

**Acton Conservation Commission**

Meeting Minutes

November 19 2025

6:15 PM

Room 204 & Zoom

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

**Absent:** Amy Green left at 7:04pm. The Commission still met quorum.

**Conservation Agent:** Olivia Barksdale

**Public Concerns and Regular Business**

**Hearing opened: 6:19pm**

**6:19PM      Notice of Intent–Public Hearing–Stow Street**

Sarah Kwatinetz and Jason Sobel from Niche Engineering and Corey York from the Department of Public Works, presented the Notice of Intent for the Stow Street multi use path extension. The project proposes an 8.5-foot wide shared use path along the north side of Stow Street, designed to maximize safety and connectivity between the rail trail, commuter rail station, and Jones Field playground.

Sarah explained that the project had received DEP comments, which they had addressed. These included corrections to impact area numbers, standards regarding stormwater management, updates to required checklists, and potential special conditions for wetland replication areas. Corey York provided context about the phasing of the project, explaining that this is part of a larger, multi-phase effort to improve connectivity and safety in the area. He noted that the bridge crossing would be addressed in a separate phase, as it requires additional engineering and funding. The immediate focus was on improving safety for this high-traffic section connecting the rail trail, commuter station, food pantry, and playground.

Commissioner James Colman expressed concerns about the project's segmentation, suggesting that the entire project should be presented as a whole to properly evaluate all wetland impacts. He questioned whether having the path end before reaching Jones Field would actually improve safety.

Several residents spoke in support of the project, including Lauren Fey, David Wolfson and Claire Siska, who described the dangerous conditions for pedestrians on Stow Street. They emphasized that the road has become increasingly busy with commuter traffic, rail trail users, and families accessing the playground, creating serious safety concerns for pedestrians who often walk in darkness along the narrow roadway. Dean Charter, a member of the Select Board, explained the town's constraints regarding capital improvement funding, noting that sidewalks typically must be constructed in segments as funding allows. He noted that the town has approximately \$115 million in identified capital projects over the next 10 years.

The Commission discussed mitigation measures, including wetland replication at a ratio greater than 1:1. After deliberation, the Commission voted to issue an Order of Conditions for the project.

Motion: Peter Hocknell moved to issue an Order of Conditions with standard conditions (striking clauses 18 and 19), including special conditions for wetland replication at a ratio up to 1.5:1 or as close to that as possible, a two-year monitoring period with 75% plant survival requirement, and oversight by a wetland scientist. The motion was seconded by Terry Maitland. The motion passed with Commissioner Colman voting against.

#### **7:37PM      Hazard Tree Removal- 5 Sandy Drive**

Loreen Ali, requested permission to remove three trees on her property that she believes pose safety risks to her home. She presented photographs of the trees, identifying a leaning pine tree (Tree #1) as her primary concern as it leans directly over her son's bedroom. She also identified an oak tree (Tree #2) that had lost a large branch that damaged her home's standby generator, and another pine (Tree #3) that was less concerning but still growing larger.

Commissioners James Colman and Terry Maitland had visited the site and confirmed that Tree #1 appeared to be a legitimate threat. However, they questioned whether Tree #2 could be pruned rather than removed, and noted that Tree #3 did not appear to be an immediate concern. The Commission noted the property lacks understory vegetation and discussed potential mitigation planting requirements. Commissioner Zywia Chadzynska suggested allowing removal of Tree #1, pruning Tree #2, and leaving Tree #3 in place.

The Commission requested that Ms. Ali consult with her arborist about the possibility of pruning Tree #2 rather than removing it, and to provide that information to the Conservation Agent before the next meeting on December 3. The Commission also suggested that Ms. Ali consult with her arborist to provide a list of suggested native shrubs for mitigation planting at approximately a 2:1 ratio, and report back to the Commission during the next meeting.

The discussion was continued to December 3.

#### **7:48PM      Notice of Intent–Public Hearing-91 Newtown Road - DEP 085- 1387**

Nathaniel Cataldo from Stancy McNary presented the updated Notice of Intent for 91 Newtown Road. He explained that the wetland delineation had been resolved and confirmed, and the project had been modified based on the wetland's location.

The project involves replacing a nonconforming house that sits close to wetlands. The existing house is 15.6 feet from wetlands at its closest point, while the proposed new house would be positioned 32.4-32.7 feet from wetlands. Nathaniel explained that it would be impossible to place the house entirely outside the no-build zone due to property constraints, septic system requirements, and the extent of wetlands. The project includes mitigation with 54 native shrubs in two planting areas and a designated permanent edge of lawn. Runoff from the driveway would be directed away from the wetlands.

Commissioner James Colman and others expressed concerns about ensuring proper delineation of the lawn area and potential placement of boulders or signs to protect the

wetland buffer. The Commission felt they needed to see the proposed footprint staked out on the site to better understand the impacts.

The Commission requested that the applicant flag the house footprint, edge of lawn, and limit of work on the site for a site walk before the next meeting. The hearing was continued to December 3.

#### **8:25PM      Enforcement Order-524 Main Street**

Conservation Agent Olivia Barksdale presented a potential enforcement order regarding work done by Eversource at 524 Main Street. Matt Devlin from Eversource explained that on November 1, they responded to an emergency when a tree fell on a power line during a storm, cutting power to Great Brook School. To access the downed line, they placed gravel on an existing path within the wetland buffer zone.

Matt explained that while the utility maintenance was exempt under wetland regulations, they now planned to properly restore the area by removing the gravel using a vacuum truck, smoothing the disturbed areas with an excavator, seed and stabilizing with straw mulch. An environmental scientist would oversee the restoration work.

The property owner, Tom Cates, expressed concern that Eversource had not notified him before conducting the work. He noted that there was not a road there previously, and the bulldozed area had impacted his property, which is currently for sale. Mark from Eversource acknowledged they should have made better efforts to contact the property owner, explaining that they typically assume they have easement rights for utility lines.

The Commission recommended that Eversource coordinate with the Conservation Agent once the restoration was complete to ensure proper remediation. Based on Eversource's willingness to restore the area, the Commission agreed not to issue a formal enforcement order.

#### **8: 40 PM Administrative Updates**

##### **Review and Approve Meeting Minutes**

No minutes were available

##### **Review Standard Conditions**

Item was not discussed

##### **Review Hazard Tree Policy**

Item was not discussed

##### **Enforcement Order updates**

#### **8:45    Close Hearing**

Motion: Commissioner James Colman moved to close the meeting. Commissioner Jillian Peters seconded the motion, all voted yes to close.

Documents and exhibits used at this meeting

11-19-2025 Meeting Information

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Minutes for ConCom 11\_05\_25 Draft.docx

5 Sandy Drive - Haz Tree

3 Trees

524 Main Street EO

Utility access road

91 Newtown Road - NOI

Single family house

Policies - Standard Conditions

Stow Street NOI

Mixed use path

Owner

obarksdale

obarksdale

obarksdale

obarksdale

obarksdale

obarksdale

obarksdale

Modified Date

11/17/25

11/19/25

11/17/25

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83 KB

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