



Kara Keefe Mullin
Assistant City Manager/Acting DPD Director

R. Eric Slagle
Director of Development Services

CONSERVATION COMMISSION
LOWELL, MASSACHUSETTS
March 10, 2021

Note: These minutes are not completed verbatim. For further detail, video recordings are available at the Pollard Library, second floor reference desk or online at www.LTC.org.

Due to the COVID-19 pandemic, this meeting was held virtually using Zoom.

Members Present: Chairwoman Varnum, Commissioner Lovely, Commissioner Buitenhuys, Commissioner Downs, and Commissioner Standish

Members Absent: Commissioner Dillon

Others Present: Jess Wilson, Associate Planner; Dylan Ricker, Assistant Planner

CALL TO ORDER

7:01pm

ORDER OF BUSINESS

CONTINUED BUSINESS

NEW BUSINESS

Request for Determination of Applicability

Anita Chmilarski
Woodland Park Town House Condominium Trust
150 Westford Rd, Suite 21
Tyngsboro, MA 01879
Project Location: 20 Woodland Drive & 78-124 Swan Street

A Request for Determination of Applicability has been filed by Woodland Park Town House Condominium Trust for tree trimming and removal within the 100 foot buffer zone to wetlands.

On Behalf:

Anita Chmilariski, Applicant
Stacey, Board President

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

L. Varnum stated that she is familiar with the project due to the property's previous tree removal requests to redo parking areas, and noted that various areas are involved in the request.

A. Chmilariski stated she is in attendance with Stacey, President of the Condo Association's Board. Most of the removal are smaller scrub brush trees leaning over the roadway. Their arborist suggested moving the tree line back 10 feet, and a total of 3 larger trees may be at risk of falling: 2 large trees along Woodland Road, and 1 along Swan Street. Trees are either leaning near the roadway or near units.

L. Varnum stated that this is similar to work done by utility companies. A. Chmilariski said that they prefer not to take trees down, but the trees proposed to be removed pose a safety risk.

L. Varnum asked what type of trees would be removed. A. Chmilariski said that she is unsure, but at least one is an Oak tree.

L. Varnum asked how many trees would be completely removed. A. Chmilariski stated that 3 would be taken down at most, their arborist only suggests removing trees if they are definitely unhealthy.

L. Varnum opened it up for questions. A. Chmilariski stated that nothing behind the units would be totally removed other than branches. The arborist brings a chipper and that is how the trees will be taken away from the property.

L. Varnum said that she tends to trust the opinion of the arborist on the health of trees, recognized the hazard of hanging limbs, and stressed that all possible trees should be saved.

B. Buitenhuys stated that he has no problem with the proposal, and assumed there would have been more trees removed. A. Chmilariski said that only 3 large trees would be removed, however additional scrub brush trees hanging over roadways or units would be removed as well.

W. Lovely agreed and said that he does not have concerns about the project.

A. Chmilariski stated that the work would be done within 3 months depending on the arborist's schedule.

Motion:

B. Buitenhuys motioned to approve a Negative III Determination, the motion was seconded by W. Lovely. The motion passed unanimously, (5-0).

Order of Conditions Extension

Kennedy Waterfront Trust
1, 5-7 E Merrimack St
Lowell, MA 01852

DEP #206-0768

Project Location: 1 East Merrimack Street

OOE Extension Request for the Order of Conditions (#206-0768) issued for the redevelopment of the existing property into a 12-story mixed use development which is partially located within the Riverfront Area of the Concord River.

On Behalf:

David Daly, Applicant's Representative

Speaking In Favor:

None

Speaking In Opposition:

None

Discussion:

D. Daly stated that the project is ongoing, and was delayed by Covid-19 due to an investor backing out of the project. D. Daly said that progress had been made on an abutting parcel, and is currently asking for an extension on the current project as proposed. D. Daly stated he plans to come before the Commission in the next few months to propose a slightly revised plan, but at this time is only requesting an extension.

L. Varnum asked how long the extension is being requested for. D. Daly said the request is for 2 years.

L. Varnum asked whether there was a planned start date for the project. D. Daly stated that there is currently no start date, and things will not be started until certain things are worked out with the City. He said that they are moving in the right direction, but are not ready to start.

W. Lovely said that there has been good partnership with the Concord River Greenway. W. Lovely asked if this parcel was located near Middlesex Community College, and stated that he finds the extension reasonable. D. Daly confirmed that the parcel was near Middlesex Community College, and confirmed that the intent of the project will remain the same. He stated that new plans will be presented in 30-60 days.

Motion:

W. Lovely motioned to extend the Order of Conditions for 2 years, the motion was seconded by P. Downs. The motion passed unanimously, (5-0).

OTHER BUSINESS

Minor Modification

Matthew Waterman

LandTech Consultants, Inc.

515 Groton Rd

Westford, MA 01886

DEP #026-0791

Project Location: 141 Cashin Street

Minor Modification Request for the Order of Conditions (#206-0791) issued to construct a single-family home in a vacant lot within the 100 foot buffer zone to Bordering Vegetated Lands requesting to relocate one dry well, and add an underground gas tank.

On Behalf:

Matthew Waterman, Applicant's Engineer

Speaking In Favor:

None

Speaking In Opposition:

None

Discussion:

M. Waterman stated that he was there to amend the OOC with minor changes. He said that construction has started, the building is framed and inside work is currently being done. The footprint of the building has changed to be smaller, and has been moved close to Cashin Street, farther from the wetland than originally proposed. The deck was originally proposed behind the property and was moved to the side of the building, farther from the wetland. The deck will be 62 feet from the wetland, and was previously set to be 52 feet from the wetland. They have had issues getting connected to natural gas, and will install propane gas instead. The propane company picked a spot which conflicted with the proposed dry well, and the dry wells were redesigned to go into one area of the backyard. Otherwise there have been no changes and everything is progressing in accordance with the OOC.

L. Varnum stated she prefers the new plan to the old plan, and it makes sense to put the dry wells together as long as you can get the water to flow that way.

M. Waterman stated that there was a long wait to get hooked up to natural gas, and that is why propane was chosen instead.

L. Varnum finds no fault with the proposal.

Motion:

B. Buitenhuys motioned to approve the Minor Modification, the motion was seconded by W. Standish. The motion passed unanimously, (5-0).

Grant signatory authority to Francesca Cigliano

Discussion:

J. Wilson stated that Eric Slagle has been signing off on Conservation Commission decisions, and this is being done to allow Francesca Cigliano to take this over as Senior Planner.

L. Varnum asked if this would be in addition to Eric. J. Wilson stated Eric would retain signatory authority as well.

W. Lovely asked if the City has been using digital signatures. J. Wilson said that no electronic signatures were being used.

Motion:

B. Buitenhuys motioned to grant Francesca Cigliano signatory authority, the motion was seconded by W. Lovely. The motion passed unanimously, (5-0).

Minutes

January 13, 2021

January 27, 2021

February 10, 2021

Discussion:

Motion:

B. Buitenhuys motioned to approve all minutes as edited by W. Lovely, the motion was seconded by W. Standish. The motion passed unanimously, (5-0).

Saturday Cleanup

B. Buitenhuys stated that he is planning a community trash clean up starting near the Lowell Connector. He said that he would be located near the African Market, they will be cleaning entrances to the city, and there is a corresponding Facebook event. This will be done on future weekends until the City is cleaned up.

W. Lovely asked about City efforts to manage tent cities, particularly near UMass Lowell's South Campus. J. Wilson said that there were some efforts underway and more information can be provided.

B. Buitenhuys said that they are trying to address the issue with the City to help better maintain camps. He stated that is important to understand what's actually trash versus someone's possessions.

ADJOURNMENT

P. Downs motioned to adjourn, the motion was seconded by W. Lovely. The motion passed unanimously, (5-0).
7:30pm