



CONSERVATION COMMISSION

P.O. BOX 236

ACTON, MASSACHUSETTS 01720

MINUTES
CONSERVATION COMMISSION
SEPTEMBER 15, 1982

CALL TO ORDER: 8:00 p.m.

COMMISSIONERS PRESENT: Dana Sawyer, Cindy Torkelsen, Saskia Huising, Mary Donovan, Judy Clark entered after the meeting was called to order. Julie Lipton, Conservation Assistant was also present.

COMMISSIONERS ABSENT: Brewster Conant

ITEM 1: Election of Chairman

With the resignation of Charles Freeman as Chairman, the Commission discussed the election of a new Chairman. Cindy Torkelsen suggested that the Commission elect a chairman as well as a vice chairman. It was also suggested that the vice chairman be the chairman for next year. One benefit of having a vice chairman and chairman would be that the work load could be shared and if one was unable to attend a meeting, the other could fill in. It was further suggested that the chairman could work on such projects as land management while the vice chairman could oversee wetlands, or *visa versa*.

Mary Donovan noted that the work should be divided not only between chairman and vice chairman, but between the whole Commission. She gave the example of on going tasks and projects that need to be done. This includes: the budget, groundwater protection, land acquisition, land management, leases, rules and regulations, and zoning re-write.

Dana Sawyer asked if there is an active file for volunteers that the Commission could draw on. (At this point Judy Clark entered.) The assistant was instructed to contact Nancy for said file. Cindy Torkelsen said that the volunteer should have some legal engineering experience or experience in protection of natural resources. Dana Sawyer added that the candidate should have an active interest in wetlands.

Mary said that by having members of the Commission assigning to one or more of the above projects, the projects will be less likely to be put on the back burner. At this point, Saskia brought forth the notion of meeting every week. She said that one week the topic of land management could be discussed, and the next week Notice of Intents could be discussed. Judy Clark said that it is unrealistic to think that everyone can make a meeting because they don't have the time. Dana brought up the possibility of having a sub-committee meeting specifically for the above mentioned projects. At this time projects like rules and regulations could be discussed by the sub-committee, before going to the Commission for a vote.

The Commission then discussed the duties which a chairman should perform. They include: chairing the Conservation meetings when present, contacting Nancy Banks on Conservation issues, being the official spokesperson for the Commission, assigning projects to the Commissioners, and coordination of projects.

Cindy Torkelsen moved to try the concept of chairman and vice chairman, with it understood that the vice chairman will be next year's chairman. Because the Commission did not go along with the concept of the vice chairman being next year's chairman, Cindy withdrew the motion.

On the motion of Cindy Torkelsen, seconded by Saskia Huisng, the Commission unanimously voted to try the concept of chairman and vice chairman.

Cindy Torkelsen then moved that the chairman's and vice chairman's term will last for one year. No second followed.

At this point Judy Clark called Brewster Conant to relay the chairman and vice chairman concept, in which he was not opposed.

After discussion Judy Clark moved that the Commission accept Saskia Huisng for Chairman and Cindy Torkelsen for Vice Chairman. Motion seconded by Dana Sawyer. The motion was unanimously approved.

Saskia then instructed the subcommittee on Rules and Regulations to set a meeting date.

ITEM 2:

Environmental Notification Form for Acton Condo

Mary Donovan reviewed the form, and provided a written response to it.

Dana Sawyer asked if the form is for wetlands or for any environmental concern. Since no one knew the answer, the assistant was asked to find out specifically what the form is for, and how it is to be filled out.

Mary Donovan then said in reviewing the form, she found that the environmental impacts were played down. She said that she felt there would be more impact on vegetation and trees than sited. She also had questions about water pollution and traffic concerns.

At this point Cindy Torkelsen moved that the Commission reconsider the vote on the amended Order of Conditions voted on September 1, 1982. The motion was not passed. She pointed out that the amended order was not signed and that she was concerned that the vote of September 1st was not unanimous. Mary Donovan pointed out that to renege on the vote would reduce the Commissions creditability. Dana Sawyer said that he did not feel it was appropriate to reconsider a motion that was passed at another meeting. The Commission then signed the amended order, and the assistant was instructed to send a letter to Acton Condo stating that an official Back Page for the amended order was enclosed.

It was suggested that the Commission go through consultants in the future, for projects with debatable engineering concepts. It was noted that the use of consultants on the Acton Condo Project would have been appropriate.

ITEM 3:

Filling of Wetlands at State Reformatory Property,
Concord/Acton Town Line

The assistant updated the Commission on the progress of fill removal and the requested filing of the Notice of Intent. Neither has been done. It was suggested that a letter be written to N.C.C., reiterating the Commission's position and siting guidelines for fill removal. The Commission also discussed whether a joint hearing should be held, the concensus was that a joint hearing would be appropriate and that it would also be appropriate to hold it in Concord.

The Commission then outlined the items to be covered in the letter to N.C.C. The items are:

1. A Notice of Intent must be filed in Acton for future activity.
2. The Conservation Commission must be notified of the starting date of full removal from the wetlands so that a representative from the Commission can be present.
3. Fill material must be removed so as to cause minimal disturbance to the wetlands.
4. Fill shall be removed so as to restore wetland area.
5. Said restoration and removal must be approved by the Commission.
6. Wetland area must be stabilized and seeded.
7. Removal of fill must be suitably disposed of.

On the motion of Cindy, seconded by Dana, it was unanimously voted to send the above concerns to N.C.C.

ITEM 4:

River Street: Order of Conditions

The Commission reviewed the Draft Order of Conditions written by Mary Donovan and the Plans. Mary read the corrections to the draft. Added to the Order was: The Conservation Commission must be notified 48 hours in advance before starting Phase II.

On the motion of Cindy Torkelsen, seconded by Dana Sawyer it was unanimously voted to send the order of conditions as amended.

ITEM 5:

Maxton - Site Plan Review

The Commission was informed that Maxton must submit a new Notice of Intent, as indicated by the attorney for D.E.Q.E. It was agreed that the latest plan submitted by Maxton, be reviewed so that an informal meeting could be arranged with the applicant to go over Conservation concerns before the filing.

The Commission scheduled the review for next Tuesday, September 21st, so that the plans and application could be more fully addressed, before meeting with the applicant.

ITEM 6:

Ledge Rock Way - Determination of Applicability

The assistant informed the Commission that fill material has been placed throughout the site. To the rear of the property, near the railroad tracks, fill extends very close to a stream.

On the motion of Cindy Torkelsen, seconded by Dana Sawyer, the Commission unanimously voted to require a Notice of Intent.

ITEM 7:

7 Oneida Road - Determination of Applicability

The assistant informed the Commission that the applicant is proposing an addition to a breezeway to the front of the house. The wetlands are within 100' of the proposed activity, in back of the house.

On the motion of Mary Donovan, seconded by Cindy Torkelsen, the Commission unanimously voted that a Notice of Intent is not required.

ITEM 8:

178 Great Road - Certificate of Compliance

The assistant informed the Commission that she received a verbal request for a certificate of compliance. It was noted that the site plan which was approved does not conform to the work performed. The outlet pipe is closer to the Brook than the approved plan shows. There is also a wet area along the Brook. Cindy said that she would inspect the site.

ITEM 9: Finances

The following vouchers were approved for payment by the Commission:

Beacon Minuteman	\$15.20
Quill and Press	\$27.31

The assistant showed the Commission a bill from Acton Supply for \$18.78. The assistant said that she nor no one at the D.P.W. Building recognized the name of the person who signed the bill. Cindy said that she would speak with Acton Supply about this subject.

ITEM 10: 7 Oakwood - Filling

The assistant said that she was informed by Bob Canning of the Health Department that he received a complaint by a neighbor that filling had taken place within 100' of a wetland. The filling occurred in the installation of a septic system. The filling also appears to be within a floodplain. The Commission instructed the assistant to speak with Steve Calichman, Board of Health and Don Johnson, Building Department.

ITEM 11: Farm at Main Street and Prospect Street

It was relayed to the Commission that the town manager's office alerted the assistant to drainage problems at subject site. The assistant said that pipes from Prospect Street and from the shopping center, outlet into a pond on subject property. Furthermore the owner of the farm said that the drainage onto subject property has decreased the area which can be farmed.

It was noted by a Commissioner that we have had heavy rainfall this year and many farms have drainage problems. The assistant said that the Soil Conservation Service in Littleton consults with farmers, and that their services have been requested. By consensus, the Commission agreed that all plans must be reviewed by the Commission and that the Town Bylaws governing this matter should be considered.

ITEM 12: Chemplast

The assistant showed the Commission a sketch showing an area of erosion along the bank of the Assabet River and a proposal to prevent further erosion. On consensus, the Commission decided that a Notice of Intent should be filed.

MEETING ADJOURNED: 11:15 p.m.

Respectfully submitted,

Saskia Huisng,
Saskia Huisng,
Chairman

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