

ACTON CONSERVATION COMMISSION
Minutes
November 19, 2014
7:15 PM
TOWN HALL - 472 MAIN STREET
ROOM 204

COMMISSIONERS PRESENT: Terry Maitland, William Froberg, Tom Arnold, Andrew Magee, Amy Green, Jim Colman

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Paulee Goodwin, Catherine Hatfield, Nancy Haugsjaa, Paul Haugsjaa, Jason Foley, Jimmy Courbron, Pam Curran, Ann-Marie Beauregard, Hart Millett, Nan Towle-Millett, Roman Brozyna, Renee Soluk, Sue Whitcomb, Nick Miller, Susan Bumbulucz

7:15 Notice of Intent – 12 Summer Street (010) 85-1148

Requested continuance to December 3, 2014 meeting. Time assigned: 7:35 PM.

7:30 Request for Determination of Applicability – 18 Heritage Road (020)

Applicant: Jessica Ronalds, The proposed project is located at 18 Heritage Road (town atlas plate H-4, parcel 105-33) and is for the installation of a new shed as well as removal of an existing retaining wall and patio, and replacing with new structures. Work will occur within the 100 foot buffer of Bordering Vegetated Wetlands.

Mark Saydah of Whole Earth Landscape & Design represented the owner/applicant Jessica Ronalds. He described the back yard and the existing patio being edged with 8 foot timbers which are rotting. The plan is to replace the timbers with a low fieldstone wall. The material from the old patio will be removed and replaced with permeable pavers. A small terrace will be constructed on existing lawn and the old egress pathway will be removed and a new one be constructed with permeable pavers. Mr. Colman asked where the proposed shed would be placed and Mr. Saydah said it would be near the driveway away from wetlands. Mr. Colman commented that he didn't see that the scale of the project would have an impact on the interests of the Act. Mr. Saydah also said that a small, track-mounted loader would be used to minimize impact on the site. Mr. Arnold commented that this project would offer a net improvement on the interests of the Act. Mr. Saydah added that he planned to remove invasive species from the work area and remove old construction debris currently located in the wetlands buffer.

Decision: Mr. Arnold moved to issue a Negative 3 Determination, Mr. Colman seconded, vote unanimous.

7:45 Notice of Intent – 44 Hammond Street (030) 085-1166

Applicant: Jason Foley for property located at 44 Hammond Street (town atlas plate D3, parcel 23-14). The proposed project is to build a detached garage to the right of an existing house. A portion of the project is within the 100 foot buffer zone of Bordering Vegetated Wetland.

Jimmy Corbron from Stamski & McNary presented for the applicant. A new garage is to be built on existing lawn. Approximately 624 square feet of additional paved driveway will be added to the front of the garage.

Decision: Mr. Magee moved to issue a standard Order of Conditions, Mr. Arnold seconded, vote unanimous

8:00 **Request for Determination of Applicability** – 337 West Acton Road, Stow/ 186 Willow Street Rear, Acton (040)

DG Custom Homes, LLC, for a project located at 337 West Acton Road, Stow, MA. The portion of the property located within the town of Acton is 186 Willow Street Rear (town atlas plate G1, parcel 314). The proposed project is to replace a failed septic system. The existing system is located within 45 feet of Bordering Vegetated Wetland.

Steve Poole of Lakeview Engineering Associates presented for the applicant. The new septic system will be 60 feet from wetlands at the nearest point. The existing failed system is approximately 40 feet from wetlands. It will be raised by several feet to meet Board of Health requirement for height above ground water. The proposed plan has been approved by the BoH.

Decision: Mr. Magee moved to issue a Negative 3 determination, meaning the project, while in the buffer zone, will have minimal or no impact on the interests of the Act and therefore filing of a Notice of Intent is not required. Mr. Arnold seconded the motion; vote unanimous.

8:15 **Notice of Intent** - 2 Taylor Road, Arboretum (050) 085-1165

Mr. Tidman opened the discussion with a history of the parking lot meetings and discussions so far. He presented a slide show demonstrating the proposed, modified parking lot configuration and planting plan. He explained that the farm ditch has been reconfigured to curve through the middle of the proposed rain garden. Mr. Maitland asked how deep the rain garden would be, and Mr. Tidman answered 2.5 feet deep. Mr. Magee asked how much water it is designed to retain, and Mr. Tidman answered it is designed to hold 6 inches of retention water. Mr. Arnold asked about outflow, and Mr. Tidman explained that the outflow would re-enter the farm ditch and end up in the farm pond. Mr. Magee asked if native plants would be used in the rain garden and Mr. Tidman responded that native plants would be used, and a planting plan will be submitted.

There is to be a 10 foot grassy area between the raingarden and parking lot to remove contaminants. Ms. Green asked if the footprint could be flipped onto the old parking lot area and Mr. Tidman answered no, because the pitch of the land must to be toward the rain garden so stormwater would flow into it. Mr. Magee asked if an infiltration trench could be created along the exit driveway. Mr. Tidman answered affirmatively and also explained that mature trees, such as white spruce and red buds selectively from the nursery and some cedars, perhaps 8-10' tall would be added to screen the neighbor's view from the road. It would not be so dense as to block police view into the parking lot, but the trees would thicken and create a park-like environment. Mr. Magee asked if the rest of the area between the trees would be allowed to grow grassy or be mowed and maintained. Mr. Tidman explained that grasses would be mowed to keep down the multiflora rose.

Total spaces in the parking lot design have been reduced to 26 as a result of angling parking space, reducing capacity by 2. A detailed planting plan for the rain garden is being developed, and Mr. Tidman is currently building a large rain garden at NARA. The State Storm Water Regulations for rain gardens is being followed. There will be an educational information panel installed next to the rain garden to inform the public of its benefits. A stormwater report is being prepared and will be submitted.

At this point Mr. Maitland asked if there were questions or comments from the audience. One resident asked about plantings to disguise the driveway. Tom Tidman explained that the new driveway entrance would not be 20' wide as depicted in the current drawing, but will be narrowed to 16 feet. Sue Whitcomb suggested birches be planted along the road or driveway entrance because they allow a view past them but also provide moderate screening. Neighbors asked questions about the flags on trees and signage for bikes and pedestrians crossing the new driveway so it is safe for those on the sidewalk.

The hearing was continued to January 7, 2015, 7:15 PM

9:10 **Notice of Intent** – 95 Newtown Road (060)

Michael Jeanson for a project located at 95 Newtown Road, Acton, (town atlas plate E-3, parcel 29). The proposed project is to construct a single family dwelling, driveway, and septic system with accompanying grading. Work will occur within the 100 foot buffer zone of Bordering Vegetated Wetlands.

George Dimarakos of Stamski & McNary presented for the applicant. B&C Associates Inc. re-established the wetland flag line in October. Mr. Dimarakos presented opinions from B&C Associates and Caron Environmental Consulting regarding a potential vernal pool on an adjacent property. Both entities concluded it was highly unlikely that the area of interest contained a viable vernal pool. Most of the driveway is outside the buffer zone. The Board of Health approval of the septic plan in 2011 is still in effect, and there is no change in the design of the original submission.

Carol Chytil, an abutter residing on 1 Evergreen Street, asked if there was sufficient width to make a "hardened" road through which equipment would move to construct the septic system, and, if so, how many trees would have to be removed? She also asked how the wetlands were delineated. Mr. Maitland addressed the abutters, recognizing their concerns, and explained that the buffer zone protection was expanded a number of years ago to create greater protection for our wetlands, and that this application meets the requirements of the town's wetlands bylaw.

Mr. Dimarakos remarked that Mr. Crossman (B&C Associates) was of the opinion that a vernal pool, with an average depth of 6 inches is not deep enough to retain water long enough to support vernal pool activity to succeed. Mr. Froberg asked how they would treat the surface of the soil on the access way to the new septic system. Mr. Dimarakos responded that they would only strip off the loam and stock pile it until the construction of the septic system was completed. The corners of the lot will have iron pipes set to delineate the boundaries and all trees within the limit of work will be removed. Mr. Arnold noted that the narrow access to the septic system will need to be staked. Mr. Dimarakos stated that the surveyors would locate and stake the haybale line.

Decision: Mr. Colman moved to issue a standard order of conditions with four special conditions:

1. **A boulder line shall be installed, using 3 to 4 foot diameter boulders placed at intervals of 5 feet on center for the length of the 50 foot buffer, along the uplands side of the haybale line.**
2. **The forced pump chamber line will be moved from the southern (as shown on the submitted plan dated November 4, 2014 and revised November 18, 2014) to the northern side of the proposed dwelling. Upon completion, the septic design and pressure line location will be added to an as-build plat and submitted to the Conservation file.**
3. **The property lines along the narrow 20 foot passage way accessing the proposed septic area will be permanently marked.**

4. The hay bale line will be staked by a surveyor and approved by the Conservation agent prior to installation of silt prevention.

Mr. Arnold seconded, unanimous vote.

Municipal Certification: Gaebel Conservation Restriction (070)

Decision: Mr. Magee moved to issue the Municipal Certification for the Gaebel Conservation Restriction. Mr. Colman seconded, unanimous vote.

Certificate of Compliance: 339 Nagog Hill Road, Dam Repairs, 85-1081 (080)

Decision: Ms. Green moved to issue a Certificate of Compliance, Mr. Colman seconded, unanimous vote.

MINUTES:

Conservation Commission: October 1, 2014, reviewed by AM, TM

Decision: Mr. Magee moved to accept the minutes, Mr. Colman seconded, unanimous vote.

Conservation Commission: October 15, 2014, AM, TA, AG

Decision: Ms. Green moved to accept the minutes, Mr. Colman seconded, unanimous vote.

Meeting adjourned: 9:30 PM



Terry Maitland
Chairperson

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AGENDA
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Cover Page Page Break Pages

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		Owner	Edited	Size	Actions
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<input type="checkbox"/>	010 - 12 Summer revised SH4 85-1148	naturales	10/29/14	183 KB	
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<input type="checkbox"/>	070 - Gaebel Municipal Certification copy	naturales	11/10/14	69 KB	
<input type="checkbox"/>	071 - Gaebel CR signed 11-3-2014	naturales	11/10/14	744 KB	
<input type="checkbox"/>	080 - RCeC 339 Nagog Hill Rd	naturales	11/10/14	483 KB	

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Page: 6 of 6 Words: 2

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