



**Town of Tyngsborough  
Conservation Commission**

25 Bryants Lane  
Tyngsborough, Massachusetts 01879-1003  
Office: (978) 649-2300 ext. 116  
Fax: (978) 649-2301

Minutes  
March 12, 2013  
**APPROVED**

**Present:**

**BM:** Brian Martin    **LG:** Lucy Gertz    **ES:** Ed Smith    **JK:** Jeff Kablik    **MM:** Matt Marro

**Absent:**

**JE:** Jerry Earl    **LB:** Linda Bown    **PM:** Pat Mical

**Attachments:**

1. Agenda
2. Project Narrative for 35 Robert Rd. – 2/21/13
3. Subsurface Sewage Disposal System Plans for 35 Robert Rd. – 1/25/13
4. Request for Determination filing for 11 Bessie Lane
5. BOS Memo: Tyngsborough Water District License for Hunter/Norton Properties – 3/8/13
6. Tyngsboro Trails Committee Meeting Minutes – 2/2/13
7. Tyngsboro Trails Committee Spring 2013 SNC Project List

**7:00pm**    BM opened meeting

**7:02pm**    **35 Robert Rd. (M25, P29, L6) – Request for Determination of Applicability** for the proposed upgrade to an existing septic system within the buffer zone.

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

**ES:** 2<sup>nd</sup> the motion

**In Favor: 4    Opposed: 0    Absent: 3**

**Passes: 4-0-3**

Engineer Jeff Hannaford appeared before the Commission for the applicant. Mr. Hannaford described the scope of the project which entails installing a new septic system on the property. They had to move the new system to a location just inside the buffer zone because when they performed the soil tests, they yielded a much higher water table than advisable for a septic system. MM said that his review of the project showed no impacts to the wetlands as they are approximately 82 feet away. Mr. Hannaford added that the Board of Health's engineer has reviewed the plans and it does meet all of the Title 5 regulations. The Board of Health did issue a variance for the project. There were no abutters present to speak on this project.

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

**ES:** 2<sup>nd</sup> the motion

**In Favor: 4    Opposed: 0    Absent: 3**

**Passes: 4-0-3**

**JK:** Motion to issue a Negative Determination for a new septic system at 35 Robert Rd.  
**ES:** 2<sup>nd</sup> the motion  
**In Favor: 4 Opposed: 0 Absent: 3**  
**Passes: 4-0-3**

**7:15pm**      **11 Bessie Lane (M24, P51, L0) – Request for Determination of Applicability** for the proposed construction of a 20' x 24' garage within the buffer zone.

**ES:** Motion to waive the reading of the legal notice and abutters list  
**JK:** 2<sup>nd</sup> the motion  
**In Favor: 4 Opposed: 0 Absent: 3**  
**Passes: 4-0-3**

Homeowner Stephen Gendreau appeared before the Commission to detail his project of a 2-car garage addition. MM inspected the property and determined that even though the wetland system was approximately 60 feet away from the proposed work, due to the flat wetland system, the wetlands would not be impacted, especially with the proper erosion controls in place. The Commission requested that gutters and downspouts be installed on the addition to move the stormwater away from the wetlands. There were no abutters present to speak on this project.

**JK:** Motion to close the public portion of the hearing  
**LG:** 2<sup>nd</sup> the motion  
**In Favor: 4 Opposed: 0 Absent: 3**  
**Passes: 4-0-3**

**JK:** Motion to issue a Negative Determination for the construction of a 2-car garage addition at 11 Bessie Lane.  
**LG:** 2<sup>nd</sup> the motion  
**In Favor: 4 Opposed: 0 Absent: 3**  
**Passes: 4-0-3**

## **Director's Report**

Hunter/Norton Property Potential License Agreement with the Tyngsborough Water District

MM explained that the Tyngsborough Water District wants to explore the possibility of installing a water line on the Hunter/Norton property. He went on to say that the exploration would entail digging test holes and the like. He added that any further work beyond the testing would require full approval from the Commission. The action required tonight would be to vote to approve a license agreement that the Board of Selectmen have developed for this work.

**ES:** Motion to approve the Board of Selectmen issuing a licensing agreement with the Tyngsborough Water District.  
**JK:** 2<sup>nd</sup> the motion  
**In Favor: 4 Opposed: 0 Absent: 3**  
**Passes: 4-0-3**

## **Reports/Discussion:**

- **Sherburne Nature Center/Trails Committee Update**

The Trails Committee met and gave their approval to the Bee-Hive project proposed by Jim Yorke. MM reported that the Trustees of Reservation had no issues with the project and gave their blessing.

LG briefed the Commission on the Spring projects planned for the town trails and the Sherburne Nature Center in preparation for the Earth Day Celebration April 21<sup>st</sup>. They include a new kiosk for the Worden Rd. property, Shady Glade trail cleanup and possibly building a segment of boardwalk over the beaver area, and a new boardwalk connector trail through the meadow at the Sherburne Nature Center. Finally, there will be a town wide cleanup day on April 20<sup>th</sup> when we'll need a lot of volunteers, so get the word out.

## **Administrative:**

### **1. Minutes:**

**ES:** Motion to approve the minutes as written for February 26, 2013.

**JK:** 2<sup>nd</sup> the motion

**In Favor: 4 Opposed: 0 Absent: 3**

**Passes: 4-0-3**

### **7:45pm**

**ES:** Motion to adjourn

**LG:** 2<sup>nd</sup> the motion

**In Favor: 4 Opposed: 0 Absent: 3**

**Passes: 4-0-3**

Respectfully for the Conservation Commission,

Pamela Berman  
Administrative Assistant