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CONSERVATION COMMISSION
LOWELL, MASSACHUSETTS
May 12, 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 Buitenhuis, Commissioner Lovely, Commissioner Downs, and Commissioner Standish

Members Absent: Commissioner Dillon

Others Present: Fran Cigliano, Senior Planner; Peter Cutrumbes, Assistant Planner

CALL TO ORDER

Meeting called to order 7:00pm.

ORDER OF BUSINESS

CONTINUED BUSINESS

Notice of Intent

City of Lowell, Department of Planning and Development

Chris Hayes

50 Arcand Dr, 2nd Floor

Lowell, MA 01852

Project Location: 100 Industrial Ave, 211 Plain Street, and 211.1 Plain Street, 01851

A Notice of Intent has been filed by the City of Lowell to construct a multi-use path along River Meadow Brook.

The path would be located within the 100 foot buffer zone and Riverfront area. **The MassDEP # for this project is still pending.**

On Behalf:

None

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

F. Cigliano told the Commission that they are still waiting on the MassDEP# for this project. L. Varnum said that this project could be tabled until the DEP# is issued.

Motion:

P. Downs motioned and W. Lovely seconded the motion to table this item until further notice. The motion passed unanimously (4-0).

NEW BUSINESS

Request for Determination of Applicability

Barbara Copley
45 Meaghann Lane
Lowell, MA 01852

Project Location: 45 Meaghann Lane 01852

The applicant is seeking to remove two (2) oak trees within the 100-ft buffer zone to the Merrimack River.

On Behalf:

Paul Copley, 45 Meaghann Lane

P. Copley said that they would like to remove two oak trees in their backyard. They are very old and every time there is a windstorm, branches fall into the yard onto the deck. They are afraid that eventually, it could fall onto their house.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

L. Varnum asked if an arborist had taken a look. She wondered if trimming the dead branches could be an option. They are almost historic sized trees there that would be an asset to the property.

P. Copley disagreed; the trees are becoming a liability. He wishes they were in better health, but the last few drought seasons have done a number on them. More and more branches are dying than are alive. It is becoming a hazard.

L. Varnum said that the trees could provide the deck with shade.

P. Copley said that they have lived here for over 30 years and that in the last 5-10 years, the shade has been dwindling.

W. Lovely said that the applicant appears to be acting in good faith and he would defer to their judgement.

B. Buitenhuys said that he would not push for additional plantings.

Motion:

W. Lovely motioned to issue a Negative III determination. The motion was seconded by W. Standish and passed unanimously, (5-0).

Enforcement Order

SteveO Nominee Trust
31 Anderson Drive
Tyngsboro, MA 01879

Violation Location: 1 Sheffield Street Lowell MA 01854

Brush and tree removal within the 100-ft buffer zone and 100-year flood plain without Conservation Commission approval.

On Behalf:

None

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

L. Varnum said that there are new owners. They have placed their clippings on 5 Sheffield Street which is still under ownership of S. O'Neill. Both parties are liable for this particular violation. Hopefully by next meeting we will have both parties in here. L. Varnum said that it will take considerable effort to make it right. They are attempting to put up a fence. It is a scorched earth situation. Not a blade of anything left. Activity needs to be dealt with rather quickly.

Motion:

W. Lovely motioned and B. Buitenhuys seconded the motion to ratify the Enforcement Order. The motion passed unanimously, (5-0).

OTHER BUSINESS

Minutes

April 14, 2021 Executive Session

April 28, 2021

Both sets of minutes will be re-visited at the next Conservation Commission meeting.

ADJOURNMENT

B. Buitenhuys motioned and W. Lovely seconded the motion to adjourn the meeting. The time was 7:31 PM.