

**CONSERVATION COMMISSION
AMENDED AGENDA
SEPTEMBER 5, 2007**

- 7:15 70 Newtown Review of options – postponed until 9/19 @ 7:15
- (020, 021) Request for Red-line Change - Lot 3A Renwick Way - Colonial Path LLC
Foresite Engineering - revised sewage disposal plan using a FAST system.
- (030, 031) 7:30 Notice of Intent - Lot 2A Renwick Way - Colonial Path LLC
Foresite Engineering – proposed demolition of an existing single family home (SFH) and well; construction of a new SFH, driveway, utilities and associated grading.
- (040 - 042) 7:45 Notice of Intent - 472 Mass Ave - Mt. Calvary Lutheran Church
Stamski & McNary – proposed addition and parking lot reconfiguration with new stormwater management system.
- (050 - 058) 8:00 Notice of Intent - 941 - 960 Main Street - Water Supply District
Caron Environmental Consulting - construction of a new water treatment plant, installation of water lines and associated activities.
- (060, 061) 8:15 Request for Determination – 13 Broadview Street – Dave Pallian
Postponed until 9/19/07 @ 7:30 PM
R. Wilson & Associates - proposed 365 s.f. addition to existing single family home.

Certificate of Compliance

- 31 Conant Street – 85-371 (070)
- Squirrel Hill Road – Colonial Acres IV – 85-809 (071)

Minutes

June 6	comments rec'd by TT, JA
June 20	comments rec'd by TT
July 18	comments rec'd by TT, JA, LS
July 23	“ “ “ “ “
August 1	“ “ “ “ “

signature

**CONSERVATION COMMISSION
AMENDED AGENDA
SEPTEMBER 5, 2007**

MEMBERS PRESENT: Terry Maitland, Janet Adachi, Frances Portante, Bill Froberg, Linda Serafini, Patty Lee

ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea Ristine

VISITORS: Scott Hayes, Glen Kaufmann, Belle Choate, Lev Rozman, Joseph March, Charles Caron, Christopher Allen, Rich Protasowicki & Erik Wintturi

7:16 Mr. Maitland called the meeting to order.

Review Options – 70 Newtown - postponed until 9/19 at 7:15 PM.

7:17 Request for Red-line Change - Lot 3A Renwick Way - Colonial Path LLC (020, 021)

Scott Hayes from Foresite Engineering presented a revised plan entitled "Sewage Disposal System Design Plan, Lot 3A, 45 Main Street, Acton MA" revised July 24, 2007 for the replacement sewage disposal system. Mr. Hayes reported that he was able to redesign the proposed replacement system using different technology than originally designed by LandTech Consultants. The new design reduced the cost, the amount of fill and activity within the buffer zone, and will no longer require retaining walls. The Board of Health has approved the amended plan.

Upon query by Mr. Maitland, Glen Kaufmann reported that the previous owner of the property had applied for and received the permits in order to sell the property but Kaufmann's company worked with Mr. Hayes to redesign the proposed system. This proposed amended plan has been approved by the Board of Health and did not require any waivers.

Upon query by Mr. Portante, Mr. Kaufmann reported that the alternative system being proposed at this time reduced the cost of replacement by approximately \$20,000.

Upon query by Mr. Froberg, Mr. Hayes reported that Renwick Way will remain as a private way; the right-of-way shown on the town atlas maps drops into wetlands and flood plain. The Planning Board approved frontage for Renwick Way with the condition that it remain a private way. The land beyond the lots proposed is un-developable.

7:34 Ms. Adachi moved that the Commission accept the amended plan as a red-line change; a new Notice of Intent will not be required. Mr. Froberg 2nd; unanimous.

7:35 Notice of Intent - Lot 2A Renwick Way - Colonial Path LLC (030, 031)

Scott Hayes from Foresite Engineering presented plans for the proposed demolition of an existing single family home (SFH) and water well and the construction of a new SFH, driveway, utilities and associated grading. Mr. Hayes reported that the property currently has a valid Order of Conditions (OOC) for the proposed septic system upgrade; the new owner of the property wishes to raze the house and build a new one. The new proposed single family home (SFH) meets the setback requirements under the Bylaw and the septic system has been redesigned since the valid OOC was issued. The applicant will be submitting a Request for Certificate of Compliance for the existing OOC and work from the OOC they hope to receive with this NOI filing. The present proposal is more compliant with the Bylaw than the existing house.

Upon query by Ms. Adachi, Mr. Hayes reported that the applicant technically is upgrading the existing septic system for the existing house; then the applicant will raze the existing house, construct the new house, and connect the upgraded system to the new house.

Upon query by Ms. Portante, Mr. Hayes reported that the proposed septic system is designed as an upgrade for the existing house and will work, meeting Title 5 requirements for the new house.

Upon query by Mr. Maitland, Mr. Hayes reported that, sequentially, the applicant may not have to connect the existing house to the new system before razing it. The applicant will have to construct the proposed leaching field, get a certificate of compliance from the Health Department and then connect the new leaching field to the new house. The septic tank may have to be moved after construction. If the septic tanks can be located outside of the buffer zone then the applicant will not need to file for an amended OOC with the Commission.

Upon query by Ms. Adachi, Mr. Hayes reported that once the new septic system is complete and the applicant receives a certificate from the Health Department the applicant will need to file a revised as-built plan with the Health Department but might and may not be required to file for another certificate after once the new house is connected to the system.

Upon query by Mr. Froberg, Mr. Hayes reported that a building permit will be required for the demolition of the existing house, and the applicant will crush and remove the debris from the site and back fill the existing foundation.

Upon query by Mr. Maitland, Glen Kaufmann reported that demolition and removal of the existing house should take one day to complete.

Upon query by Mr. Froberg, Mr. Hayes reported that he has shifted the lot lines and proposed house location as much as possible so that the proposed activities will meet all of the required setbacks. He feels that the new proposed plan improves the site situation from the original approved plan.

Upon query by William Buss from 49 Main Street, Mr. Hayes reported that the new proposed septic system design will not require retaining walls.

7:56 Hearing no further comments, Mr. Maitland closed the hearing.

Decision – Lot 2A Renwick Way - Colonial Path LLC – 85-979

Mr. Froberg moved that the Commission issue an Order of Conditions for the plans as presented. Discussion.

Ms. Adachi suggested that the Commission require that a row of boulders be installed along the 50' natural vegetative buffer. Discussion.

Mr. Froberg moved that the Commission issue an Order of Conditions for the plans as presented with the special condition that: "The Applicant shall install a row of three to four foot diameter boulders buried to half their depth placed along the 50' natural vegetative setback. The boulders shall be spaced no greater than 5' on center. No work, grading, clearing, lawn or any other activity may occur beyond this line of boulders at any time now or in the future."

Ms. Adachi 2nd; the motion passed unanimously.

8:06 Notice of Intent - 472 Mass Ave - Mt. Calvary Lutheran Church (040 - 042)

Mr. Maitland reported for the record that he has had Joe March consult for him personally, but it is not an issue with respect to his ability to review this proposal for the Mt. Calvary Lutheran Church.

Joe March from Stamski & McNary presented plans for a proposed building addition and parking lot reconfiguration with new stormwater management system. The wetlands have been

delineated by B & C Associates. The current parking lot design allows runoff to flow directly into the adjacent wetlands; the new parking lot design will provide 11 new parking spaces with proper stormwater management with deep sump hooded catchbasins. The existing shed will be relocated adjacent to the proposed building addition.

Upon query by Mr. Froberg, Mr. March reported that the applicant will remove existing pavement in many areas as close as five feet from the edge of wetlands. A parking lot island will be added to the site and pavement runoff will be directed to the new infiltration system for stormwater management.

Upon query by Mr. Maitland, Mr. March reported that there is a very small amount of additional pavement proposed due to the proposed reconfiguration of the parking lot. Stormwater management regulations require that the water quality swale and catchbasins be included in the proposed design.

Upon query by Mr. Froberg, Mr. March reported that the water quality swale accommodates the first inch of stormwater runoff; runoff will settle in the swale before entering the wetland. The current situation allows runoff to flow directly into the wetlands.

Upon query by Ms. Portante, Mr. March reported that the proposed roof drain recharge system is a maintenance free system, the proposed catchbasins are to be cleaned out twice a year and the sediment forebay should be cleaned out approximately every five years by hand.

Upon query by Ms. Lee, Mr. March reported that the roof drain system will overflow in a major storm event.

Upon query by Mr. Maitland, Mr. March reported that the old leaching field will be removed as the site now is connected to the town sewer system. The east side of the existing building is 20' from the edge of wetlands; proposed new construction will be 70' from the edge of wetlands. The shed is being relocated from 11 to 13 feet from the edge of wetlands. Existing pavement is four feet from the edge of wetlands; the center of the berm associated with the water quality swale will be seven feet from wetlands. All proposed activities are slightly farther from wetlands.

Upon query by Ms. Adachi, Mr. March reported that the proposed roof runoff infiltration trench will serve only the new construction and not the existing building.

Upon query by Mr. Maitland, Mr. March reported that haybales will be provided around the entire area of activity and the applicant hopes to start work in November.

8:24 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Decision – 472 Massachusetts Avenue – Mt. Calvary Lutheran Church

Mr. Froberg moved that the Commission issue an Order of Conditions for the plans as presented. Ms. Adachi 2nd; unanimous.

8:26 Notice of Intent - 941 - 960 Main Street - Water Supply District (050 - 058)

Charles Caron from Caron Environmental Consulting presented plans for the proposed construction of a new water treatment plant, installation of water lines, regrading of the existing dirt road and associated activities. There is an existing gravel access road to both the Marshall and Kennedy Wells. Most of the proposed work involves the regrading of the dirt road and installation of underground water lines with approximately 13,850 s.f. of activity within the 100' buffer zone. The proposed water lines from the Marshall Well to the Kennedy Well will be the closest to wetlands. Only a corner, approximately 50 s.f., of the proposed building will be within the 100' buffer zone; no wetlands will be altered by the project. Directional drilling under Main Street and the railroad tracks from the Marshall to the Kennedy Well will be used for the 6" water main connection between the two.

Upon query by Mr. Froberg, Rich Protasowicki from Wright-Pierce reported that the wetlands are not connected under Main Street. Mr. Tidman reported that beaver activity in the general area has changed the makeup of the wetlands over recent years.

Upon query by Ms. Adachi, Mr. Caron reported that a portion of the work occurs within Estimated and Priority Habitat for Blanding's Turtle; the Natural Heritage and Endangered Species Program has not responded to the filing as of this date. Mr. Tidman noted that, personally, he has never seen a Blanding's Turtle in Acton but knows that it exists in the adjacent town of Carlisle.

Upon query by Mr. Froberg, Mr. Protasowicki stated that the proposed trench would be the standard for water main installation, approximately four to five feet wide and six to seven feet deep.

Upon query by Mr. Tidman, Mr. Protasowicki stated dewatering activities will be done with a sump pump surrounded with haybales to allow infiltration back into groundwater. His company, Wright-Pierce, will provide inspection services as a part of their contract during the construction process.

Upon query by Ms. Lee, Mr. Caron reported that the access road is on Water District Property; it was given to or bought by the Water District, the right of access is retained with the property.

Mr. Tidman expressed concern regarding the enormous amount of untreated mud and silt from the truck hauling from operations on the Kennedy property onto Route 27 adjacent to resource areas.

Upon query by Ms. Portante, Christopher Allen from the Water District reported that the Kennedy's are responsible for maintaining the main roadway which is not part of this application.

Ms. Lee stated that the concern is not just silt caused by daily traffic but that material is being pushed towards the wetlands.

Mr. Tidman noted that the problem issues are not related to the application before the Commission at this time; drainage improvements are another project. Mr. Allen reported that funding should be available soon for the Main Street drainage improvements previously approved by the Commission (85-952).

Upon query by Ms. Lee, Mr. Protasowicki reported that the applicant anticipates receiving DEP approval by December '07 or January '08 and would start the project in the spring of 2009.

Upon query by Mr. Maitland, Mr. Tidman reported that DEP is directly involved with the Kennedys regarding the activities on the Kennedy site; an enforcement order issued to the Water District would bring in the Kennedy's as the cause of the main access road-related problems.

Upon query by Ms. Adachi, Mr. Allen stated that he would investigate the original agreement/arrangement between the Kennedys and the Water District.

Ms. Adachi stated that she felt that the Commission can independently address the silt problems separate from the project proposal being presented on this date. Mr. Tidman suggested that it would be wise to advise DEP that the Commission would like to be involved in any future meeting regarding the Kennedy site.

Upon query by Mr. Tidman, Mr. Protasowicki reported that the proposed parking area adjacent to the proposed building will be a gravel surface. Mr. Caron reported that the gravel parking area is outside of the 100' buffer zone.

Upon query by Mr. Maitland, Mr. Protasowicki reported that the staff bathroom in the proposed building will be connected to a tight tank, there is no septic system proposed. Mr. Caron noted

that the Water District will not have any permanent staff in the proposed building but there will be daily inspections.

Upon agreement by the Applicant, Mr. Maitland continued the hearing pending a response from NHESP until September 19, 2007 at 7:45 PM.

8:59 Certificate of Compliance

- 31 Conant Street – 85-371 (070)
Based on the recommendation from Mr. Tidman, Ms. Adachi moved that the Commission issue a Certificate of Compliance; Ms. Serafini 2nd, unanimous.
- Squirrel Hill Road – Colonial Acres IV – 85-809 (071)
Based on the recommendation from Mr. Tidman, Ms. Portante moved that the Commission issue a Certificate of Compliance; Ms. Serafini 2nd, unanimous.

Minutes

Ms. Lee moved that the Commission accept the minutes for June 6, June 20, July 18, July 23 and August 1, 2007; Mr. Froberg 2nd, unanimous.

Status - 93 Taylor Road

Mr. Tidman reported that Robert Hendrie reached an agreement with Therese Marsh and has purchased 93 Taylor Road.

9:20 Meeting adjourned.



Terry Maitland,
Chair

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