

CONSERVATION COMMISSION

LOWELL, MASSACHUSETTS

July 22, 2026

Note: These minutes are not completed verbatim. For further detail, video recordings are available at the Pollard Library, second floor reference desk or online at www.LTC.org.

This meeting was held both in person and virtually using Zoom.

Members Present: Chairman Brad Buitenhuys, Vice-Chair Perry Downs, Commissioner Marie Burns, Commissioner Kristin Ross-Sitcawich, Commissioner Roberto Ciccarelli

Members Absent:

Others Present: Peter Cutrumbes, Assistant Planner

CALL TO ORDER

ORDER OF BUSINESS

CONTINUED BUSINESS

Vicki O'Neil

31 Anderson Way

Tyngsborough, MA 01879

Project Location: 10 Old Ferry Road, 01854

A Request for Determination of Applicability has been filed by Vicki O'Neil to construct a single-family home at 10 Old Ferry Road. The applicant is seeking to determine whether the proposed work is located within the 100-foot buffer zone of a wetland resource area.

On Behalf:

Matt Hamor, the applicant's engineer and representative.

In Favor:

None

In Opposition:

None

Discussion:

B. Buitenhuys noted the applicant requested a continuance but also requested that the Commission speak with the City's legal team about whether peer review is actually required. He is supportive of that.

Motion:

P. Downs motioned to continue the matter to the 8/26 meeting. R. Ciccarelli seconded. The vote was unanimous (5-0).

P. Downs motioned to send the issue to the Law Department. R Ciccarelli seconded. The vote was unanimous (5-0).

Request for Determination of Applicability

Winn Co.

50 Braintree Hill Office Park, Suite 304

Braintree, MA 02184

Project Location: 451 Black Brook Drive, 01851

A Request for Determination of Applicability has been filed by Winn Co. Seeking approval to clean out the existing culvert at 451 Black Brook Drive. The activity will occur within the 100-foot wetland buffer zone.

On Behalf:

None

In Favor:

None

In Opposition:

None

Discussion:

None

Motion:

P. Downs motioned to continue the matter to the September 23 meeting. R. Ciccarelli seconded. The vote was unanimous (5-0).

Notice of Intent

FTO Realty Trust

109 Blanchard Road

Lawrence, MA 01843

DEP #: 206-0853

Project Location: 71 N Billerica Road, 01852

A Notice of Intent has been filed by FTO Realty Trust to subdivide the property into 11 single-family homes at 71 North Billerica Road. Portions of the project are within the 100-foot buffer zone of a Bordering Vegetated Wetland (BVW) and/or the 100-year floodplain.

Chairman Buitenhuys recused himself from this matter

On Behalf:

Attorney John Cox, the applicant's lawyer. The project came before the Commission on June 10 and there was a lengthy discussion. On May 4 it received Planning Board approval. At the end of the discussion on June 10, a tree survey was asked for. This survey has been completed. The City's Engineer has signed off on the porous pavement. There are no adverse comments from DEP, and no violation of the 50-foot no-build zone.

Matt Hamor, the applicant's engineer, discussed the tree survey. He located all trees with a DBH of 24' or greater. There are 6 trees within the 50-100 foot buffer. 8 trees were identified within the 100-Year Flood Plain. The project team showed the tree mitigation on the plans. The original plans had 9 trees along the roadway. The Planning Board recommended three trees on each lot. This would be a total of 42 trees.

In Favor:

None

In Opposition:

Stacey Decker 110 Hollis Street. She stated that preserving and planting trees is critical in combatting climate change. The trees on this property are very important. Their homes are important to them, and they cannot predict the future outcomes on their homes after the construction of this subdivision. They still have concerns regarding things such as basement flooding. She has one final ask: that the applicant retains the tree line between the existing homes and the proposed project.

Discussion:

R. Ciccarelli asked about the preservation of the tree line. Will the proposed new trees be in the same area as the existing trees? M. Hamor said the trees he discussed are in the construction zone. The new trees will not be in the exact same spots. He noted there are two large trees on the property line and they are willing to leave those two. J. Cox confirmed he talked to the developer and he agrees.

Motion:

R. Ciccarelli motioned to issue a City of Lowell Standard Order of Conditions along with the following conditions:

1. The two existing trees on the property line to be preserved
2. The applicant shall mark out the wetland boundary on the rear of the property.

M. Burns seconded. The vote passed, 3-1. K. Ross-Sitcawich voted in dissent and B. Buitenhuys recused himself from the vote.

Request for Determination of Applicability

CSX Transportation

500 Water Street

Jacksonville, FL 32202

Project Location: Lowell Train Tack Right-Of-Way

A Request for Determination of Applicability has been filed by CSX Transportation, Inc, regarding their plans for weed control via herbicide. The applicant is seeking to determine where the proposed work is located within the 100-foot buffer zone of a wetland resource area.

On Behalf:

None

In Favor:

None

In Opposition:

None

Discussion:

The applicant requested a continuance.

Motion:

M. Burns motioned to continue the matter to the 8/26 meeting. K. Ross-Sitcawich seconded. The vote was unanimous (5-0).

NEW BUSINESS:

Request for Determination of Applicability

Centennial Island Housing, L.P.

30 Hudson Yards

New York, NY 10001

Project Location: 576 Lawrence Street, 01852

A Request for Determination of Applicability has been filed by Centennial Island Housing, L.P. to engage in maintenance work on the property. The work includes activities such as repaving, replacing sidewalks and curbs, and updating fencing. A portion of the work is within 25 feet of the Concord River and the 100-foot buffer zone of River Meadow Brook.

On Behalf:

Brandon Lambert, the applicant's Engineer. The area of work is located on the site of an old mill complex. There are three buildings on site and multiple parking areas, sidewalks, and landscaped areas. The property is bounded by Lawrence Street and the Concord River. River Meadow Brook bisects the property. The plan shows buffer zones of 25 feet, 50 feet, and 100 feet from the river and the brook. The majority of the project is maintenance. They are not expanding the development footprint. Most of the work is repaving the parking lot. The repaving will be a 2-inch milling off the top of the existing pavement, and then repaving that. There are two small areas that need to be repaved to full depth. They are also replacing a dumpster pad, sidewalks, fencing, and granite curbing. Also replacing the slope granite curb with concrete curb. Protecting waterways by using erosion control on the downhill portions of the site and on the waterways themselves. Pavement milling leftovers go right into the back of the truck and leaves the site the same day. Equipment isn't stored onsite. There will only be 1-2 days of exposed ground during the replacement of pavement or sidewalks.

In Favor:

None

In Opposition:

None

Discussion:

B. Buitenhuys noted that there is a parking lot at the rear of the property that is overgrown. It is not on this plan, but he would like to see the applicant clean that up. He said he has no issues with the project.

Motion:

P. Downs motioned to issue a –3 determination. M. Burns seconded. The vote was unanimous (5-0).

Request for Determination of Applicability

Alex Bail
66 Silva Lane
Dracut, MA 01826

Project Location: 61 First Street Boulevard, 01850

A Request for Determination of Applicability has been filed by Albanese D&S Inc. to assess whether the area of work at 61 First Street Boulevard is in the jurisdiction of the Wetlands Protection Act (WPA), and whether the planned work is subject to the WPA. The work will include cutting down 43 trees in order to expand the staging area for the Centralville Sewer Separation project.

On Behalf:

Gorden Bergeron from the Lowell Regional Wastewater Utility and Peter Luciani from Albanese. G. Bergeron said that the sewer separation project is one of the largest DPW projects in the City's history. Currently they are using the address as the staging area, Multiple crews are working simultaneously on this project. They have run out of space for staging so they are requesting to remove more trees. A lot of the trees that are being removed are invasive, like Norway Maples. Intention of removing the trees here is to keep all the work consolidated to one site, as opposed to having multiple staging areas.

In Favor:

None

In Opposition:

None

Discussion:

B. Buitenhuys asked how many trees were invasive. G. Bergeron said 6. 2 of the trees are also considered in poor condition as assessed by a professional arborist. He noted that tree #143 was requested by the Planning Board to be kept. B. Buitenhuys asked what the replanting plan is. G. Bergeron said the trees will be restored completely after work, and the invasives will be replaced with natives. In the meantime, 12 trees will be planted at other municipal properties. B. Buitenhuys said LRWWU and DPW are doing a great job on the sewer separation project. He knows a full restoration is being planned, and in combination with the planting of trees in the meantime, this is something he is inclined to support.

Motion:

M. Burns motioned to issue a –3 determination. K. Ross-Sitcawich seconded. The vote was unanimous (5-0).

Notice of Intent

Wexford Science & Technology, LLC
4 N Martin Luther King Jr Blvd, Suite 500
Baltimore, MD 21201
Project Location: 256.2 Market Street, 01852

A Notice of Intent has been filed by Wexford Science & Technology LLC to construct a commercial building at 25.2 Market Street. The proposed work will take place within the 100-foot buffer zone to the bank of a canal.

On Behalf:

Conor Nagle, the Civil Engineer from the project for VHB and Chase Bernier, the Environmental Scientist for the project.

This project is Parcel 15. The lot itself is 1.2 acres. The project would use the adjacent Parcel 16 as a lay down area. It is an existing, closed-off parking lot. Wexford Development is seeking to bring a Research and Development office to Parcel 15. The building footprint will be approximately 35,000 square feet in area and 3 stories high. They are improving the drainage in the area as it currently almost all impervious. Right now the parking lot drains into the Merrimack Canal. They will be running the outfall through stormwater treatment before it enters the canal. Erosion control will be setup to prevent anything getting anything into the canal. They have been approved by the Historic Board and the ZBA.

In Favor:

None

In Opposition:

None

Discussion:

B. Buitenhuys asked if the lot was the most recent home of the giant pile of dirt that was recently removed. They usually don't get too deep into canal work here. He is sure this has been under close scrutiny. The only major concern would be dumping snow or sand into the canal. Staff comments recommended they receive a stormwater permit, but they probably will have to anyway. C. Nagle said the project team is meeting with the DPW about this permit on Friday. B. Buitenhuys said anything is a better use of this land than what it currently is. He is comfortable with the projects. He noted there is no MassDEP filing number so they cannot technically approve it tonight.

Motion:

M. Burns motioned to close the public hearing. R. Ciccarelli seconded. The motion was unanimous (5-0).

P. Downs motioned to continue to the 8/26 meeting. R. Ciccarelli seconded. The motion was unanimous (5-0).

Request for Determination of Applicability

Boston Gas Company
170 Data Drive
Waltham, MA 02451

Project Location: 1-20 Saunders Street ROW, 01851

A Request for Determination of Applicability has been filed by the Boston Gas Company seeking a determination to confirm there are no jurisdictional areas subject to the Massachusetts Wetlands Protection or Lowell Wetlands Bylaw at 1-20 Saunders Street ROW.

On Behalf:

Kelan Koncewicz from VHB the applicant's representative. The work will take place in the ROW of Saunders Street. They will install approximately 190 feet of 2" plastic pipe along Saunders Street between Middlesex and Payne Streets; and cut, cap and abandon approximately 250 feet of 4" gas main on Saunders Street between Middlesex Street to 20 Payne Street. It is within 100-feet of a canal. B. Buitenhuys asked if all the work is underneath the paved roadway. K. Koncewicz confirmed.

In Favor:

None

In Opposition:

None

Discussion:

None

Motion:

P. Downs motioned to issue a –3 determination. M. Burns seconded. The vote was unanimous (5-0).

Enforcement Order

FVD and MOD Family and Realty Irrevocable Trust

52 Ostrander Ave

Lowell, MA 01851

Violation Location: 52 Ostrander Ave, 01851

An Enforcement Order has been issued against 52 Ostrander Ave. The violator has cut trees within the 100-Year FEMA Flood Zone as well as deposited the cuttings and other debris within 100 feet of Black Brook.

On Behalf:

The property owner. They cut 30 arborvitae shrubs between 2 houses. He did not know there are wetlands on this property. The trees were falling down. He did not dump on the City property across the street—he has the receipt for the stumps being taken away. It is a common dumping site for the neighborhood. They are replacing the arborvitae in kind.

In Favor:

None

In Opposition:

None

Discussion:

B. Buitenhuys said that the area across the street did not appear to be materials that were from removing the shrubs. He asked the property owner to send us photos when its done.

Motion:

PD ratify MB seconded

P. Downs motioned to ratify the Enforcement Order. M. Burns seconded. The motion was unanimous (5-0).

OTHER BUSINESS

6/24/2026 meeting minutes

M. Burns motioned to accept the minutes. K. Ross-Sitcawich seconded. The vote was unanimous (5-0).

ADJOURNMENT

P. Downs motioned to adjourn. The meeting was adjourned at 7:54 PM.