

ACTON CONSERVATION COMMISSION
MINUTES
December 3, 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, Paula Goodwin (pending appt)

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

RECORDING SECRETARY FOR HYBID FARM: Bettina Abe

VISITORS: Rita McConnon, Wick McConnon, Rachel Watsky, James Ackley, Scott Hayes

7:15 Hybid License Renewal (010)

Rita and Wick McConnon of Hybid Farm, Inc. requested their license agreement be renewed for the year 2015. The McConnons submitted a site plan indicating the locations of signs and gates. A new sign has been installed on the fence along Nagog Hill Road outside Area A. Wording on signs is to be attached to the license agreement. The McConnons' will submit their check and surety bond by January 15, 2015.

Mr. Colman would like the commission to discuss the condition of bare ground of Area D, as he feels it is the Commission's responsibility to address the issue. Mr. Arnold suggested the Commission look into Area D. this summer. This will not delay the license renewal process. Ms. McConnon had asked if Area B could please be mowed by the Town next spring because the McConnon's brush hog is broken. Mr. Tidman responded that the Department of Natural Resources will mow it in the spring.

Decision: Mr. Colman moved to extend the Hybid Farm License Agreement for one more year. Mr. Arnold seconded the motion. Motion passed unanimously. Rita and Wick McConnon and Terry Maitland signed and dated the Agreement.

Meeting closed at 7:25pm.

7:30 Notice of Intent: Hayward Farm, 121 Hayward Road (020)

Stephen Steinberg, of Acton Management, Inc., for a proposed project at 121 Hayward Road, town atlas plate E-2, parcels 261-2, 261-3, 262, 272, & 273. The project is for the construction of a subdivision roadway and associated utilities, drainage and grading within 100 feet of an area subject to protection under the Wetlands Protection Act and Town of Acton Wetland Protection Bylaw.

Scott Hayes reminded the Commission that an ANRAD had been approved in the spring of this year for wetlands associated with an intermittent stream. The current NOI

4. Proposed use of haybales: these should not be used and an alternative must be found.

The hearing was continued to January 7 at 7:20 PM.

9:20 **Discussion:** Wetland Fee Funds for Truck

Tom Tidman presented for the Natural Resources Department. He pointed out that the existing inspection vehicle he is using is a 2005 Ford Expedition, a "hand-me-down" from the Police Department. It has significant frame rot and the town mechanics have strongly suggested it be replaced. Town Counsel has indicated that Wetland Filing Fees could be used to purchase an inspectional vehicle that is to be used by the Conservation Agent.

Mr. Maitland asked how much money was in the fund and Mr. Titman responded that there was approximately \$56K in the fund.

Decision: Mr. Magee moved to approve the use of Wetland Fees for the purchase of a new vehicle, Mr. Colman seconded, vote was unanimous.

MINUTES: 11-19-2014: pending

Meeting adjourned: 9:30 PM



Terry Maitland
Chairperson

filling was for a subdivision road and associated drainage structures and stormwater basins. Runoff from impervious surfaces would enter a Stormceptor for treatment prior to entering a drainage basin.

There was a question about the definition of a structure, and was the drainage basin considered a "structure." Mr. Hayes presented plans showing the proposed retention basin located within the 50 foot no-build setback, sighting that the retention basin is a "water dependent structure." It was pointed out that a detention basin is not water-dependent as it can be located away from the water – only the outfalls are deemed water-dependent in the Bylaw. Mr. Magee recalled another site in Acton where the Commission determined that the berm of a detention basin was a structure and only allowed the berm associated with the basin to be as close as the no-build setback. The Commission asked Mr. Hayes to take another look at his design and see if he could move the basin outside of the 75 foot natural buffer. Mr. Hayes said he would look at other design alternatives for the basin. The Commission discussed a waiver to setback requirements for the drainage basin and the limited size of the subdivision. Ms. Green asked if grubbing and clearing would be done as part of this filing? Mr. Hayes responded that they would generally clear the buildable area of the lot.

The hearing was continued to December 17, at 7:15PM.

8:35 Notice of Intent: 12 Summer Street, continuance (030)

Rachael Watsky from Goddard Consulting, presented for the applicant. They had just received the Eco-Tec report today and will be sending their formal response soon. She provided an initial response as follows:

1. BLSF: they need to show that the compensatory storage in their plan is sufficient.
2. Mitigation area access points: these will be reviewed in light of Ecotec comments and discussed further.
3. A wildlife habitat evaluation will be performed
4. Areas of the footpath that are within wetlands will be discontinued and, in those areas, walkers will utilize the proposed paved sidewalk
5. The Wetlands Replication Plan was updated and additional plantings, to achieve greater density, were added. The Commission discussed grading within the proposed replication.

Mr. Arnold proposed that the Commission have Town Counsel provide information about "self-inflicted hardships." Mr. Magee expressed his concern that the project as proposed alters 700 linear feet of buffer zone.

Ms. Green had several areas of concern:

1. Floodplain issues: FEMA data (198 feet above sea-level) was based on data taken from the response of the Town Engineer.
2. Compensatory storage: Compensatory storage within the replication area should not be included in the calculations.
3. Wildlife habitat features should be added to mitigation area and compensatory storage area, as well as planting plan for compensatory storage area

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