

**CONSERVATION COMMISSION
MINUTES
MARCH 7, 2012
7:15 PM
TOWN HALL - 472 MAIN STREET - ROOM 204**

COMMISSIONERS PRESENT: Terry Maitland, Amy Green, Fran Portante, Jim Colman

CONSERVATION ADMINISTRATOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Todd Brown, George Dimakarakos, Lon Nichols, Gerald F. Browne, Robert Follett

7:15 Request for Determination - 85 Hammond Street - Gerald Brown (010)

Proposed replacement of an existing failed sewage disposal system (Town Atlas Plate E-3, Parcel 14).

Lon Nichols, agent for the owner, presented a plan for the proposed replacement of an existing failed sewage disposal system; the plan has been approved by the Board of Health. The proposed system will be located within existing lawn areas.

Upon query by Mr. Maitland, Mr. Nichols stated that the proposed plan did not require a variance from the Board of Health. The proposed system could not be constructed at the front of the property due to an existing well; only minor grading will be necessary with one foot of elevation.

Upon query by Ms. Portante, Mr. Nichols reported that the failed system will be abandoned; the new tank will be a 1,500 gallon tank and will be a conventional, chambered system.

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

Determination of Applicability - 85 Hammond Street

Ms. Portante moved that the Commission find the work as 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. Colman 2nd, motion passed unanimously.

[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2012 Meetings 03-07-2012 - (010) and Conservation Commission - Wetlands Filings - 85 Hammond Street.]

7:30 Notice of Intent - 32 & 38 Quarry Road - Bentley Building Corporation - Town Bylaw File 75-282 (020)

Stamski & McNary: proposed site work associated with the construction of two single-family dwellings within 100-feet of an Isolated Wetland, (Town Atlas Plate C-5, Parcel 26-14).

Mr. Maitland opened the hearing under the Town of Acton Wetland Protection Bylaw, as the resource area is an Isolated Wetland not under the jurisdiction of the Wetlands Protection Act (WPA).

George Dimakarakos from Stamski & McNary presented proposed plans for site work associated with the construction of two single-family dwellings within 100-feet of an Isolated Wetland. Mr. Dimakarakos noted that the site received an Order of Resource Area Delineation from the Commission in 2010 stating that the resource area was an Isolated Wetland protected under the local bylaw. The property is 1.5 acres within North Acton Village District zoning, which allows for denser development.

Upon query by Mr. Maitland, Mr. Dimakarakos reported that all stormwater runoff flows to an existing catch basin near the intersection of Granite and Quarry Roads; the proposed construction of two houses does not trigger Stormwater Management Standards under the Act; 20% of the lot area could be used in the equation for floor-area-ratio zoning allows for more than two houses to be constructed on this property.

Todd Brown, abutter from Main Street, expressed concerns regarding intense development in North Acton.

Upon query by Mr. Colman, Mr. Dimakarakos reported that this proposed development will be set up as a condominium situation with a shared septic system.

Ms. Green stated that she would be more comfortable with the addition of a row of boulders along the 50' natural vegetative setback.

Mr. Dimakarakos asked if the Commission would be amendable to a fence as an alternative to boulders similar to another development on Harris Street that the Commission allowed.

Mr. Maitland stated that the Commission would consider allowing a fence with the addition of Bernstein markers.

Ms. Green agreed that Bernstein markers along with a fence or boulders would be acceptable if placed along the 50' natural buffer setback behind proposed Unit A to the point where haybales turn away from the 50' setback behind Unit B.

Mr. Dimakarakos agreed.

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

Decision - 32-38 Quarry Road - Town Bylaw File 75-282

Ms. Green moved that the Commission issue an Order of Conditions under the Town of Acton Wetland Protection Bylaw with the following special condition:

The Applicant shall install a row of three to four foot diameter boulders buried to half their depth, no greater than 5' on center, along the 50' natural vegetative setback where clearing is proposed.

The fence, or boulders, shall have three permanent Bernstein markers (or equivalent) indicating that the line is a natural buffer setback. Fencing, or boulders, will be installed from the property boundary behind Unit A, to the point where the limit of clearing diverges from the 50' natural vegetative setback behind Unit B.

No work, grading, clearing, lawn or any other activity may occur beyond this line of boulders at any time now or in the future.

[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2012 Meetings 03-07-2012 - (020) and Conservation Commission - Wetlands Filings - 32-38 Quarry Road.]

7:52 Notice of Intent - 3 Putter Drive - Robert Follett - DEP# 85-1083 (030)

Proposed renovations and addition of a deck to existing home within 100' of a Bordering Vegetated Wetland (Town Atlas Plate I-3, Parcel 98).

George Dimakarakos from Stamski & McNary presented plans for the proposed renovation and an addition of a deck to an existing home. Renovations will include rebuilding the rear of the house with the addition of a proposed deck within existing lawn area; construction will not extend beyond the existing house footprint. The current structure is pre-existing, nonconforming with the closest point of new construction being approximately 70' from the edge of wetlands; the current structure is 58' from the edge of wetlands. Mr. Dimakarakos reported that USGS maps indicate a perennial stream at the rear of the property; he believes that it is a man-made channel and ponding area, starting at an existing 36" culvert on Putter Drive. Mr. Dimakarakos also noted the exemption allowing the construction of a deck (minor activity) more than 50' from wetlands within existing lawn areas under the WPA, CMR 10.2(b).

Upon query by Ms. Portante, Mr. Dimakarakos reported that additional landscaping is not proposed with this project.

8:20 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Decision - 3 Putter Drive - Robert Follett - DEP# 85-1083

Ms. Portante moved that the Commission issue an Order of Conditions for the plans as presented with the exception that standard Town of Acton conditions 18 & 19 be amended to allow activities within the 50' and 75' setbacks as presented; Mr. Colman 2nd, unanimous.

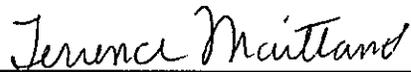
[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2012 Meetings 03-07-2012 - (030) and Conservation Commission - Wetlands Filings - 3 Putter Drive.]

8:30 MINUTES

Ms. Green moved that the Commission approve the minutes of February 1, 15; Ms. Portante 2nd, unanimous.

Ms. Green moved that the Commission approve the minutes of February 8 & 22, 2012; Ms. Portante 2nd, unanimous.

8:35 Meeting adjourned.



Terrence Maitland
Chair

**CONSERVATION COMMISSION
AGENDA
MARCH 7, 2012
7:15 PM
TOWN HALL - 472 MAIN STREET - ROOM 204**

- 7:15 Request for Determination - 85 Hammond Street - Gerald Brown (010)
Eric K. Durling (professional engineer) proposed replacement of an existing failed sewage disposal system (Town Atlas Plate E-3, Parcel 14).
- 7:30 Notice of Intent - 32 & 38 Quarry Road - Bentley Building Corporation - Town Bylaw File 75-282 (020)
Stamski & McNary: proposed site work associated with the construction of two single-family dwellings within 100-feet of an Isolated Wetland, (Town Atlas Plate C-5, Parcel 26-14).
- 7:45 Notice of Intent - 3 Putter Drive - Robert Follett - DEP# 85-1083 (030)
Proposed renovations and addition of a deck to existing home within 100' of a Bordering Vegetated Wetland (Town Atlas Plate I-3, Parcel 98).
ConCom will need to vote to amend #18 & 19 of the town's standard conditions for 50' & 75' setbacks - site is pre-existing non-conforming: Bylaw Section 3.3 and chapter F8.3.

MINUTES

February 1	comments rec'd by	TT, FP, AG
February 8 osrp	" " "	TT, FP, AG
February 15	" " "	TT, FP, AG
February 22 osrp	" " "	TT, FP, AG

 **03-07-2012**

 [Properties](#)
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Type	Title	Owner	Edited	Size	Actions
	0001 - March 7 Agenda	naturalres	03/01/12	30 KB	  ▼
	010 - Reqeust for Determination - 85 Hammond Street	naturalres	03/01/12	590 KB	  ▼
	020 - Notice of Intent - 32-38 Quarry Road	naturalres	03/06/12	7 MB	  ▼
	030 - Notice of Intent - 3 Putter Drive	naturalres	03/01/12	5 MB	  ▼