

CONSERVATION COMMISSION
MINUTES
NOVEMBER 17, 2010
7:00 PM
TOWN HALL - 472 MAIN STREET - ROOM 204

COMMISSIONERS PRESENT: Terry Maitland, Andrew Magee, Fran Portante, Tom Arnold,
William Froberg

ASSOCIATE MEMBER(S): Christine Perraud

RECORDING SECRETARY & CONSERVATION ADMINISTRATOR: Tom Tidman

VISITORS: Amy Green, Dave Crossman, Stan Sosnicki, George Dimakarakos, Lian-Qin Xiang, Leo Bertolami, Charles Caron, Scott Hayes, John Morris

7:00 Continuation - ANRAD - 294 Main Street – Acton Management Inc.

Dave Crossman from B & C Associates presented an amended Resource Area Delineation Plan, dated 11/3/2010; follow up site walk was held with Commissioners on 11/11/2010.

Mr. Crossman reported that the closest point from the potential vernal pool is 45.5' from the existing stonewall. There are no changes to the plan from the revised plan dated 11/3/2010 and he feels that the delineation is conservative.

Upon query by Mr. Froberg, Mr. Dimakarakos reported that the delineation flags don't last long in the field, mathematically the Applicant knows where the flagging is; the Applicant can place flags on the property of 294 Main Street marking the buffer zone and setbacks under the Bylaw when an NOI is filed.

Ms. Portante noted that the Commission agreed with the wetland delineation, the second site walk was to look closer at the potential vernal pool.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 11-17-2010 - (0002).]

Hearing no further comments, Mr. Maitland closed the hearing.

Order of Resource Area Delineation – 294 Main Street – 85-1049

Mr. Arnold moved that the Commission accept the wetland delineation (Flags WF-1 through WF-2) as indicated on the plan dated 11/3/2010 and the location of the wetland delineation and potential vernal pool as marked and inspected on site on November 3 and 11, 2010 at 300 Main Street. Mr. Froberg 2nd; motion passed unanimously.

7:15 Notice of Intent - 22 Nashoba Road - S. MacLeod (010)

Stan Sosnicki, sanitarian, presented plans for the proposed replacement of a failed septic system within 100' of a wetland (town atlas plate D-2, parcel 103). The proposed system is designed to be 32' from the edge of wetlands and 26' from the existing house; this Cultec® design will require a variance from the Board of Health.

Upon query by Mr. Magee, Mr. Sosnicki reported that the proposed system is a secondary treatment system, not specifically a de-nitrification system.

Upon query by Mr. Froberg, Mr. Sosnicki reported that due to the proposed close proximity to wetlands and the existing house the Cultec® system is proposed because it reduces the overall size of the system. All excavated contaminated materials from the existing system will be removed from the site and new sand will be brought in.

Upon query by Ms. Portante, Mr. Sosnicki reported that the proposed system will be slightly raised to maintain a four-foot distance above groundwater; on the downhill slope the system will be mounded approximately four-feet above the existing grade.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 11-17-2010 - (010).]

7:38 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Decision – 22 Nashoba Road – 85-1050

Mr. Magee moved that the Commission issue an Order of Conditions under the Wetlands Protection Act for the plans as presented with the special condition that the siltation prevention barriers shall consist of a filter-sock system. Ms. Portante 2nd; the motion passed unanimously.

7:30 Abb. Notice of Resource Area Delineation - 32, 38 & 39 Quarry Road - Bentley Building (020)

George Dimakarakos from Stamski & McNary presented an amended plan dated 11/17/2010 for the delineation of 192 linear feet of Isolated Wetlands located at (town atlas plate C-5, parcels 58-3, 26-14 & 47). The isolated wetland delineated on this site is only applicable under the jurisdiction of Acton's Wetland Bylaw.

Upon query by Mr. Magee, Mr. Dimakarakos stated since this ANRAD filing is only applicable under the Bylaw, the Commission needs to issue a finding that it is not a wetland resource under the Wetlands Protection Act (WPA) but is applicable under the Bylaw. The delineation does not show a defined channel tying this wetland to another resource area downstream.

Lian-Qin Xiang from 42 Quarry Road expressed concern regarding his water well as water sheds from 42 Quarry Road onto the property in question in this ANRAD filing, he does not want to see a change in surface water flow as it exists currently.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 11-17-2010 - (020).]

7:50 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Order of Resource Area Delineation - 32, 38 & 39 Quarry Road – 85-1051

Mr. Magee moved that the Commission find that Isolated Wetland is not a wetland resource area as defined under the WPA and accept the delineation of the Isolated Wetland, Wetland Flags WF-A1 through WF-A7, as defined under Acton's Wetland Protection Bylaw as shown on the plan dated 11/17/2010; Mr. Arnold 2nd, motion passed unanimously.

7:52 Request for Determination - 6 Nash Road - M.J. Holmes (030)

Scott Hayes from Foresite Engineering presented plans for the proposed replacement of a failed septic system. The existing three-bedroom house and failed system are located within 100' of a Bordering Vegetated Wetland (BVW) and within 200' Riverfront Area associated with Fort Pond Brook (town atlas plate G-2, parcel 125). The failed cesspool will be abandoned, crushed and backfilled. The proposed sewage disposal system will be constructed within existing lawn area and will require a variance from the Board of Health since the site is located in Aquifer Protection Zone 3. Silt fence will be installed for erosion control.

8:05 Hearing no comments or questions, Mr. Maitland closed the meeting.

Determination of Applicability – 6 Nash Road

Mr. Magee moved that the Commission find that the work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent (-3); Mr. Arnold 2nd, motion passed unanimously.

Request to Amend - 50 Powdermill Road - Wayside Management Corporation - 85-1002 (040)

Acton Survey & Engineering - (town atlas plate J-3, parcel 49) pertaining to building renovations at 50 Powder Mill Road including the replacement of the foundations supporting an existing addition, removal of a free standing chimney at the rear of the building, trimming and removal of trees above the river bank, grading for handicap access at the front of the building and removal of the existing building at 56 Powder Mill Road and replacement with proposed pavement.

Charles Caron from Caron Environmental presented an amended plan dated 11/4/2010 and reported to the Commission the following:

- 1) The old chimney needs to be removed;
- (2) A new foundation is needed in the rear section of the building;
- (3) Pruning and up-branching of trees is needed at the rear of the building; no stump removal is proposed;
- (4) Modifications to the handicap ramp is needed at the front of the building;
- (5) The structure of the building needs to be renovated.

Mr. Magee inquired about erosion control; will there be netting provided for work over the water surface of the Assabet River and is the "doll house" to be removed.

Mr. Bertolami stated that Mr. Magee's inquire is not a part of this request to amend.

Mr. Magee expressed concern that the Commission may not have proper protections needed.

Mr. Caron reported that the proposed tree work involves removing branches up against the building.

Mr. Bertolami stated that he believes that the main building foundation is in good condition and will not need to be replaced, it will not have a basement when finished with this request to amend.

Upon query by Mr. Arnold, Mr. Bertolami stated that Acton Survey & Engineering will work on obtaining Certificates of Compliance for older Orders of Conditions for this site.

Mr. Caron noted that the original plan dated August 21, 2008 showed a loading dock that is omitted on the amended 11/4/2010 plan before the Commission on this date.

Mr. Magee stated that he did not recall a loading dock depicted on the original plan. Stormwater treatment and spill containment for the loading dock would need to be shown on the plan.

Mr. Maitland stated that there is too much left open ended (free floating), the plan doesn't show a loading dock and the Commission would need to see construction details.

Mr. Magee agreed stating that the plan should be cleaned up to show exactly what the Applicant proposes in his request to amend and should also show everything that was previously approved.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 11-17-2010 - (040).]

Upon agreement by the Applicant, Mr. Maitland continued the hearing until December 1, 2010 at 7:30 PM.

Request for Determination - 5 Putter Drive - S. & J. Morris (050)

John Morris presented plans for the proposed removal of dead and damaged trees near the existing house within 100' of a wetland, (town atlas platel-3, parcel 97). Eight trees are to be removed that present a safety hazard to the existing house and play structure.

Mr. Arnold stated that he sees no issues in the proposal that would affect the interests of the Act or Bylaw.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 11-17-2010 - (050).]

Hearing no further comments or questions, Mr. Maitland closed the meeting.

Determination of Applicability - 5 Putter Drive

Mr. Magee moved that the Commission find that the work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent (-3); Mr. Arnold 2nd, motion passed unanimously.

9:15 Meeting adjourned.



Terrence Maitland
Chair

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ahr.concom.minutes.2010.110310

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11-17-2010 Properties

Type	Title	Owner	Edited	Size	Actions
	Extra Information	naturalres	12/01/10	1	
	0001 - November 17 Agenda	naturalres	11/10/10	10 KB	
	0002 - 294 Main Street - AMENDED ANRAD Plan 11-3-2010	naturalres	11/30/10	4 MB	
	010 - Notice of Intent - 22 Nashoba Road	naturalres	11/10/10	858 KB	
	020 - Abb. Notice of Resource Area Delineation - 32, 38 & 39 Quarry Road	naturalres	11/10/10	11 MB	
	030 - Request for Determination - 6 Nash Road	naturalres	11/10/10	427 KB	
	040 - Request to AMENDED - 50 Powdermill Road - DEP File 85-1002	naturalres	11/10/10	576 KB	
	050 - Request for Determination - 5 Putter Drive	naturalres	11/10/10	426 KB	

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Extra Information Properties

Type	Title	Owner	Edited	Size	Actions
	020 - AMENDED ANRAD PLAN 32, 38 & 39 Quarry Road 11-17-2010	naturalres	12/01/10	3 MB	

CONSERVATION COMMISSION

AGENDA

NOVEMBER 17, 2010

7:00 PM

TOWN HALL - 472 MAIN STREET - ROOM 204

- 7:00 Continuation - ANRAD - 294 Main Street
- 7:15 Notice of Intent - 22 Nashoba Road - S. MacLeod (010)
ABC Cesspool - proposed replacement of a failed septic system within 100' of a wetland (town atlas plate D-2, parcel 103).
- 7:30 Abb. Notice of Resource Area Delineation - 32, 38 & 39 Quarry Road - Bentley Building (020)
Stamski & McNary - 192 linear feet of Isolated Wetlands located at (town atlas plate C-5, parcels 58-3, 26-14 & 47).
- 7:40 Request for Determination - 6 Nash Road - M.J. Holmes (030)
Foresite Engineering - the proposed replacement of a failed septic system located within 200' riverfront area (town atlas plate G-2, parcel 125).
- 7:50 Request to Amend - 50 Powdermill Road - Wayside Management Corporation - 85-1002 (040)
Acton Survey & Engineering - (town atlas plate J-3, parcel 49) pertaining to building renovations at 50 Powder Mill Road including the replacement of the foundations supporting an existing addition, removal of a free standing chimney at the rear of the building, trimming and removal of trees above the river bank, grading for handicap access at the front of the building and removal of the existing building at 56 Powder Mill Road and replacement with proposed pavement.
- 8:30 Request for Determination - 5 Putter Drive - S. & J. Morris (050)
Proposed removal of dead and damaged trees near the existing house within 100' of a wetland, (town atlas plate I-3, parcel 97).

MINUTES

November 3 forthcoming