

**Acton Conservation Commission**

Meeting Minutes

May 7th, 2025

7:15 PM

Hybrid Meeting (Room 9 & Zoom)

**Present:** Terry Maitland (Chair), James Colman (Vice-Chair), Jillian Peters, Peter Hocknell, Kate Warwick, Amy Green, and Zywia Chadzynska

**Absent:** NA

**Conservation Agent:** Kristen Guichard on behalf of Olivia Barksdale

**Public Concerns and Regular Business**

**7:15PM      Public Concerns**

**7:16PM      Notice of Intent- Public Hearing – 91 Newtown Road**

Nathanial Cataldo presented a plan to replace an abandoned single-family house on a 1-acre property in Acton. The existing house is located within the no-build zone, and the new house will be built further back on the lot to increase the distance between the new house and the wetland. The new house will be 27 feet away from the wetland, and the driveway will curve away to increase the distance from the wetland. Nathanial stated that the septic system has been approved by the Acton Health Department and will be located outside the 75-foot buffer zone. The existing house will be torn down, and the fill piles left behind will be removed and restored. The Commission raised concerns about the potential wetland behind the proposed house and suggested that Nathanial should try reversing the orientation of the house and septic system to move it further away from the wetland. The Commission pointed out that the driveway is not grandfathered and could be curved further away from the wetland. They also discussed the need for a wetland assessment by David and the importance of specifying plant species and sizes. Commission raised concerns about invasive plants on the property, which Nathanial acknowledged. They agreed to continue the hearing on May 21<sup>st</sup> at 7:35pm.

**7:49PM      Notice of Intent- Public Hearing – 820 Main Street**

Robert Melvin, Stamsky & McNary, represented the applicant for 820 Main Street, presenting plan to reconstruct the existing box culvert, which would be widened from 20 inches to 34 inches. The construction process was discussed, including the installation of a culvert and a retaining wall, and the potential need for dewatering. Commission raised concerns about temporary impacts and the need for erosion controls. They also discussed the wetland replication process, with Robert confirming that a seed mix would be used. The conversation ended with plans to continue the discussion at a later date. Robert to provide a revised plan with the correct revision date. Hearing continued to May 21<sup>st</sup> at 7:40pm.

**7:59PM      Order to Show Cause – 976 Main Street**

Albert Kennedy appeared before the Commission to discuss the storage of organic matter within the buffer on this property. Albert began the discussion with comments on the site visit conducted with Olivia Barksdale. He explained that a berm was made in an older existing gravel pit. They cleared underbrush, and knotweed, and they used loamy topsoil to continue the bank coming up to that area to make it taller and sloped it down on the opposite side. There are no further plans to disturb this area within the buffer. Albert also confirmed the wetland there has not been delineated. The commission would like to coordinate a site visit. The hearing has been continued to May 21<sup>st</sup> at 7:45pm.

**8:08PM          Request for Determination of Applicability- Public Hearing – 89 Summer Street**

Kevin from Deck It discussed plans to rebuild an existing deck at 89 Summer Street. The deck will be rebuilt with minimal excavation, using helicoils and existing concrete piers. The project is approximately 55 feet from a wetland and will not extend further than the existing deck. The project was approved with a negative 3 determination of applicability, meaning it will work around a resource area without causing further damage. The project does not require a notice of intent, as the determination of applicability serves as a permit.

James Coleman moved to approve with a negative 3 determination of applicability. Peter Hocknell seconded. All in favor.

**8:13PM          Redline Change – Kelly’s Corner**

Alexa Marquis, GPI, presented the updates to the wetland replication area. The original wetland area, upon another site visit by the wetland specialist, was determined to be slightly larger than originally drawn on the plan. In order to offset this, the wetland replication area has also been increased. This area will be seeded with wet tolerant mix, and wetland plantings (serviceberry, speckled alder, summer, sweet, silky dogwood, and winterberry) added. They were not able to meet the excess 34 square feet but are still within the one to one. The Commission noted their concern is slope and the work done to date hasn’t crept into the wetland and there is no greater impact than what was outlined on the plan. The Wetland Specialist will rehang flags and modify the plan. The applicant agreed to bring this plan back to the Commission. The applicant also confirmed erosion controls will be maintained.

Amy Green moved to accept the red line plan dated as plotted on April 29<sup>th</sup>, 2025, Terry Maitland seconded. All in favor.

**8:27PM          Notice of Intent- Public Hearing – 60 Powder Mill Road- Continued**

Continued to May 21<sup>st</sup> at 7:50pm

**8:28PM          Hazard Tree Removal – 22 Cherokee**

Theresa, owner, discussed a hazardous tree situation at 22 Cherokee Road, where she requested the removal of three trees by an arborist due to their condition and potential harm to her property. The commission asked her to consider leaving a portion of the trees for the benefit of the local wild life. James Coleman moved to cut down the three trees, Terry Maitland seconded. All in favor.

**8:38PM      Enforcement Order – 43 Kinsley Road**

Terra of west Acton opened with a discussion of the progress of the site cleanup. The Commission stated that a plan from the landowner needs to be submitted and discussed the presence of knotweed on a berm, the unauthorized construction equipment in the buffer zone, and the unpermitted extension on a house. They noted a draft letter outlining the specific actions required will be needed. Terra also discussed other issues, including a pond with a beaver and the need for tree protection. The commission agreed to ask Olivia Barksdale to inspect the pond and to prepare a draft of the letter for review before sending it to the responsible party.

**8:49PM      Administrative Updates**

- **Approved Meeting Minutes for 4/16/25**
  - Jim Coleman moved, and Peter seconded. All in favor.
- **Enforcement updates**
  - 243 School St. for clearing of brush and debris next to the pond. They stopped work when asked and will be filing with conservation.
  - 99 Hammond Emergency order for collapsed culvert. A significant amount of yard waste had been dumped into the wetlands there. The Commission advised filing within the next 4 weeks. Town will send a letter to the residents regarding unauthorized dumping of yard waste into the wetlands.
  - Lanscaper filling up water tanks from a stream. There was no photo or evidence but Kristen Guichard did follow up with the landscaper to explain that this activity is prohibited.
- **Review and Finalize Wetherbee Draft Baseline Report**
  - Amy Green moved to accept, Terry Maitland seconded. All in favor.

**9:14      Peter Hocknell motioned to adjourn and Jillian seconded. All in favor.**

**Documents and exhibits used at this meeting:**

**All Documents can be found at:**  
[05-07-2025 - Meeting Information](#)