

CONSERVATION COMMISSION
MINUTES
March 3, 2021
7:15 PM
Virtual Meeting

Present: Terry Maitland, Amy Green, Carolyn Kiely, Zywia Chadzynska, Jim Colman, Suzanne Flint

Absent: Tim McKinnon

Natural Resources Director and recording secretary: Tom Tidman

Zoom Host: Fran Portante

Regular Business

7:15 Mr. Maitland called the meeting to order and read the virtual meeting protocol.

7:20 Notice of Intent: 47 Conant Street

The applicant is Northeast Site Development for a project at 47 Conant Street, (town atlas plate I2, parcels 50-1, 50-2, 56). The project is the construction of two single family homes and a shared driveway.

Brian Butler, of Oxbow Associates, presented for the applicant. He described the existing conditions noting that an ANRAD had been filed and approved by the Commission at the November 18, 2020 Conservation Commission hearing. The project consists of the construction of two single family dwellings, a common drive and individual septic systems. All permanent structures associated with the development will be located outside the 75 foot structure setback. Grading associated with the common drive will be located between the 50' and 75' buffers. Mr. Butler mentioned that the property developer, Joe Levine, was present on the virtual meeting to answer questions along with project engineer Kyle Cormier with Stamski & McNary.

He created a detailed color coded plan to show how the proposed development would be laid out. The parcel is composed of three lots and will share a single driveway. The infiltration galleys were marked on the plan for the roadway. Each home would have its own drip line infiltration basin. Two of the structures are outside the 75 foot buffer zone, while one will be partially within the 75 foot buffer. Erosion control will be installed along the property lines.

Carolyn asked, given the amount of grading proposed between the 50' and 75' buffers, is it likely that lawns will creep into the that area? Should we require boulders along the limit of construction? Joe Levine said he would be fine with the requirement to install boulders. Jim asked that the boulder line be established at the 75 foot buffer line, allowing the slope to naturalize. Amy agreed that the boulders should be installed at the top of the slope.

Sue noted the outfall structure for the sub-surface stormwater infiltration system is located within the 50 foot no structure setback. The Commissioners discussed the structure location and the need for the developer to describe the intent of the outfall structure within the no structure area. Terry asked if Board of Health permits approving the septic systems have been obtained. Mr. Levine stated that BOH permits have not been obtained yet and that he was starting the process with the Conservation Commission.

The Commissioners discussed whether an additional site visit to review the location of the proposed houses and driveway would be helpful. The developer was asked to stake the center-line of the driveway and the corners of the houses within the buffer zone prior to the site visit.

Attorney Ginny Kremer, representing abutters, noted several issues: (1) the notice to abutters was deficient, in that it stated the meeting was at town hall, rather than virtual, and also that plans could be reviewed at Town Hall, when Town Hall was closed to the public. (2) One of the abutters, a client, had submitted two letters for review by the Commission during the ANRAD process; letters were not received by the Commission in a timely fashion and were read by the Commission at the hearing. Attny Kremer also noted that when the ANRAD flagging was done, in March 2018, the ground was very dry.

Nick Townley of 31 Conant St expressed concern that the change in grades for the proposed houses will cause more storm runoff on to the abutting property. Mr. Townley described a wet, narrow, low area on his property, very near where the houses will be constructed, that is of special concern.

Joe Levine noted that all stormwater calculations and designs are reviewed by the Town Engineer or consultant. Zywia asked when we could expect a review of stormwater design and other proposed construction plans back from the Town Engineer? Joe responded that he expects to hear back by the beginning of April.

Joan Cirillo, from 45 Conant St., noted that the stormwater structures focus on silt and not on chemicals used on the driveway and lawns.

Jim Colman said he would like to have Town Counsel review the Notification to Abutters, to see if it needs to be modified to take into account virtual meetings.

Mr. Maitland summarized the materials the Commission would expect to have answers to prior to the continuation. Mr. Maitland also noted that a site meeting would occur prior to the continuation on March 17th.

Mr. Maitland continued the 47 Conant Street hearing to March 17th @ 8 pm.

New Business

Consent Items

Certificate of Compliance: None

Minutes: Feb. 3, 2021: reviewed by TMc, CK

Decision: Carolyn moved to approve the minutes of February 3, 2021; Zywia seconded the motion and the roll call vote was unanimous.

Minutes: Feb. 17, 2021 in review

Review of Stormwater Pollution Prevention Plan, SWPPP, for Nagog Pond

Several of the Commissioners noted that maps referenced in the plan were not available. Tom would follow up with Environmental Partners to request the maps be provided to the Commissioners. A question was also raised about the turbidity curtain, described in the report. The report noted it would be approved for depths up to 15 feet but the depth of the Pond at that point is 30 feet. Tom would ask for clarification on the discrepant length as well.

**At 8:55 p.m., it was moved and seconded to adjourn the meeting.
The motion was approved unanimously.**

Documents and Exhibits Used During this Meeting

Notice of Intent for 47 Conant Street: DEP No. 85-1293 and supporting documents

These documents may be found here: <http://doc.acton-ma.gov/dsweb/View/Collection-12996>



Terrence Maitland, Chair