

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

- 7:15 Continuation - Request for Determination - East Acton Village Green - 130 Concord Road
Town of Acton Natural Resources Dept: proposed thinning of understory and selective removal of trees in preparation of the proposed East Acton Village Green within 100' of wetlands adjacent to Ice House Pond located at, Acton (town atlas plate G-4, parcel 211).
- 7:30 Notice of Intent - 100 Martin Street - Terry Maitland - 85-1103 (020)
Proposed razing and reconstruction of the existing barn/garage within 100' of a vegetated wetland (town atlas plate H-2, parcel 111).
- 7:45 Conservation Land - Bench Policy (030-032)

Requests for Certificates of Compliance

- 15 Milldam Road - 85-1078 (040)
- 314 Arlington Street - Sarah Lane - Lot 2 - 85-1079 (041)
- 314 Arlington Street - Sarah Lane - Lot 3 - 85-1080 (042)

MINUTES

October 3	comments rec'd by	TM, AG, FP, AG	<i>signature</i>
October 17	“ “ “	AG, FP, am ¹	

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

COMMISSIONERS PRESENT: Andy Magee, Amy Green, Fran Portante, Jim Colman, Bill Froberg

CONSERVATION ADMINISTRATOR & RECORDING SECRETARY: Tom Tidman, Bettina Abe

VISITORS: Jim Snyder-Grant, Bruce Ringwall, Bettina Abe

7:15 Continuation - Request for Determination - East Acton Village Green - 130 Concord Road

Mr. Tidman reported that Ms. Green, Mr. Colman, Ms. Portante and Mr. Froberg walked the site and reviewed the trees to remain (trees flagged).

Ms. Green stated that it looks as though many trees are not flagged, thus intended for removal.

Mr. Tidman stated that only selective clumps of trees will remain to make room for three benches.

The Commission discussed the sequence of events to follow.

Mr. Tidman reported that Charles Abraham plans to start work once permission has been granted; no clearing will occur within the railroad right-of-way.

Ms. Green stated that she feels that the tree removals should be restricted to outside the 50' natural vegetative buffer, the 50' buffer should be marked in the field. Mr. Tidman agreed.

Mr. Froberg noted that once the Bruce Freeman Rail Trail is constructed, a permit for additional clearing could be sought.

Determination of Applicability - 130 Concord Road - East Acton Village Green

Ms. Green moved that the Commission find 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, subject to the special condition that work associated with this filing is restricted to the east side of the railway right-of-way and outside of the 50' natural vegetative buffer. Any future buffer zone work will require a separate Notice of Intent filing.

7:45 Notice of Intent - 100 Martin Street - Terry Maitland - 85-1103 (020)

The Commission noted that Mr. Maitland is not present.

Bruce Ringwall from Goldsmith, Prest & Ringwall presented proposed plans for the razing and reconstruction of the existing barn/garage within 100' of a vegetated wetland. The existing barn is near collapse and in need of repair. The applicant proposes to raze the existing barn and reconstruct a new one including a new foundation within the existing footprint. The new roof will shed runoff into a drip edge for groundwater water recharge. A retaining wall will be added to the south and north end of the foundation. The architectural plans have been included with the Notice of Intent. The applicant

is requesting permission to remove the invasive plants on the site and replace with native species; once removed and replanted the area will be monitored, creating an 'edge' shrub planting. Waivers are being requested under the Bylaw to allow the removal of the invasives, and the garage structure is pre-existing nonconforming and will not be in greater noncompliance.

Upon query by Mr. Froberg, Mr. Ringwall stated that some fill material will be brought on site for the garage floor within the existing foundation footprint.

8:10 Hearing no further comments or questions, Mr. Magee closed the hearing.

Decision - 100 Martin Street - 85-1103

Ms. Green moved that the Commission issue an Order of Conditions for the plans as presented with the special condition that the Applicant shall establish a row of three to four foot diameter boulders buried to half their depth no greater than five-feet on center along the outer edge of the invasives removal area. Ms. Portante 2nd; motion passed unanimously.

8:20 Conservation Land - Bench Policy (030-031)

Bettina Abe reminded the Commission that the Memorial Bench Policy was last discussed on July 18th. Bettina was assigned to go out and get 'real' costs, including maintaining the benches. Bettina reviewed the sheet summarizing potential costs to the Town of Acton. Jim Snyder-Grant, Chairman of the Land Stewardship Committee (LSC), said that the Land Stewards have reviewed all changes to the policy. Andy Magee stated that he felt better knowing that the Land Stewards are comfortable with the draft policy. Jim Snyder-Grant clarified that the insurance charge (\$150) in the cost sheet was attached to a very high deductible. Andy Magee stated this does not mean that the benches have to be insured. Jim Snyder-Grant stated that the Land Stewards have a goal to have some benches installed.

The Commission agreed that for now a \$500 fee to cover Town labor relative to bench donation administration, installation and/or maintenance would be charged to donors, separately from/not listed in the policy, subject to change. Costs will be communicated to donors by the Department at time of application.

Additionally, the following changes to the 11/7/12 draft were accepted:

- Highlights in red.
- Section F. Cost: delete last sentence: 'Costs vary depending upon the style of the bench.'
- Section F. Cost: add "/or" before 'insurance' in item c.
- Section G. Administrative Procedure, fourth bullet: add "donor" so it reads, "...with approvals from the donor, the Department and LSC noted,..."
- Section H. Maintenance and replacement, third bullet: strike the word 'unreasonable' and change the word 'will' to 'may.'

Fran Portante moves to accept the policy as amended; Bill Froberg seconds, Jim Colman abstains, four aye, motion passed.

Request for Certificates of Compliance - 15 Milldam Road - 85-1078 (040)

Mr. Froberg moved that the Commission issue a Certificate, Mr. Colman 2nd; unanimous.

Request for Certificates of Compliance - 314 Arlington Street - Sarah Lane - Lot 2 - 85-1079 (041)

Mr. Colman moved that the Commission issue a Certificate, Ms. Portante 2nd; unanimous.

Request for Certificates of Compliance - 314 Arlington Street - Sarah Lane - Lot 3 - 85-1080 (042)

Mr. Colman moved that the Commission issue a Certificate, Ms. Portante 2nd; unanimous.

MINUTES

Ms. Portante moved that the Commission approve the October 3 minutes, Mr. Froberg 2nd; unanimous.

8:50 Meeting adjourned.



Andrew Magee

Vice Chair

TT:BA:ahr
ahr.concom.minutes.2012.11-07-2012

11-07-2012

Properties

Refresh

Type	Title	Owner	Edited	Size	Actions
	Extra Information	naturalres	11/07/12	1	
	0001 - November 7 Agenda	naturalres	11/01/12	57 KB	
	020 - Notice of Intent - 100 Martin Street	naturalres	11/01/12	10 MB	
	030 - Conservation Land - Bench Costs	naturalres	11/01/12	700 KB	
	031 - Conservation Land - Memorial Bench Suggested Installation Fee	naturalres	11/01/12	38 KB	
	032 - Conservation Land - Summary of Bench Policy Costs	naturalres	11/07/12	108 KB	
	033 - Memorial Bench Policy 11-7-12 Draft	naturalres	11/07/12	34 KB	
	040 - Request for Certificate of Compliance - 15 Milldam Road - 85-1078	naturalres	11/01/12	34 KB	
	041 - Request for Certificate of Compliance - 314 Arlington Street - Lot 2 - (Sarah Lane) 85-1079	naturalres	11/01/12	366 KB	
	042 - Request for Certificate of Compliance - 314 Arlington Street - Lot 3 (Sarah Lane) - 85-1080	naturalres	11/01/12	419 KB	

Extra Information

Properties

Refresh

Type	Title	Owner	Edited	Size	Actions
	100 Martin Street - Certified Accountable Mail list	naturalres	11/07/12	335 KB	