

CONSERVATION COMMISSION

Annual Report - 2002

The recent economic downturn continues to be reflected in a decrease in the filings, particularly for larger residential and commercial projects, with the Commission. However, the work of the Commission becomes more difficult each year as the effects resulting from rapid development continue to unfold. With more difficult economic times, there is increased pressure to depart from the sound practices necessary to protect natural resources, which are the fundamental health of a community. As a Town, we must be very careful that we do not sacrifice long term environmental health to short term expediencies.

The work by the Commission involves several types of review: (1) "Request for Determination", in which the Commission is asked to approve a surveyed plan showing wetland boundaries. (2) "Notice of Intent", meaning that an applicant has notified the Town of an intention to build a structure or any type of work in a wetland or the land around a wetland. (3) Emergency Certificate, when rebuilding a septic system or some other emergency work necessitates alteration of a wetland or nearby land on short notice. Statistically the work during 2002 included the following: 18 public hearings were opened for Requests for Determination, 58 public hearings were opened for Notices of Intent, and 26 Emergency Certificates were issued. In doing this, the Commission conducted 12 formal site visits, while agents William Turner and Robert Williams conducted hundreds of site visits in relation to many ongoing projects, as well as new proposals.

The Commission issued Enforcement Orders and fines totaling \$1,850.00 in relation to 6 violations of the State Wetlands Protection Act and local wetlands bylaw.

The most significant project reviewed and approved by the Commission was the 18 hole "Butter Brook Crossing" golf course proposed by Edward Kennedy on approximately 150 acres of land located at the southern boundary of the Town with Acton. Project approval conditions include strict requirements for integrated pest management and water usage so as to provide adequate protection to nearby wetlands and public and private water resources. Important safeguards for State listed species in the area, including the blue spotted salamander and Blanding's turtle are also included. By year's end the Commission had opened its hearing on another major project, the proposed Westford Technology Park West II office park, proposed to be more than 750,000 square feet of office space on over 70 acres located off Littleton and Powers Roads. Other notable projects reviewed and approved by the Commission in 2002 included the Town's proposed new highway garage located off North Street, the Freeman Bike Trail running along the old abandoned railbed near Acton Road, and the Hitchin' Post Greens II subdivision located at the end of Magnolia Drive.

In a continuing effort to address concerns about plant growth in Lake Nabnasset for residents living around the Lake, the Commission, the Selectmen and Nabnasset Lake Preservation Association jointly selected a consultant, Environmental Science Services of Wellesley to assess the problem and recommend a potential management plan, following DEP guidelines. The consultant recommended a three-foot drawdown as a way to potentially reduce nuisance plant growth, while also providing sufficient water level to protect the adjacent Shipley Swamp. After the Commission issued an Order of Conditions to allow for such a drawdown, including extensive monitoring requirements, a citizen's group appealed the permit, and the DEP Regional Office overturned the approval, disagreeing with the Town's consultant regarding the extent of the nuisance weed problem and whether the drawdown would have any positive benefit. DEP also had concerns regarding potential effects on Shipley Swamp.

The most significant violation of the year resulted from the accidental discharge of thousands of gallons of pig waste from property owned by William and Rita Connell to wetlands located along Dunstable Road. The wetlands acted as catchment areas for the waste and Highway Department personnel blocked a culvert under Dunstable Road preventing discharge of any waste to Long Sought For Pond. The Board of Health took immediate action to alleviate the hazard of the spill, and the Commission has worked cooperatively with that Board on this matter. Unfortunately, the spill and clean up efforts completely altered the wetlands areas. The Commission issued an Enforcement Order, requiring, among other things, that the wetlands be restored. The Connell's have been cooperative in the face of this most unfortunate event, and have indicated to the Commission that expert consultants will develop such a restoration plan that can be implemented in 2003.

One of the year's most important accomplishments was the completed updates to Town's Open Space and Recreation Plan, a critical part of the Town's master planning activities. This plan is updated every five years, and in 2002 a Committee of citizen volunteers headed by Chairperson Margaret Wheeler of the Commission completed the updated document for submission to the State. Marian Harman, Kate Hollister and Christie Williams lead the efforts of other participants Beth Ahern, Nancy Dorenfeld, Sandra Habe, Ed Kettler, John Piekos, and Peter Severance. The Town received notification by the Executive Office of Environmental Affairs in July that the Plan had been approved. Many towns hire consulting firms to complete these Plans, so the completion of this important report which qualifies the Town for open space grant programs by this dedicated group at little cost to the Town is truly noteworthy, particularly in light of the commendation of the State reviewer of these plans, Jennifer Soper of the Division of Conservation Services, who indicated in her approval letter that "an outstanding job" had been done in completing the report.

One of the maps developed in the course of preparation of the plan is reproduced with this report. The map, entitled "Westford Open Space As Of Early 2000" depicts developed land and unprotected and protected open space at the turn of the millennium. The report may be reviewed at the Conservation Commission Office or Town Clerk's office at Town Hall or at the J.V. Fletcher Library.

A critical element in formulating the policies incorporated in this document was the Open Space & Recreation Survey completed in 1999. The diversity of comments received in the survey reflects the diversity of the Town's population, but the consistent finding is that the residents overwhelmingly perceive that it is very important to aggressively seek open space land acquisitions in order to protect critical resources, particularly water, while also maintaining a quality of life that includes opportunities for both active and passive outdoor recreation. This sentiment was reflected by Special Town Meeting's vote in November 2002 to set aside over \$1,000,000.00 of money raised through the Community Preservation Act for acquisition of open space.

2002 was a successful year for conservation land acquisitions. 10 parcels, comprising a total of 75.2 acres, were acquired. Most of this land, over 72 acres, was acquired through donations. 2.9 acres located off Monadnock Drive at Hildreth Hills were acquired from Keith and Barbara Kiberd of Sun City, Arizona for \$300.00. The most significant acquisition was three parcels associated with the "Beaver Brook Estates" subdivision, acquired by donation from Robert M. Hicks, Inc. Two of the parcels, comprising over 44 acres, are located directly in an identified habitat area of two endangered bird species, the American Bittern and Least Bittern. With the addition of these parcels, there is now over 400 acres of permanently protected land along the Beaver Brook marshes between the Littleton Town Line and Beaver Brook Road, an area that contains one of the richest concentrations of natural resources in the Town. Another important donation of 15.3 acres located north of the Water Tower at "Greystone Estates" was received from Guthall LLC, adding to and enhancing the existing 188 acres of conservation land in the area. The Commission would like to take this opportunity to thank these businesses and individuals for their generosity and cooperation in these important acquisitions.

It was a very good year at the Town's Hill Orchard, which is under the care and custody of the Conservation Commission. As anyone who was fortunate enough to visit the Hill Orchard in 2002 knows, it was an excellent year for stone fruits, particularly the peaches. "Like liquefied sunshine" as one enthusiastic individual exclaimed. Anthony and Fenella Levick of Troy, New Hampshire continue to do an outstanding job of maintaining the orchard and farm stand located on Chamberlin and Hunt Roads for the Town. Pick your own apple activities, including tractor drawn carriage rides through the Orchard, were very popular. Improvements to the property included planting of new tree stock in the orchard, as well as installation of new doors and new wiring and lighting in the Farm Stand. The planting program included 141 trees in total, including 60 apple trees, 40 peach trees, with the remainder including nectarines, apricots, plums and pears. If you would like to see pictures and more information about the Hill Orchard, please visit the website of the Levicks' own farm operation, Monadnock Berries, located in Troy, New Hampshire. The Web address is www.monadnockberries.com. There is a link

to this site from the Conservation Commission's home page, which may be found at the Town's web site www.westford.mec.edu. The Hill Orchard is a key component in maintaining rural community character, which is a primary goal of the Town's Master Plan, and the Commission would like to thank the Levicks for their wonderful work in helping the community meet this goal.

One can get a measure of the strength of a community by the extent of the volunteer activity it demonstrates, and Westford is blessed with many outgoing individuals who give freely of their time and resources to assist others in every conceivable way.

The Commission wishes to extend its deepest thanks to one such group of individuals, the Westford Garden Club. In 2002 the Westford Garden Club donated funds to hire Laura Kuhn of Laura Kuhn Design Consultation to create a conceptual plan for restoration of the rose garden at the Slifer Conservation land. Laura, a Westford resident, in turn donated additional hours to complete the plan which will be completed in two phases by Nashoba Tech horticulture students under Instructor Harry Mohla, and by members of the Westford Garden Club. Students did weeding, raking, thinning and pruning in the garden and in the terraced stone walls, and the Garden Club will do the planting in 2003.

As always, the Westford Conservation Trust provided important trail development and maintenance activities on Town Conservation Land through its cooperative Stewardship Program with the Commission and our thanks go out to all those who take the time to keep an eye on town land and keep it tidy and attractive. The Commission would like to particularly thank: Land Stewards Dan and Peggy Bennett for their work in establishing a new loop trail on the Milot Conservation Land which is located next to Stony Brook at the Arch Bridge; Ryan and Drew Janoch and Peter Ewing for their efforts in relocating a section of the Tom Paul Trail that had been flooded by beavers on the Scott Conservation Land on Cold Spring Road; Land Steward Jeff Diercks and Peter Ewing, who marked trails and installed a sign at the new Mystery Spring Woods Conservation Land area on Tadmuck Road near Route 495 (Please see the trail map labeled "Mystery Spring/Tadmuck Swamp Area elsewhere in this report); Peter Ewing for obtaining and installing a new sign on Cold Spring Road for the Arch Bridge/Russell Bird Sanctuary Conservation Lands; Joyce Molinari, Bill Harman, Bob Williams, Pete Mahler, and Kate Hollister for clearing trash and discarded household items from the Edwards Conservation Land on Williams Avenue and, last but not least Pete Mahler, Kate Hollister, Town Conservation Planner Bob Williams and Bobby Haigh of Bobby's Ranch for much needed repair and maintenance work on the heavily used trails around Nashoba Pond at the Emmet Conservation Land. We would also like to thank Modern Continental Co. for their generous donation of materials for completion of the Emmet Land trail project. Special thanks to members of the Conservation Trust Trail Steering Committee Peter Mahler, Kate Hollister and Tom Spuhler for their work in overseeing these projects.

Eagle Scout candidates have traditionally completed valuable outdoor projects for the community. The Commission would like to express its appreciation to three such Scouts who completed their projects in 2002: Robert Silva, whose project restored and improved the John Gagnon Nature Trail which is located next to the Norman E. Day School; Derek

Lyman, who installed granite benches for development of an outdoor classroom at the Norman E. Day School; and Dan Caffrey whose project improved the access and parking area at the Grassy Pond Conservation Area on Plain Road.

Beyond their work on the Commission, members are active participants in other Town Committees and community organizations. Mary Trubey is a member of the Affordable Housing committee and Marilyn Frank is the Commission's representative on the Community Preservation Act Committee. Margaret Wheeler and Christie Williams worked on the Open Space and Recreation Plan Committee. Christie is also a member of the Commission's Land Acquisition subcommittee along with Pete Mahler and Bill Harman. Marilyn, Pete and Bill are also members of the Westford Conservation Trust. Pete also is a member of the Regional Recreation Trail Committee.

Bill Turner, our Conservation Administrator, continues to serve the Commission on all matters in an effective and exceedingly capable role. His diligence ensures the effectiveness of the laws and compliance with orders of conditions. Bill maintains the integrity of wetlands conservation.

If you are interested in more information about the Conservation Commission, Westford's conservation lands trails or wetlands and other natural resources, please visit the Commission's website, which can be accessed from the Town of Westford home page at <http://westford.mec.edu>., or the Westford Conservation Trust website at www.westfordconservationtrust.org

Respectfully submitted,

Westford Conservation Commission

Eric Fahle, Chairman
Christie Williams, Vice-Chair
Margaret Wheeler
William H. Harman III
Mary Trubey
Marilyn Frank
Peter Mahler