

**ACTON CONSERVATION COMMISSION  
MINUTES  
August 17, 2016  
7:15 PM  
TOWN HALL - 472 MAIN STREET  
ROOM 204**

**COMMISSIONERS PRESENT:** Terry Maitland, William Froberg, Amy Green, Jim Colman, Paula Goodwin, Jennifer Pearson, Tim McKinnon

**NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY:** Tom Tidman

**VISITORS:** Janet Adachi, Scott Hayes, Jean Panetta, Sal Panetta

**7:15 Discussion of the following questions:**

1. Can we let the Concord Water Department know that it might have to come back to the CC if there is a significant change to its plans?
2. Does the Concord Water Department need to come to the CC before it goes to the BoS hearing for a special permit?

Mr. Colman initiated the conversation. The Commission discussed the status of the EIR filing which Concord Water Department was to submit. This has not been submitted to date. Once the new plan is filed, the BoS, Commissions and staff will review the changes. Any changes deemed jurisdictional will require Concord to return to the Commission for a review of the changes.

**7:40 Notice of Intent: 5 Willow Street**

The project is the reconstruction of two collapsing buildings and associated grading and improvements within the 100 year floodplain and within 100 feet of a Bordering Vegetated Wetland.

Scott Hayes from Foresite Engineering presented for the applicant, Sal Pannetta. This site has historically been used for as an auto repair shop. There is a ditch that runs through the middle of the property which was installed in the 1950s, and an intermittent stream runs through this ditch. The applicant was requesting permission to reconstruct two collapsed buildings on the property, which will have the same footprint as the existing buildings. A flood study is underway to see if the area considered 100 year floodplain can be reduced. The owners have testified that the area has never flooded. The watershed is quite small, with limited contribution to runoff to merit such a large floodplain area.

One of the buildings is completely within the floodplain, and the building on the north side of the site is partially in the floodplain. A special permit has been received from ZBA to work in the floodplain.

Ms. Green asked if any test holes have been done to establish ground water elevation. Mr. Hayes responded that no such testing has been done. Mr. Maitland asked what the applicant was considering removing debris from the banks. Mr. Hayes stated that a proposal was made to the ZBA to removed accumulated debris on the site. Mr. Froberg pointed out that this was resource area that needs to be protected. Mr. Colman stated that the junk stored in the buffer zone was not protected by the bylaw.

The Commission discussed establishing a 15 foot wide buffer on both sides of the ditch to act as a grass filter strip. Mr. Froberg commented that he believed the Commission was being reasonable by asking the applicant to respect the resource areas. He then asked if repaving would trigger the need to address stormwater regulations. Mr. Hayes stated that they were not expanding any paved surfaces, just redoing the existing ones. Mr. Colman said it would be helpful for the Commission to be given a plan to show where parking would be located. Mr. Panetta asked if they would be comfortable with a 10 foot wide buffer on the Willow Street side and a 15 foot buffer on the backside of the ditch. Mr. Maitland noted that a second site walk would be beneficial. Ms. Green asked if there was anything that could be done to improve uncontrolled stormwater runoff. Mr. Tidman noted that a bio-retention area could be constructed where the 15 foot wide grass strip would be built.

Mr. Hays asked to be given time to work on a plan to address the Commission's concerns. Mr. Maitland announced the continuation of the hearing to September 7 at 7:30 PM.

### **Certificate of Compliance:**

5 Lothrop Road, DEP # 85-883

Mr. Colman moved to issue a Certificate of Compliance, Ms. Green seconded and the motion passed unanimously.

**Community Preservation Committee:** Mr. Colman moved to approve Amy Green as the ConCom representative to the CPC. Mr. Froberg seconded the motion and it was approved unanimously.

**MINUTES:** August 3, 2016: pending

**Meeting adjourned at 8:50 PM**



Terry Maitland  
Chairperson

**TOWN OF ACTON  
CONSERVATION COMMISSION  
AGENDA  
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7:15 PM  
TOWN HALL - 472 MAIN STREET  
ROOM 204**

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**MEETING AGENDA**

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August 3, 2016: pending

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