

CONSERVATION COMMISSION

AGENDA

FEBRUARY 16, 2011

7:15 PM

TOWN HALL - 472 MAIN STREET - ROOM 204

7:15 Notice of Intent - 9 Evergreen - Sally Mickunas (010)

Civil Solutions: proposed replacement of an existing failed sewage disposal system within 100' of a wetland (town atlas plate E-3, parcels 47 & 57).
SEPTIC EXEMPT FROM BYLAW.

7:30 Notice of Intent - 64 Washington Drive - Franz Busse (020)

Proposed driveway improvements and construction of a proposed garage addition to an existing single-family home within 100' of wetland located at 64 Washington Drive, Acton (town atlas plate E-3, parcel 41-2).

Determination of Applicability - 18 Wheeler Lane - Nashoba Brook Conservation Area

Rescind 2/3/2011 vote - revote determination as Negative 2

MINUTES

December 8	OSCP	comments rec'd by	FP, ADM, TM	<i>signature needed (voted 1/19)</i>
January 19			TT, FP, AG, ADM, BF	<i>signature needed (voted 2/3)</i>
January 13	OSCP	" " "	AG, ADM, FP	<i>vote & signature</i>
January 20	OSCP	forthcoming		
February 3	OSCP	comments rec'd by	ADM TT, TA	
February 3	CC	" " "	ADM, FP, TA	
February 9	OSCP	" " "	ADM, FP	

CONSERVATION COMMISSION

MINUTES

FEBRUARY 16, 2011

7:15 PM

TOWN HALL - 472 MAIN STREET - ROOM 204

COMMISSIONERS PRESENT: Terrence Maitland, Andrew Magee, Fran Portante, William Froberg, Tom Arnold, Amy Green

ASSOCIATE MEMBER(S):

RECORDING SECRETARY: Tom Tidman

CONSERVATION ADMINISTRATOR: Tom Tidman

VISITORS: Kevin Ritchie, Franz Busse, Rita Kelley, Charles Bradley

7:15 Notice of Intent - 9 Evergreen Road - Sally Mickunas (010)

Kevin Ritchie from Civil Solutions presented plans for the proposed replacement of an existing failed sewage disposal system within 100' of a wetland (town atlas plate E-3, parcels 47 & 57). Mr. Ritchie reported that there is a drainage easement that includes the wetlands along the east side of the lot; the entire lot is within the 100' wetland buffer zone. This site has very limited options, several test pits failed, a suitable location was found near the house which required two variances from the Board of Health (BoH). The BoH issued the septic permit with the two variances required for nearness to the house and street. The closest point of activity from wetlands is 45' with the closest point of the proposed leach field being 53'.

Upon query by Mr. Arnold, Mr. Ritchie reported that the proposed replacement is a conventional system for cost savings.

Mr. Arnold noted that an alternative system would have a slightly smaller footprint.

Upon query by Mr. Magee, Mr. Ritchie reported that a 1,500 gallon tank is required with a conventional system by State law.

Mr. Magee noted that the proposed replacement system appears to be approximately as close to wetlands as the existing.

Mr. Arnold noted that the BoH has approved the proposed system design plan.

Upon query by Mr. Froberg, Mr. Ritchie reported that the house has one occupant; construction of the system will be done in the spring of 2011.

7:35 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Decision - 9 Evergreen Road

Mr. Magee moved that the Commission issue a standard Order of Conditions for the plans as presented under the Wetland Protection Act, Mr. Arnold 2nd; unanimous.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2011 Meetings – 02-16-2011 - (010).]

7:37 Notice of Intent - 64 Washington Drive - Franz Busse (020)

Franz Busse reported to the Commission that he is the new owner of this property with a growing family, and wish to expand the existing living space. Mr. Busse is proposing improvements to the existing driveway and construction of a proposed garage addition to the existing single-family home. The existing house is within the 100' buffer zone, the closest point from wetlands is 64'. The proposed addition is a "like structure" and will not be in greater non-compliance. Approximately 120 s.f. of existing driveway will be removed with the addition of some proposed new pavement to access the new garage/addition.

Upon query by Mr. Magee, Mr. Busse confirmed that some of the existing driveway will be removed.

Mr. Magee agreed that the proposal is for similar use and is not in greater non-compliance than existing structures.

Upon query by Mr. Froberg, Mr. Tidman reported that the "fill pile" noted on the plans are from a previous wetland filing addressing illegal dumping that occurred on the site in 2009 by the previous owner.

Upon query by Rita Kelley from 38 Jackson Drive, Mr. Maitland noted that the proposed addition will be on a slab and should not impact groundwater or storm drainage; Ms. Kelley also noted that the wetlands were illegally filled on this property many years ago.

Mr. Magee noted that the Commission could impose a special condition requiring that an infiltration trench be installed along the driveway and along the proposed addition's roof line for groundwater recharge.

Upon query by Mr. Maitland, Mr. Busse reported that he has a preliminary plan of the proposed addition that includes a two car garage with living space above.

Upon query by Ms. Portante, Mr. Busse stated that he had not considered resurfacing the entire driveway at this time. Ms. Portante noted that some existing driveway irregularities could be removed.

Upon query from Ms. Green, Mr. Busse stated that the proposed garage addition will be for two cars.

Upon query by Charles Bradley from 46 Jackson Drive, Mr. Busse stated that the addition will be a similar height to the existing garage.

Ms. Portante inquired if the Applicant could make the driveway more regular, irregularity might balance the increase in pavement. Mr. Busse stated that he would look into this during construction.

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

Decision - 64 Washington Drive – DEP File 85-1058

Mr. Arnold moved that the Commission issue an Order of Conditions for the plans as presented with the following Finding of Fact and Special Condition.

Finding of Fact: During the Notice of Intent review process the Commission observed that the existing driveway had a number of irregularities that "bump out" located within the 100' buffer zone. The Commission requests that the owner/applicant consider removing any unnecessary pavement along the edge of the existing driveway to reduce the overall area of impervious surface. The owner/applicant agreed to consider the Commission's request during construction of the proposed garage and driveway.

Special Condition: the Commission requires that a stone stormwater infiltration drip-line, a minimum one-foot wide and two-feet deep, shall be installed along the rear wall of the proposed addition and along the perimeter of the new driveway.

Mr. Magee 2nd; the motion passed unanimously.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2011 Meetings – 02-16-2011 - (020).]

Determination of Applicability - 18 Wheeler Lane - Nashoba Brook Conservation Area

Rescind 2/3/2011 vote - revote determination as Negative 2.

No action taken.

MINUTES

Ms. Green moved that the Commission approve the minutes of December 8, 2010, January 13 and 19, 2011, Ms. Portante 2nd; unanimous.

8:30 Meeting adjourned.



Terrance Maitland
Chair

TT:ahr
ahr:concom.minutes.2011.02-16-2011

Location: Home » Public Meetings » Conservation Commission » 2011 Meetings » 02-16-2011 Listing

02-16-2011

Properties

Refresh

Type Title

 [0001 - February 16 Agenda](#)

 [010 - Notice of Intent - 9 Evergreen Road](#)

 [020 - Notice of Intent - 64 Washington Drive](#)

Owner Edited Size

naturaires 02/15/11 102 KB

naturaires 02/08/11 6 MB

naturaires 02/08/11 1 MB

Actions

Explore

- [Home](#)
- [Content Map](#)
- [What's New](#)
- [Help](#)

Related Links

- [About DocuShare](#)
- [Site Statistics](#)
- [Tutorials](#)
- [DocuShare Downloads](#)
- [DocuShare.xerox.com](#)

My Links

- [Login \(As a Different User\)](#)
- [My DocuShare](#)
- [Personal Collection](#)
- [Account Settings \(Guest\)](#)

History

02-16-2011 Listing