

MINUTES OF THE TYNGSBOROUGH CONSERVATION COMMISSION MEETING

September 26, 2006

Present

RS: Robert Sherburne
LG: Lucy Gertz
JZ: Jeanne Zarba

FZ: Frank Zarba
LC: Lori Capone, Director

Absent

JK: Jeffery Kablik, Chairperson

HJ: Henry Jungmann, Vice Chair

7:00 **Meeting opened** by Robert Sherburne, Acting Chairman

- ❖ Mr. Eriksen, of Norse Environmental Services, addressed the Commission requesting an Emergency Certification for the installation of a water line at Bridgecrest Condominiums off of Westford Road due to an arsenic contaminated well. The Condo Association is under Order by the Department of Environmental Protection to tie in to Town water. Work would consist of installation of a water line within the buffer zone and would require crossing over the existing culvert. If the four feet of cover is not available, the applicant will insulate the pipe but will not go under the culvert. Silt fence shall be installed in the catch basins to prevent siltation of the resource areas. Materials and machinery shall be stored on the existing driveway.

JZ: Motion to issue an Emergency Certification to Bridgecrest Condominium Association for installation of the water line per plan dated August 30, 2006.

FZ: 2nd

Unanimous 4-0

- ❖ Mr. Hickey of **409 Dunstable Road** addressed the Commission regarding work at his neighbors house. He is concerned about a retaining wall his neighbor is installing within the buffer zone. The Commission requested LC write a letter requesting the homeowner file a Notice of Intent with the Conservation Commission for the October 24, 2006 meeting.

- ❖ **Director's Determination for 1 Paddock Road.** LC explained that the homeowners would like to construct a 12 X 16 shed on sonar tube footings located 35 feet from a bordering vegetated wetland. The Commission determined that even though the footings would be located within the 50-foot no build zone, it would not have a negative impact on the resource area.

JZ: Motion to approve the Director's Determination for 1 Paddock Road

FZ: 2nd

Unanimous 4-0

- ❖ **LG: Motion** to accept the minutes of August 22, 2006.

JZ: 2nd

Unanimous 4-0

Minutes 9/26/06 continued

- ❖ LC presented the Commission with the Forest Cutting Plan for Richard Karp of 137 Westford Road.
- ❖ LC informed the Commission that the homeowner at 265 Pawtucket Blvd is having a swing set installed within the Riverfront Area but she had no concerns with it.
- ❖ LC informed the Commission that the Department of Justice (DOJ) and Division of Fisheries and Wildlife(DFW) contacted her regarding a parcel of land on Flint Pond owned by Charles George. The DOJ was wondering if the Commission was interested in owning and/or holding a Conservation Restriction on the property, a requirement of Mr. George's Consent Decree. There was much discussion. The Commission opted not to pursue the proposal.
- ❖ **Director's Determination for 109 Chestnut Road.** LC explained that the homeowner would like to demolition the house which is located within the Riverfront Area. The homeowner will file a Notice of Intent for the construction of a new house.
JZ: Motion to approve the Director's Determination with the following conditions:
1.) Silt fence shall be install to prevent any potential siltation of the resource area; 2.) All debris shall be removed to an approved landfill and not be incorporated into the site.
FZ: 2nd
Unanimous 4-0
- ❖ LC informed the Commission that some work has been performed at Sleepy Hollow on Lakeview Avenue, within the Riverfront Area, which was not approved as part of the Order of Conditions, specifically, the removal of trees. The Commission requested LC write a letter to Mr. Eriksen requesting he appear before the Commission at their next meeting on October 24, 2006 with a restoration plan.
- ❖ **Request for a Certificate of Compliance for 269 Middlesex Road.** LC has inspected the site and all work was performed in accordance with the Order of Conditions.
JZ: Motion to issue a Certificate of Compliance for 269 Middlesex Road
FZ: 2nd
Unanimous 4-0
- ❖ Members signed the following DEP forms: Certificate of Compliance for 269 Middlesex Road.
- ❖ LC informed the Commission that she has resigned effective October 10, 2006. The Commission thanked her for the professionalism and excellence she has brought to the Commission.
- ❖ JZ and FZ submitted their letters of resignation with regret.

Minutes 9/26/06 continued

JZ: Motion to adjourn

FZ: 2nd

Unanimous 4-0

Meeting adjourned at 8:30

Respectfully submitted by Lori Capone, Conservation Director