

**CONSERVATION COMMISSION
AMENDED AGENDA
OCTOBER 17, 2007**

7:15 Request for Determination - 60 Great Road - Wayside Development Trust (010, 011)

Replacement of an existing septic system within 100' of a wetland.

7:30 Notice of Intent - 8 Puritan Road - Sundram Laxman (020,021)

Addition to an existing single-family home within 100' of a wetland.

7:45 NOI - Continuation - 98 Newtown Road (030, 031, 032)

Amended plan and letter received 10/12/07.

Certificate of Compliance – 26 Grasshopper Lane - DEP File #85-657 (040)

Tom has inspected with the Town Engineer and finds the site to be ready for a Certificate of Compliance; DEP has also inspected and is in the process of issuing a CoC.

MINUTES

October 3 forthcoming

**CONSERVATION COMMISSION
MINUTES
OCTOBER 17, 2007**

MEMBERS PRESENT: Janet Adachi, Patty Lee, William Froberg, Linda Serafini

RECORDING SECRETARY: Andrea Ristine

VISITORS: Dick Dolan, John Marchese, David Haslett, Jim Basnett

7:15 Request for Determination - 60 Great Road - Wayside Development Trust (010, 011)

Dick Dolan from ABC Cesspool presented plans for the proposed replacement of portions of the existing septic system within 100' of a wetland and within 200' of Nashoba Brook. All proposed activity will be in areas under existing pavement. The existing system was installed in 1998 and is not in failure but is being upgraded for a nine-chair dental office (commercial use). The Board of Health has approved the plan with a waiver under the local bylaw allowing work within 60' of the wetland and Nashoba Brook.

Upon query by Mr. Froberg, Mr. Dolan reported that Tom Tidman has been on site and verified the wetland delineation.

Mr. Froberg stated that he is uncomfortable with the plan, it being filed as an RDA and the delineation as shown on the plan.

Ms. Adachi stated that the Commission had seen the plan as a preliminary review on September 19, 2007 and told Mr. Dolan that filing an RDA would be sufficient since the proposed work is within existing disturbed areas.

Upon query by Mr. Froberg, Mr. Dolan reported that the areas of activity are flat but is willing to provide siltation prevention and the project should take five to six days to complete.

Discussion.

7:45 Ms. Adachi closed the meeting.

Determination – 60 Great Road

Mr. Froberg moved that the Commission find the work as proposed to be within its jurisdiction but will not impact the resource areas with the following conditions:

- 1) The Applicant shall place siltation-prevention devices: (A) between the wetland resource area and proposed activities relating to the installation of the new 1500 gallon tank and (B) along the southern edge of pavement of the existing parking area, parallel to and on the north side of the existing stone drain. The Applicant shall not commence work until the Conservation Administrator has inspected and approved the placement of siltation-prevention devices
- 2) The Applicant shall remove all excavated materials from the site and shall not stockpile contaminated materials within the 100-foot buffer zone.

Ms. Lee 2nd; unanimous.

7:46 Notice of Intent - 8 Puritan Road - Sundram Laxman (020,021)

John Marchese presented plans for the proposed addition to an existing single-family home within 100' of a wetland; the Commission had a preliminary review of the plan on July 18, 2007. The

existing deck is on footings and is 34' from the edge of wetlands at the closest point. The owners wish to expand their living space with a full foundation encompassing the existing deck and extending along the back of the house in a northwesterly direction away from wetlands. The proposed addition would be within existing lawn area and would not involve additional clearing. The wetland was delineated by Tom Tidman.

Upon query by Mr. Froberg, Mr. Marchese reported that the addition will be an extension of the existing kitchen and dining room which is located at the rear of the house.

Upon query by Ms. Lee, Mr. Marchese stated that the existing house has gutters but does not have groundwater recharge trenches.

Upon query by Mr. Froberg, Mr. Marchese reported that the wetland resource area is a brush-like wetlands.

Upon agreement with Mr. Marchese, Ms. Adachi continued the hearing until November 7, at 7:45 PM; site walk to be scheduled.

8:15 NOI - Continuation - 98 Newtown Road (030, 031, 032)

Amended plan and letter received 10/12/07.

Mr. Froberg stated for the record that he is acquainted with the owner/applicant but his ability to decide on the project will not be affected.

David Haslett from Stamski & McNary presented an amended plan dated October 10, 2007; based on discussions during the site walk on October 9th the proposed location for the basketball court has been shifted 20' closer towards the house.

Upon query by Ms. Adachi, Mr. Haslett stated that the temporary access currently being used within the buffer zone (without a prior filing) will be reestablished as lawn.

Mr. Froberg stated that he feels that the new proposed location for the court would have a greater effect on the buffer zone as it would involve removal of more trees and vegetation.

Upon query by Ms. Lee, Mr. Haslett stated that the proposed walkway to the court will be an extension of the existing stone walk that leads to the patio and will be constructed with the same pervious stone material.

Upon query by Ms. Adachi, Mr. Haslett reported that the existing patio is 34' feet from the edge of wetlands at the southwest side of the property. The proposed basketball court will be 41' and the limit of work will be 36' from the edge of wetlands.

Upon query by Ms. Lee, Jim Basnett stated the proposed basketball court will be a NBA regulation half-court 47' x 50' (2,350 s.f.).

Upon query by Mr. Froberg, Mr. Basnett stated that the basketball court should not be constructed over the septic system because any repair or expansion would necessitate the destruction of the court. The existing septic system was constructed in 1985 and the construction standards of that era will not support a structure built over it. The septic system would have to be replaced and built in accordance with today's standards to allow for construction above it.

Discussion.

Mr. Froberg stated that he does not understand why the proposed location of the court was moved 20' closer towards the house. The proposed location as shown on the 9/17/07 plan is more of an open area with less vegetation and would not cause the removal of mature trees on the site.

Ms. Adachi said that the 20'-distance was just a suggestion and rough measurement that came up during site walk discussions with the Applicant's engineer, Rich Harrington, when the Mr. Tidman and Commissioners asked whether the basketball court could be moved closer to the house to reduce encroachment on the corridor connecting the wetlands on either side of the project site. In the absence from the meeting of the other site walk participants, Ms. Adachi said that she would prefer to continue the hearing, with the Applicant's permission.

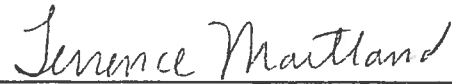
Upon agreement by Mr. Basnett, Ms. Adachi continued the hearing until November 7, 2007 at 8:00 PM. The applicant will submit an amended plan locating the mature trees on the site.

Certificate of Compliance – 26 Grasshopper Lane DEP File #85-657

Ms. Ristine reported that Mr. Tidman has inspected the site along with the Town Engineer and found the site to be ready for a Certificate of Compliance; DEP has also inspected and is in the process of issuing a Certificate of Compliance for the Superseding Order of Conditions.

Mr. Froberg moved that the Commission issue a complete Certificate of Compliance for DEP File No. 85-657. Ms. Serafini 2nd; the motion passed unanimously.

9:40 Meeting adjourned.



Terrence Maitland,
Chair

ahr.concom.minutes.2007.101707