



CONSERVATION COMMISSION

P.O. BOX 236

ACTON, MASSACHUSETTS 01720

MINUTES
CONSERVATION COMMISSION MEETING
NOVEMBER 3, 1982

CALL TO ORDER: 8:00 p.m.

COMMISSIONERS PRESENT: Chairman, Saskia Huising; Vice Chairman, Cynthia Torkelsen; members, Judy Clark and Brewster Conant; Julie Lipton, Conservation Assistant was also present.

COMMISSIONERS ABSENT: Dana Sawyer and Mary Donovan.

OTHERS PRESENT: Steve Link, resident interested in Commission; Norm Sheth of 4 Meadowbrook Road; Frank Dentino and Martin Mava of Heather on the Hill; Peter Flagg of 178 Great Road.

ITEM 1: Memo to Allen Nelson on weed growth, Fort Pond Brook, Martin Street

The Commission asked the assistant to contact Allen Nelson to advise him that the Commission is concerned that there be no change to the channel during weed removal operations and that the Commission should be notified when work is to start and when it will be finished, so that the work can be inspected.

ITEM 2: Finances

This item was tabled until the necessary forms are completed.

ITEM 3: Fairway Heights - Request for Certificate of Compliance

The assistant indicated that she had been unable to inspect the site due to time limitations that she will do so before the next meeting.

ITEM 4: 4 Meadowbrook Road - Mr. Sheth

Mr. Sheth told the Commission that in the course of trying to obtain a building permit to repair an existing structure, he has had to visit Town Hall seven times. Mr. Sheth continued saying that his foundation has dry rot, and he can't understand why such a simple thing, such as a repair, even if it is within 100' of a wetland, needs to go before the Commission.

It was explained to Mr. Sheth that the Commission must be notified because of the Town Wetland Bylaw. Mr. Sheth answered that perhaps the bylaws should be changed. Judy Clark said that she felt he was coming to the wrong Board. It was explained that each department reviews the application until it finally goes back to Don Johnson, Building Commissioner, who should notify the applicant. Mr. Sheth suggested again, that perhaps when repairs are being made, the Bylaw should not require review by the Commission. Cindy Torkelsen said that it is difficult to apply such a change into every situation. Some repairs might be more substantive than other repairs. Judy Clark said that sending a checklist to the applicant might be of some assistance. Saskia Huising added that the Commission is now working on rules and regulations, and perhaps the Commission can talk with Town Hall to streamline the process. The Commission thanks Mr. Sheth for coming and said that the assistant would notify him when the problem's resolved.

ITEM 5: Extension Permit - Heather Hill Subdivision (85-86)

Mr. Dentino and Martin Maria were present. They explained that in January, when the Order of Conditions expired, they felt that most of the work would be completed shortly. There was also a change of ownership, some lots are now owned by Kevin Sweeney. They further explained that the Road was in place and complete, but that the grass in the area of the swale has not taken yet. He said that they plan to increase the rip-rapped area from 5' to 10' and that David Abbt of the Engineering Department wants a wider headwall to prevent siltation.

On the motion of Cindy Torkelsen, seconded by Judy Clark, it was unanimously voted to grant an extention permit to January 7, 1983.

ITEM 6: 178 Great Road - (85-98) noncompliance with approved Plan and Order

Peter Flagg explained to the Conservation Commission that during construction, cesspools and concrete posts from a clothes line had to be removed. He said that he was out of Town when the work was done and that the person doing the work sloped into the floodplain. He felt that it was more practical to move the outlet pipe closer to the Brook so as not to erode the bank. Cindy Torkelsen asked about the ponding on the corner of the propoerty. Peter Flagg said that he felt that the brook was clogged up and that he planned to clear out material blocking the brook.

Peter Flagg then explained that he plans to sell the building in January, and that it would probably be easier to remove the fill rather than seek a variance for fill material in the floodplain. He added however that to do the remeadiial work, he would need an extension on the original order. He said that haybales would be installed and that the area could be stabilized with rye until its ready to be seeded. He added that he can't sell the property without a Certificate of Compliance from the Commission.

After some discussion, Cindy Torkelsen moved to extend the Order of Conditions for 1 year, and to amend the Order to include erosion control devises during fill removal, second by Judy Clark, all ayes.

Peter Flagg was also asked to notify the Commission in advance before starting work.

ITEM 7: Rex Lumber Co. (85-74), request for Certificate of Complaiance

The assistant informed the Commission that a Certificate was being requested and that she would inspect the site.

ITEM 8: Mass Hardware (85-69), site inspection Certificate of Compliance

The assistant said that she inspected said site with David Abbt of Engineering, Matt Mulvey of Building, and Dean Charter of Buildings and Grounds. She said that she asked the applicant to seed the sides of the detention basin and increase the elevation of one side of the detention basin, so as to insure flow through the basin. The assistant added that the gravel truck turn around had been constructed but that it was longer than shown on the approved plan. She said that the applicant corrected all of the problems listed above. It was decided that no Certificate of Compliance would be issued until the areas said above are stabilized with permanent vegetation.

ITEM 9: C.M.L., Main Street (85-105) Site Inspection Report

The assistant told the Commission that she inspected subject site and asked that the following work be done, in accordance with the approved plan and Order of Conditions:

1. Stake haybales in swale area.
2. Continue haybales in area of construction (E and W).
3. Remove tree stumps and branches from wetland jurisdiction area.
4. Stabilize swale with vegetation.

The above was done by contractor within a couple of days and the work was satisfactory.

ITEM 10: Sudbury Gardens (85-98) 477 Great Road

Saskia Huising said that she inspected the site. She requested Dennis Stevens to put in additional haybales near the Brook. She added that the Commission could issue a Certificate of Compliance after the seeded area is permanently vegetated. In the meantime, it was decided to advise Don Johnson to issue a temporary Certificate of Occupancy.

ITEM 11: Ernies Auto Body, Charter Road

Cindy Torkelsen spoke with Don Johnson about subject property. He told her that he is currently working on the unauthorized use issue with the Zoning Board of Appeals. He told her that he was unaware of the possible filling of the floodplain and that he wants to wait until the unauthorized use issue is decided before getting involved in other possible violations.

Cindy Torkelsen said that two year ago, Mr. Kazokas was dumping leaves on the other side of the brook, and that he has filled in a wetland. Brewster asked if Mr. Kazokas was exempt under agruculture. Cindy Torkelsen said that the Commission should wait for the Zoning Board of Appeals ruling before requiring a Notice of Intent.

ITEM 12 X-Country Skiing Trails

The Commission authorized Thomas Haggerty to mark trails on Great Hill, Spring Hill, Bridges Land and Quinn Land. They also added the Jenks Cacciatore Land to the list. Saskia Huising volunteered to help him mark the trails.

ITEM 13: E.N.F. - Tenney Crossing

Brewster Conant reviewed the E.N.F. Form. He said the the site consists of 9 acres, and that he was concerned with the run-off into Inch Brook. The assistant was instructed to write a memo stating the above and refer the the Planning Board's comment which raised the same concern.

ITEM 14: C.M.L. - 524 Main Street - Landscaping Plan

The Commission had no comments on the landscaping plan as submitted.

ITEM 15: E.N.F. - Hanscom Field

Judy Clark reviewed the E.N.F. She said that there would be little or no impact on Acton.

ITEM 16: "Route 2 Land" - Licensing Agreement

The assistant incorporated the comments which attorney Stephen Anderson made on the Route 2 Land Licence Agreement. She distributed revised copies of the agreement and a letter which she had written to the State asking for proper authorization by the person signing the agreement. The Commissioners were asked to review the agreement.

ITEM 17: Freedom Farme Subdivision - Lot 11

Saskia Huising reported to the Commission that the house on Lot 111 is partially built and that there is a hole that has been recently dug and is filled with water. Large mounds of fill line the edges of the holes. The assistant said that she visited the site recently and that the hole is not filled in. It was unclear whether the Commission had jurisdiction over the activity occurring on Lot 11, Freedom Farme Road. The assistant was asked to keep an eye on the site.

ITEM 18: Apple Trees - Fruition Program

Steven Link, an Acton citizen interested in joining the Commission, said that he would nurse the apple trees. It was indicated that fences should be put around the trees to keep the mice and weed growth away from the trunk of the tree.

ITEM 19: Brookside Apartments (85-107), Parker Street

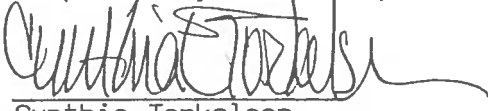
Mary Donovan proposed that the following condition be added to the standard boiler plate:

"Any necessary permits for filling required by Army Corps of Engineers shall be submitted and approved by the Conservation Commission."

On the motion of Cindy Torkelsen, seconded by Saskia Huising the Order of Conditions was unanimously approved.

MEETING ADJOURNED: 11:00 p.m.

Respectfully submitted,


Cynthia Torkelsen,
Vice Chairman

JL/rc
2264A