



**Town of Tyngsborough
Conservation Commission**

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext 116
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Minutes

December 11, 2007

Present:

ES: Ed Smith, Chairman

JK: Jeffery Kablik

PB: Paul Barker

MM: Matt Marro, Conservation Director

HJ: Henry Jungmann, Vice-Chairman

LG: Lucy Gertz

RS: Robert Sherburne

Absent:

WL: William Look

7:00 Meeting opened by Ed Smith

7:00 John Smith – 29 Pleasantview Ave. (M32B, P 39, L 0) - Enforcement order issued for the clearing of Bordering Vegetative Wetlands, creation of a beach and the set up of a dock at **71 Mascuppic Trail (Map 32B, Parcel 33)** (Continued from 8/28, 9/11, 9/25, 10/23, 11/13 and 11/27)

John Smith was unable to attend this meeting but in previous discussions with the Commissioners, **Mr. Smith** agreed to not trespass on **71 Mascuppic Trail** and to restrain from any clearing of wetlands in the beach area. **Mr. Smith** has request that **MM** check accuracy of the placement of the “No Trespassing” signs that were posted in this area.

HJ: Motion to assess to **John Smith** the \$50.00 By-Law Fee to lift this Enforcement Order.

RS: 2nd the motion

Unanimous 6-0

7:15 Robert Maciel – 265 Pawtucket Blvd. Extension of DEP 309-722 – Continuance from the hearing held on August 28, 2007 to update the board on the progress of the 1 year Extension to DEP 309-722 to work out issues with the MA State Highway Department. (Continued from 11/27)

Mr. Maciel did not attend this hearing but a letter was sent by his representative showing the latest requests **MassHighway** regarding the removal of the pavement in question. **MassHighway** has been asked to do a site visit. Per Extension DEP 309-722, **Mr. Maciel** is required to submit a progress report in 3 months. A reminder will be sent for the March 25, 2008 meeting.

7:30 Flint’s Corner Realty Trust – 150, 156, 160 Westford Road (M22 and 15, P23, 7, and 18) Extension for Order of Conditions DEP #309-0741 to allow for the installation and planting of the replication area in the spring time.

The Commission has questions concerning this project and requests a representative appear to answer any questions they have.

HJ: Motion to continue this hearing to 7:00 P.M. on January 8, 2007

JK: 2nd the motion

Unanimous 6-0

Director's Determinations and Report:

- Site visit to **275 Pawtucket Blvd. (Map34, P15, L0)** for a proposed addition. No further action is recommended.
 - HK:** Motion to approve the Directors Determination for **275 Pawtucket Blvd.**
 - JK:** 2nd the motion
 - Unanimous 6-0**
- Site visit to **39 Bowers Ave. (Map 32A, Parcel 41, Lot 0)** for a proposed addition. No further action is recommended.
 - HJ:** Motion to approve the Directors Determination for **39 Bowers Ave.**
 - JK:** 2nd the motion
 - Vote 4-0 (ES-abstain as the property owner and PB-abstain as an abutter)**
- A Quit Claim Deed was received conveying 5.24 acres at **31 Roberts Road (M25, P29, L0)** to be under the Conservation Commission's control.
- The Director has finished the department budget and submitted it to the Town Administrator.
- The Director has been notified that 12.23 acres of Land located at **22 Swan Pond Road (M16, P18, L0)** and classified as 61A is being sold.
- The Director has spoken with the representative of 62.18 acres of land on **Locust Street (M12, P43, L0)**. They are interested in possible sale.

Other Business:

❖ **Signed Forms/Invoices:**

- Sign invoice for the department
- **19 Lands End Road (M32A, P102) – Negative Determination of Applicability**
- **167 Scribner Road (Map 8, Parcel 29, Lot 0) – Order of Conditions for DEP 309-0808**

❖ **Minutes/Other Business**

- Minutes from 11/13/07 meeting
 - HJ:** Motion to accept the minutes from 11/13/07.
 - LG:** 2nd the motion
 - Unanimous 6-0**

Meeting adjourned at 8:00 PM

- HJ:** Motion to adjourn
- JK:** 2nd the motion
- Unanimous 6-0**

Respectfully submitted

Karen Steeves, Conservation Clerk