Board and Fire Department have approved the use of the existing driveway for 237 Littleton to service this new building. A boulder wall was built at the 30-foot buffer line as this parcel was used as a staging area for the prior project, and the entire wall for both parcels was built at that time.

The Town Engineer's letter has not been received by the Commission yet. Mr. Milisci explained that a mounding study was requested, and calculations were revised because of that study. A snow storage area will be just off the parking lot, near Rt. 110. Storm water runoff will go toward the wetlands, not toward Rt. 110.

A nearby culvert has been cleaned out, and flooding complaints has ceased.

No comments were received from the audience.

Motion: by Mr. Garrahan to issue a Standard Order of Conditions subject to receiving the Town Engineer's report for 235 Littleton Rd., with no other Special Conditions, as presented. Seconded by Mr. Gibbs.

Roll Call vote:

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Swenson: Aye

Mr. Bischoff: Aye

Mr. Garrahan: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Request for Certificate of Compliance-continued

DEP# 129-0786, 235 Littleton Road

Mrs. Guertin reported that that work matches the as-built plans, and the area has stabilized.

The original address for both parcels was 235 Littleton Rd. The Fire Department issued the address of 237 Littleton Rd. because of the new project.

There were no comments received from the audience.

Motion: by Mr. Garrahan to issue a Certificate of Compliance for 235 Littleton Rd. as presented. Seconded by Mr. Gibbs.

Roll Call vote:

Mr. Garrahan: Aye

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Swenson: Aye

Mr. Bischoff: Aye
Mr. McLachlan: Aye
Motion carries, unanimous

Notice of Intent-continued 24-30 Second Lane

New single family home

Abutter Pam Rivard reported issues with the telecasting of the meeting. She was referred to Chelmsford Telemedia.

The applicant for this hearing has requesting continuance as they are still finalizing the revised plans.

Motion: by Mr. Gibbs to continue the Hearing for 24-30 Second Lane to November 10, 2020.
Seconded by Mr. Vines.

Roll Call vote:

Mr. Garrahan: Aye

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Swenson: Aye

Mr. Bischoff: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Notice of Intent-continued

44 Central Square

construct a 32-unit condominium

Discussion tabled until applicant representative could be available.

Discussion

Shore Drive parcels acquisition

The Commission was notified that an abutter to a Town owned parcel wishes to purchase the land. The Town owns multiple tiny lots all around Freeman Lake. A privately owned 11-acre parcel is currently land locked, and the parcel that the abutter wants to buy would be the only access point to the 11 acres.

Mr. McLachlan would like to see all 10 of the town owned parcels be moved to the Commission's jurisdiction. The Select Board has management of them currently. None of the lots are buildable, and they vary in size from 1/10 acre to 4 acres. There are additional vacant parcels owned by the North Chelmsford Water District.

Mrs. Guertin was asked to provide a map of the entire area to show the various lots. The Commission will discuss this further at a future meeting.

Continual Business

Land Management

Warren-Pohl update

Mr. Bischoff reported that an Advisory Committee is being established to create a Master Plan for this property, and to define uses for the property, as well as determining access and parking.

There are 63 abutters within 100 feet of the property. There are 6 streets that surround the property: Acton Rd., Boston Rd., Hall Rd., Parker Rd., Fay St., and Bartlett St. The preferred access at this time is from Acton Rd. Asst. Town Engineer Steve Jahnle will be asked for assistance and design considerations.

The Chelmsford Land Conservation Trust will be asked to hold a Conservation Restriction for the property. This document is being prepared by the Town.

The Master Plan will include considerations for uses, access, parking, language within the Conservation Restriction, a maintenance plan, promotion, and public communication.

Abutters have expressed their opposition to any large scale commercial farming. The hay fields have not been maintained in many years, and have eroded, have large boulders and many invasive plants. People are wandering on the site.

Mr. Garrahan reported that Town Meeting did approve the purchase of the Spanos property on Acton Rd.

Discussion will be continued.

Russell Mill-bicycle work bench

The New England Mountain Bike Association is requesting permission to purchase (up to \$700.00) a public work stand for bicycles. Commissioners agreed to allow NEMBA to purchase and install this amenity.

Notice of Intent-continued

44 Central Square

construct a 32-unit condominium

Commissioners were reminded that they are considering implications of both State and local bylaws regarding this proposal.

Katie Enright of Howard, Stein, Hudson, revised the plans based on comments received after the joint meeting several weeks ago, and from DEP comments.

DEP did not support the flood gates proposed for the garage. The garage was redesigned, and the building was moved out of the Flood Plain. Tree removal for the Brook Walk was opposed by DEP, who wants to see the vegetation maintained by the brook. Parking is now in the Flood Plain. The site does now flood during major storm events.

A cut-fill analysis was described, and this will create flood storage. Drainage was also revised so runoff does not go into the brook, but will still go to the wetland. Two bio-filtration units will be installed which will help the brook with phosphorous mitigation. Additional drainage features were described.

Since the Brook Walk concept was not supported by DEP, the applicant would like to donate 8800SF of land between the existing pavement and the brook to the Commission. The applicant is still willing to remove debris and trash from its part of the brook area. The Brook Walk was a feature in the Center Village Master Plan which involved land owned by the Town and by multiple private parties which were to come together as a partnership to create the entire walk as a public amenity. The Grist Mill Apartment project did not receive DEP opposition to similar Brook Walk work on its parcel. The Town did accept a donation of land from that proposal as well. Mrs. Guertin agreed that the Town would most likely be able to obtain approvals for the Brook Walk easier than a private developer. Mrs. Enright advised that the applicant is still willing to put some funding in escrow for the brook work as part of the Planning Board approval.

The overall project envisions mixed use development. Residential development will occur first. There will be 32 parking spaces under the building, and 32 spaces outside the building. For the commercial development, a grease trap would be installed outside that building, and could be stubbed to the sewer system. Snow removal will be taken off site.

The Town Engineer is still reviewing the revised plans. The Operation and Maintenance Plan will be reviewed again for the required NPDES permit.

Motion: by Mr. Gibbs to request Peer Review of the proposal at 44 Central Square. **Motion fails for lack of a second.**

Mr. McLachlan requested a Motion to deny the Notice of Intent for 44 Central Square for failure to comply with the 50-foot no-disturb buffer requirement. There was no support for this motion at all.

Mr. Vines made a Motion to waive the 25 foot, 30 foot, and 50-foot buffer requirements, which was seconded by Mr. Tymula. This Motion was withdrawn after Mr. Garrahan's request to await the Town Engineer's review and the Storm Water review to determine whether a peer review should be considered. The Planning Board is still reviewing the proposal as well.

Motion: by Mr. Vines to continue the Hearing for 44 Central Square to November 10, 2020.
Seconded by Mr. Tymula.

Roll Call vote:

Mr. Garrahan: Aye

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Swenson: Aye

Mr. Bischoff: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Agent's Report

Commissioners were requested to come to the Town Offices to sign paperwork as needed.

Approve Minutes

Mr. McLachlan requested a list of all outstanding Minutes which were submitted for approval this evening. Mrs. Merrill was thanked for her work, as she has had significant issues with technology, as well as health issues.

Motion: by Mr. Vines to approve the Meeting Minutes of June 23, 2020, July 7, 2020, July 21, 2020, September 15, 2020, and October 6, 2020, as presented. The Minutes of August 4, 2020 and August 18, 2020 are to be approved as amended. Seconded by Mr. Gibbs.

Roll Call vote:

Mr. Garrahan: Aye

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Swenson: Aye

Mr. Bischoff: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Adjourn

Motion: by Mr. Vines to adjourn the meeting at 9:092PM. Seconded by Mr. Gibbs.

Roll Call vote:

Mr. Garrahan: Aye

Mr. Gibbs: Aye

Mr. Vines: Aye

Mr. Swenson: Aye

Mr. Bischoff: Aye

Mr. McLachlan: Aye

Motion carries, unanimous

Next Meetings November 10th November 24th?

Respectfully submitted,
Vivian W. Merrill

Supporting documents:

- Application for Notices of Intent and Certificate of Compliance
- Draft Minutes