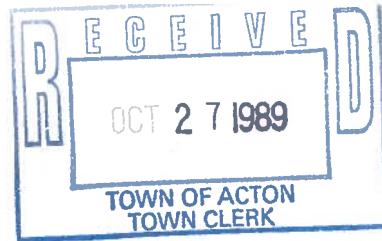


MINUTES FOR
AUGUST 2, 1989



MEMBERS PRESENT: Carol Place, Ken Dow, John Chalmers 7:55, Bob Young 7:55

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: Dennis Ring, Armand Dufresne, Charlie Kadison, Joseph March, Jim Fenton, Ken Barr, Tom Ursch, Dennis Lowry

7:30 Ms. Place held the meeting open for discussion while awaiting for quorum.

7:55 With quorum present, Ms. Place called the meeting to order.

7:56 REQUEST FOR DETERMINATION - Martin Street - Town of Acton
D-89-12

Ms. Place opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection, and the Town of Acton Bylaws for the reconstruction of a culvert on Martin Street by the Town of Acton.

Dennis Ring, of the Town of Acton Engineering Department, stated that the culvert is a double pipe culvert, was constructed in 1965 and is deteriorated on the end sections. The insides of the culvert are still solid but they need to be sandblasted and recoated. They propose to build a stone dike downstream from the culvert prior to reconstruction to keep silting from occurring in the downstream wetlands during the reconstruction process. They will reconstruct the culvert one side (pipe) at a time, and diverting the water flow through the other (pipe) side of the culvert. At this point they will sandblast the residue inside of the same pipe, coat it with asphalt, and let it dry for 24 hours. After it is dry, they will divert the water flow into the reconstructed pipe, and start on the other side. All disturbed areas around the abutments will be loamed and seeded. The Town will start the project in late August and expect it to take about one to two weeks depending on conditions.

8:06 Hearing no further comments or questions, Ms. Place closed the hearing.

Mr. Dow moved to find the work within the jurisdiction of the Conservation Commission, but it will not impact the wetlands. Mr. Chalmers seconded the motion. The motion passed unanimously.

8:07 MASTER PLAN - Armand Dufresne

Armand Dufresne, a Planning Council member discussed the Conservation Commission's goals and objectives, and reviewed comments from citizens obtained during Master Plan meetings.

9:14 Mr. Dufresne thanked the Commission for their time to review the Master Plan.

9:15 RE-OPEN NOTICE OF INTENT - 581 Great Road - Tire Barn 75-205

Ms. Place reopened the hearing under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws. Ms. Place noted that the Commission voted to reopen this hearing at the July 19 Conservation Commission meeting so the applicant could give additional information to prove the wetlands were damaged.

Mr. Charlie Kadison, Attorney, stated that the applicant can only build a four bay garage instead of the five bays he wanted to expand to due to zoning changes. There is 18 parking spaces required by zoning. The building will be 94' from Great Road. The Littleton Board of Selectmen, Nagog Development Corporation, and the Acton Board of Selectmen all requested the bays to face the back of the lot, which brought the need for more pavement, thus creating the need to fill 4500 s.f. of fill.

Dennis Lowry, Biologist and Ecologist for I.E.P. Inc., presented a letter dated August 2, 1989 (attached herewith) supporting I.E.P.'s position that the discretionary allowance of filling 4500 s.f. of bordering vegetated wetland, with replacement at 581 Great Road will adequately protect the interests of the Act. He stated that a vast majority of the wetlands has been altered in the past, and the area to be filled is the most disturbed. The proposed wetland replacement area is a good hydrological connection, and the soil tests support the functions, and wetland plant species needed for a successful wetland replacement area. There was no water table encountered during two foot test probes. They propose a 1:1 wetland replacement. The replacement will be a simple excavation to the sandy soils, then place six to ten inches of loam, and wetland supporting wetland species growing medium.

10:02 Hearing no further comments, or questions Ms. Place closed the hearing.

10:03 NOTICE OF INTENT - Assebett Crossing-Independence Road 75-206

Ms. Place opened the hearing under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of a common drive at the intersection of Independence Road and Parker Street. The emergency access route for this project is being constructed on a old existing cart path crossing over a wetland.

Mr. Joseph March, of Stamski & McNary Engineering, presented plans for 13 lots, 8 of which will be serviced by the common drive within this Notice of Intent. All of the proposed houses, and the 1000' common drive are out of the wetland buffer zone. The proposed gravel emergency access road is being constructed on an

old existing cart path, which continues from the end of proposed pavement of the common drive back, accessing onto Parker Street. This emergency roadway will have a gate on the Parker Street end with a Fire Department lock. This gravel emergency access road will be 14' wide and crosses a culvert supporting the wetlands, and haybales are proposed. There will be no need for major excavation for the gravel roadway, just grading for some realigning of the path. There will be no grading or realignment will occur in the stream and pond area. The developer plans to loam and seed the emergency access road. The eight houses that the common driveway will access will be responsible for the maintenance of the emergency access road, through an Association.

10:15 Hearing no further comments, Ms. Place closed the hearing.

Mr. Dow moved to issue an Order of Conditions with the additional condition that the emergency access road be loamed and seeded for stabilization in disturbed areas. Mr. Chalmers seconded the motion. The motion passed unanimously.

CERTIFICATE OF COMPLIANCE Nagog Park - Great Road Turn Lane

The Administrator reported that the project for the right hand turn lane at Nagog Park and Great Road is complete to his satisfaction, and the applicant is requesting a certificate.

Mr. Dow moved to issue a Certificate of Compliance for the above referenced project, DEQE # 85-222, Town Bylaw File #75-133. Ms. Resor seconded the motion. The motion passed unanimously.

MINUTES

The Commission approved and signed minutes for May 17, 1989.

10:22 DECISION - NOTICE OF INTENT - Tire Barn Inc. 581 Great Road

The Commission discussed issues of concern, and reviewed the new information.

11:00 Mr. Dow moved to issue an Order of Conditions to the Tire Barn, 581 Great Road, DEQE # 85-273, Town # 75-205, for the filling of 4500 s.f. of fill with 1:1 replacement as presented; with the following additional conditions: (1) The Conservation Administrator will be kept informed of all work activities; (2) The wetland area to be filled shall be clearly marked and inspected prior to filling by the Administrator; (3) The wetland replication area will be completed prior to commencement of construction of the building; (4) All excavated materials from the wetland replication area shall be taken off site, and not stockpiled, other than what material is needed for fill in the proposed parking area.

August 2, 1989

-4-

ConCom

11:10 Mr. Young seconded the motion. The motion passed 3 aye, and 2 opposed.

11:15 Meeting Adjourned.

Carol Place
Carol Place, Chairperson