



**Town of Tyngsborough
Conservation Commission**

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
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Minutes
April 10, 2012
APPROVED

Present:

BM: Brian Martin **LG:** Lucy Gertz **JE:** Jerry Earl **JK:** Jeff Kablik **LB:** Linda Bown
MM: Matt Marro **PB:** Pamela Berman

Absent:

ES: Ed Smith **JN:** John Nappi

Attachments:

1. Agenda
2. 81 Westford Road Notice of Intent – 3/23/12
3. Cornerstone land Consultants Letter regarding 25 Parham Rd. – 4/10/12
4. 36 Redgate Road Site Inspection Checklist – 4/5/12
5. Wilson Way Street Plan

7:00pm BM opened meeting

7:02pm **81 Westford Rd. (M21, P4, L0) – Notice of Intent, DEP# 309-0855** for the proposed construction of a commercial development consisting of 1 free standing building to contain a Honey Dew Donuts, and another building dedicated to additional retail/office entities.

JK: Motion to waive the reading of the abutters list and legal notice.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Applicant Frank Polak and his engineer Ken Lania appeared before the Commission to present plans for a commercial development located at 81 Westford Rd. Mr. Lania explained that the entire site drains into the adjacent bordering vegetated wetland which is off-site on the adjacent property owned by Notre Dame Academy. Mr. Lania reported that the plans have been through rigorous review by the Planning Board and just received their Special Permit approval. Phase 1 of the project will consist of the Honey Dew Donuts portion of the development which is outside of the buffer zone. However, it is important to note that the stormwater does drain toward the rear of the property. In addition, Phase 2 of the project will consist of an accessory building as yet unoccupied, and will be located within the buffer zone. Mr. Lania went on to explain that an EPA NPDES Permit will be required for this project.

MM reported that he worked very closely with Planning Board engineer Jesse Johnson to formulate the stormwater plan that would be amenable to all parties. In his opinion, this plan is a good one and would recommend a standard order of conditions. There were no abutters present to speak on this hearing.

JK: Motion to close the public portion of the hearing.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

JK: Motion to issue a Standard Order of Conditions for 81 Westford Road.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

7:30pm 25 Parham Road/6 Woodlawn St., d.b.a. Thirsty's Pub (M31A, P113/P114) – Notice of Intent, DEP# 309-0847 for the proposed construction of a parking area with associated grading & drainage improvements. Continued from 3/27/12.

Applicant engineer Ken Lania appeared before the Commission to report that he spoke with his client about completing the retaining wall. They are putting together a bid package and are now waiting for prices to come in. He hopes to have an update at the next meeting.

LB: Motion to continue the hearing until May 22, 2012

JK: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Director's Determinations

36 Red Gate Rd. – Tree removal

MM reported that the homeowner wishes to remove storm damaged trees near a Bordering Vegetated Wetland. They will be putting down wood chips where needed only if soils become exposed.

JK: Motion to approve the Director's Determination for 36 Red Gate Rd.

LG: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Discussion

6 Wilson Way – Dan Desrosiers

Dan Desrosiers of 6 Wilson Way appeared before the Commission to report that ATVs have been carving out paths along the edge of Lake Massapoag on Wilson Way and ruining the area in the process. He and some of the other residents on the street want to move some big boulders to prevent the ATVs from accessing the area. He submitted some pictures that document the boulders and some of the damage. In addition, there is a bus from the Seven Hills home that arrives very early in the morning and parks in the area for an hour before he needs to pick up the folks at the Seven Hills home. MM said that he would work with the Police Dept., Highway, and the residents to come up with a solution.

Sherburne Nature Center Boardwalk Project Update

MM said that the Town Administrator is still working on the bid package.

422 Middlesex Rd. Olive Garden Update

MM reported that the engineers have found the origin of the sewage leak and are in the process of engineering a fix for the problem. They are working with the Board of Health concerning the new design, and are still pumping out the system once a week.

Administrative:

The minutes for the March 27, 2012 meeting were not ready for approval.

JK: Motion to approve the minutes as written for March 13, 2012.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

8:15pm

LB: Motion to adjourn

LG: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Respectfully for the Conservation Commission,

Pamela Berman
Administrative Assistant