



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 116
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Minutes
September 10, 2013

APPROVED

Present:

BM: Brian Martin **PM:** Pat Mical **ES:** Ed Smith **LB:** Linda Bown

Absent:

JE: Jerry Earl **LG:** Lucy Gertz **JK:** Jeff Kablik **MM:** Matt Marro

Attachments:

1. Agenda
2. 108 Chestnut Rd. Request for Determination of Applicability Application – 9/9/13
3. Norse Environmental Continuance Letter for 50 Westford Rd. – 9/10/2013
4. 37 Riverbend Rd. Request for Certificate of Compliance – 8/28/13
5. 57 Mascuppic Trail Director's Determination – 8/22/13
6. 10 Nandina Dr. Director's Determination – 8/30/13

7:00pm BM opened meeting

7:02pm **108 Chestnut Rd. (M8, P26, L0) – Request for Determination of Applicability** for the proposed construction of a 20' x 12' screen porch and a 12' x 8' deck.

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

PM: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

Homeowner Justin Frazier appeared before the Commission regarding this project. There currently exists a 10' x 10' deck and he wishes to expand it and add a screen porch. MM wrote that the project would not impact the wetlands. There were no abutters present to speak for or against this project.

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

LB: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

ES: Motion to issue a Negative Determination for the construction of a 20' x 12' screen porch and a 12' x 8' deck at 108 Chestnut Rd.

PM: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

7:10pm **50 Westford Rd. (a.k.a. Tyngsborough Commons, M21, P23, L1) – Notice of Intent, DEP# 309-0868** for the construction of a sewer line, and (1) condo building with parking, curbing, sidewalks, retaining walls, drainage, grading and associated utilities which is part of the mixed-use commercial and residential village known as Tyngsborough Commons. Continued from August 13, 2013.

Work continues on the hydrological review. Therefore, this hearing must be continued.

ES: Motion to continue hearing until 9/24/13.

PM: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

7:15pm **37 Riverbend Rd. (M20B, P24, L1) – Request for a Certificate of Compliance, DEP# 309-0866.** Order of Conditions issued 5/28/2013.

MM wrote that the new septic system installation is complete and the area is stabilized.

ES: Motion to issue a Certificate of Compliance for 37 Riverbend Rd., DEP# 309-0866

LB: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

Director's Determinations:

Independence Dr., Ridge Rd. & Trinity Dr. – Road Resurfacing

The Board requested additional information from MM who was absent from tonight's meeting.

LB: Motion to postpone the vote on this Director's Determination until the 9/24/13 meeting.

ES: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

57 Mascuppic Trail – 12’ x 12’ Shed

MM wrote that this project encroaches the buffer zone by only 10’ and would not be an impact.

ES: Motion to approve the Director’s Determination for a shed at 57 Mascuppic Trail.

LB: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

10 Nandina Dr. – Deck

MM wrote that this project is the replacement of an existing deck with no expansion and would not be an impact to the resource area.

LB: Motion to approve the Director’s Determination for a replacement deck at 10 Nandina Dr.

ES: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

Reports/Discussion:

- **Sherburne Nature Center/Trails Committee Update** - No new developments were reported.
- **Riverbend Road Easement Report** – PM & MM continue their research and will report to the Commission at a later date.

Administrative:

1. Minutes:

ES: Motion to approve the minutes for July 23, 2013 as written.

PM: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

ES: Motion to approve the minutes for July 9, 2013 as written.

PM: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

7:30pm

ES: Motion to adjourn

PM: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 3

Passes: 4-0-3

Respectfully for the Conservation Commission,

Pamela Berman
Administrative Assistant