



**Town of Tyngsborough
Conservation Commission**

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

Minutes
March 26, 2013
APPROVED

Present:

BM: Brian Martin **LG:** Lucy Gertz **ES:** Ed Smith **JK:** Jeff Kablik **LB:** Linda Bown
PM: Pat Mical **MM:** Matt Marro

Absent:

JE: Jerry Earl

Attachments:

1. Agenda
2. Project Narrative for 364 Westford Rd. – 3/13/13

7:00pm BM opened meeting

7:02pm **364 Westford Rd. (M9, P26, L0) – Notice of Intent, DEP# 309-0865** for the proposed razing of 2 existing structures and the construction of a new single family dwelling with attached garage within the 100ft. buffer zone.

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

PM: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

Engineer Greg Driscoll appeared before the Commission for the applicant. Mr. Driscoll described the scope of the project which entails removing four existing dilapidated buildings on the property and building 1 single family dwelling. The lot is a non-conforming lot, and they have received the proper variances from the ZBA. In addition, they will be filing with the Board of Health for the new septic system. Mr. Driscoll went on to say that the entire property is within the 100 foot buffer zone and the existing structures are in the no-touch zone. Due to the pre-existing conditions, however, the property does have grandfathered status.

MM reported that the plans call for a vast improvement of the property and does succeed in making the property “more-conforming” than it is currently. He went on to say that there would be no impact to the surrounding wetlands. The Commission asked about the grading and fill. Mr. Driscoll noted that the grading would be the same post construction and that they intend to bring in top-soil, loam and seed only. MM did stress that the applicant is “restoring” the green space on the property.

ES felt that due to the close proximity of the wetlands he recommended that a marker similar to the one used at the 104 Coburn Rd. project be placed in the garage of this property to designate that the home was built in a wetland designated area and the footprint of the home cannot be expanded.

Abutters from 359 Westford Rd. and 14 Alpine Way were present in support of the project as it would clean up an eye-sore in the neighborhood.

LB: Motion to close the public portion of the hearing

ES: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

ES: Motion to issue a Standard Order of Conditions for 364 Westford Road with the condition that a marker be installed in the garage that reads that the home was built in a wetland designated area and the footprint of the home cannot be expanded.

PM: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

Reports/Discussion:

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

LG briefed the Commission on the improvements for the town trails and the Sherburne Nature Center in preparation for the Earth Day Celebration April 21st.

Administrative:

1. Minutes:

LG: Motion to approve the minutes as written for March 12, 2013.

ES: 2nd the motion

In Favor: 5 Opposed: 0 Abstain: 1 Absent: 1

Passes: 5-0-1-1

2. New Business:

ES asked if MM could do some research on Conservation Restrictions for CPC purchased property, specifically, Long Pond (Girl Scout Property) and The Frost Road Campground.

7:50pm

LB: Motion to adjourn

ES: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

Respectfully for the Conservation Commission,

Pamela Berman
Administrative Assistant