

CONSERVATION COMMISSION

LOWELL, MASSACHUSETTS

September 23, 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 (via Zoom), Commissioner Kristin Ross-Sitcawich, Commissioner Roberto Ciccarelli

Members Absent:

Others Present: Dylan Ricker, Senior Planner

CALL TO ORDER

B. Buitenhuys called the meeting to order at 7:00 PM with a quorum of members present.

ORDER OF BUSINESS

CONTINUED BUSINESS

Request for Determination of Applicability

Winnco

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 Winnco seeking approval to clean out the existing culvert at 451 Black Brook Drive. The work will take place within the 100-foot buffer zone of a protected wetland.

On Behalf:

None

In Favor:

None

In Opposition:

None

Discussion:

B. Buitenhuys said no one has shown up for an extended period and noted the work is not on the property and it should not have been filed. B. Buitenhuys said this should be continued to ensure how we can get this off of the agenda.

Motion:

P. Downs motioned to continue to the October 14 meeting, K. Ross-Sitcawich seconded the motion. The motion passed unanimously, (5-0).

Request for Determination of Applicability

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:

None

In Favor:

None

In Opposition:

None

Discussion:

B. Buitenhuys said the Commission received a request for continuance.

Motion:

M. Burns motioned to continue to the October 28 meeting, K. Ross-Sitcawich seconded the motion. The motion passed unanimously, (5-0).

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:

None

Motion:

P. Downs motioned to continue to the October 14 meeting, R. Ciccarelli seconded the motion. The motion passed unanimously, (5-0).

Enforcement Order

Alish and Jigarkumar Bhagat

4 Epirus Drive

Lowell, MA 01854

Violation Location: 4 Epirus Drive, 01854

An Enforcement Order has been issued against 4 Epirus Drive. The violator has cut trees within the 100-feet of a Bordering Vegetated Buffer (BVW).

On Behalf:

None

Discussion:

None

Motion:

M. Burns motioned to continue to the October 14 meeting, K. Ross-Sitcawich seconded the motion. The motion passed unanimously, (5-0).

NEW BUSINESS:

Emergency Certificate

City of Lowell Department of Public Works

1365 Middlesex Street

Lowell, MA 01851

Project Location: 141 Woburn Street, 01852

An emergency certification was issued to repair the culvert at 141 Woburn Street.

On Behalf:

David Beati, Applicant's Representative

D. Beati said the culvert is collapsing.

Discussion:

B. Buitenhuys asked if work has been completed. D. Beati said work started 1 week ago, the pipe arrived this morning and work is ongoing. D. Beati said he expects work will take 1-2 weeks. D. Beati said it is an 82-inch pipe being slipped inside existing pipe. D. Beati said a sinkhole developed on Woburn St which

has spread. D. Beati said the request is the immediate repair. B. Buitenhuys said the request is reasonable.

Motion:

P. Downs motioned to ratify the Emergency Certificate, M. Burns seconded the motion. The motion passed unanimously (5-0).

Emergency Certificate

Deb Forgione

97 Townsend Avenue

Lowell, MA 01854

Project Location: 97 Townsend Avenue, 01854

An emergency certificate was issued for the removal of a tree branch overhanging the structure on the property at 97 Townsend Avenue.

On Behalf:

None

Discussion:

B. Buitenhuys asked if staff visited the site. D. Ricker confirmed and said the branch was overhanging a significant portion of the home and deck.

Motion:

P. Downs motioned, K. Ross-Sitcawich seconded the motion to ratify the Emergency Certificate. The motion passed unanimously, (5-0).

Request for Determination of Applicability

City of Lowell

451 First Street Blvd

Lowell, MA 01850

Project Location: 5 Billerica Street and 85 Perkins Street

A Request for Determination of Applicability has been filed by the Lowell Regional Wastewater Utility to dig test pits to determine underlying soil conditions within the 100 foot wetland buffer zone at 5 Billerica Street and 85 Perkins Street.

On Behalf:

Katie Campbell, Applicant's Representative

K. Campbell explained the proposed work to dig test pits. K. Campbell said they will be dug and filled in same day.

In Favor:

None

In Opposition:

None

Discussion:

B. Buitenhuys requested they ensure it is not raining on the day of work. K. Campbell agreed.

Motion:

P. Downs motioned to issue a negative 3 determination, R. Ciccarelli seconded the motion. The motion passed unanimously, (5-0).

OTHER BUSINESS

2027 Conservation Commission Schedule

B. Buitenhuys requested the meetings be moved to 6:30 if possible. B. Buitenhuys requested if it was possible to move all agendas up including this year.

P. Downs motioned to approve the schedule with a tentative start time of 6:30pm, K. Ross-Sitcawich seconded the motion. The motion passed unanimously, (5-0).

8/26/2026 meeting minutes

K. Ross-Sitcawich motioned to approve the minutes, the motion was seconded by R. Ciccarelli. The motion passed unanimously. (5-0).

ADJOURNMENT

P. Downs motioned to adjourn, the motion was seconded by K. Ross-Sitcawich. The meeting adjourned at 7:10PM