



## Acton Conservation Commission

Meeting Minutes

February 16, 2022

7:15 PM

Virtual Meeting

**Present:** Terry Maitland, Jim Colman, , Zywia Chadzynska, Amy Green, Tim McKinnon, Jillian Peters

Natural Resources Director and recording secretary: Tom Tidman

Zoom Host: Kim Clark

### **Regular Business**

7:15 Chairman Terry Maitland opened the meeting and read the Virtual Meeting guidelines.

7:20 **Notice of Intent:** 48 Carlisle Road DEP 85-13xx (continuation)

Presenting the trail project were Carlisle Trails Committee members Steve Hinton and Steve Tobin. No DEP file number has been received; all Commission questions had been answered at the February 2<sup>nd</sup> meeting, with no other questions the Chairman continued the hearing to the March 2<sup>nd</sup> meeting at 7:15 PM.

7:30 **Orienteering presentation by Dale Chayes:**

Dayle stated he and Jon Campbell members of the Acton Land Stewardship Committee would like to develop an orienteering course encompassing portions of both Grassy Pond and Nagog Hill Conservation Areas. The primary purpose of the semi-permanent orienteering course is for recreation and education. The use of compass and map reading along with survival training is offered by the State several times a year. This would be an opportunity to run classes in Acton.

Commissioners asked if unintended trails would start to develop to the permanent marker locations. Concerns were raised that an activity such as this could set a precedent for other active recreation activities on Conservation Land.

Commissioners inquired if the markers could be removed after each training session. Dayle felt the installation and removal of each 4" X 4" post would be very labor intensive.

It was brought to the Commission's attention that a similar orienteering course, though much shorter, has already been established at Great Hill Conservation on the parcel abutting the Discovery Museum property. Commissioners asked that the Conservation Agent look into the existing orienteering course at Great Hill and report back. The Commission will take the proposal made this evening under advisement, but, that no permission to move forward with the orienteering course at Grassy Ponds/Nagog Hill Conservation Areas has been granted at this time.



**8:00 Notice of Intent: 8 Grassy Pond Way, lot #3 DEP 85-1316 (continuation)**

Presenting for the applicant was Robert Melvin from Stamski & McNary

Robert gave a brief overview of the revised site plan (dated 1/04/22); noting lot 3 is a subdivision of properties owned by 3 and 11 Fort Pond Road. Revisions have been made to the site plan grading, reducing the volume of fill required. All runoff from the site will be directed to a detention /infiltration basin located outside the 100' wetlands buffer. All trees within the limit of clearing/silt barrier line will be removed.

Commissioners asked if a boulder line with five (5) "Natural Buffer" signs could be included to hold back future owners from removing additional trees within the wetlands buffer between the house site and Grassy Pond. Robert responded, it would be acceptable to include a special condition stating "a boulder line and signage ...."

Commissioners discussed amphibian and reptile migration through the construction site during the spring months noting that there are several vernal pools adjacent to Fort Pond Road and what barriers should be included to limit amphibians from entering the foundation excavation. After discussion, it was determined the proposed silt fence with hay wattles should be sufficient, but must be carefully inspected soon after installation.

**Hearing closed at 8:20PM**

**Decision**

Amy moved a Standard Order of Conditions, with the following special conditions:

- (1) 3' to 4' diameter boulders, buried to half their depth shall be placed on 10' centers along the limit of work (silt barrier line) within the 100' wetlands buffer as outlined on the Stamski and McNary: Sewage Disposal Plan, dated January 4, 2022. Informational signs with a spacing of not greater than 50' shall be installed along the boulder line stating: "Natural wetlands buffer, no cutting of trees, and no dumping." The design of the signage to be approved by the Conservation Agent prior to the issuance of a building permit for lot 3.
- (2) Boulders and natural buffer signs shall remain in perpetuity.
- (3) All new owner/occupants shall meet with the Conservation Agent to become familiar with the conditions set forth in this Order of Conditions within 1 month of closing.
- (4) The silt barrier as proposed shall be set in place and inspected by the Conservation Agent prior to any tree clearing commencing. Special attention shall be made to make certain no gaps occur in the silt barrier.
- (5) Existing debris piles located within the 100' wetlands buffer, shall be removed with the area stabilized and inspected by the Conservation Agent.

Jim seconded and the roll call was unanimous.

**8:35 Notice of Intent: 12 Spring Hill Road DEP 85-1292 (continuation)**

Presenting for the applicant was Mark Arnold with Goddard Consulting. Mark started by giving a brief overview of the project noting that no significant trees will be removed



within the proposed work area. All structures with the exception of the intermittent stream crossing and associated driveway are now outside the 75' structure setback. Grading for the proposed septic system has been redesigned to eliminate the need for a retaining wall between the 50' natural buffer and the 75' structure setback.

Mark observed that the house could be located on the Spring Hill Road side of the wetlands, but the septic system would still need to be located where it is proposed now. Commissioners asked about de-watering during culvert installation and where water from the culvert construction site would be diverted? Mark answered, a de-watering site is shown on the plans and is located outside the 100' wetlands buffer. Commission asked that a detail, including specs be included in the plans showing the standard de-watering structure to be used. Mark stated, installation of the box culvert will take one day to complete.

Commissioners asked about the status of the unpaid taxes, noting that the unpaid taxes question has been asked at each of the preceding meetings. Commissioners asked that the back taxes be paid before an Order of Conditions is issued. Mark said he would have an answer for the Commission at the next hearing.

Commissioners discussed whether the sub-division of 8 Spring Hill Road, once under common ownership with 12 Spring Hill Road created this lot requiring massive wetlands and buffer zone disruption and thus its own hardship. Owner of 8 Spring Hill Road Terry O'Sullivan, stated the undeveloped lot at 12 Spring Hill Road was once part of 8 Spring Hill Road.

Commission discussed the culvert crossing and proposed replication area. Mark was asked if a good faith effort had been made to see if a bridge could be installed instead of the proposed box culvert. Mark noted that a bridge would be too expensive in this situation. Commissioners asked that a cost analysis for a bridge option be explored.

Commissioners observed that the photographs presented this evening illustrating the trees to be removed for site development were not helpful and insufficient, reiterating that a tree survey had been discussed and requested both on site walks and at previous meetings.

Commissioners discussed the need for a 3<sup>rd</sup> party peer review of the stormwater report, the O & M plan, the replication area design and the environmental impact of the wetland crossing. Chairman asked if the applicant would be willing to allow for and fund a 3<sup>rd</sup> party peer review be done for the items noted. Mark agreed that the applicant would pay for a peer review of the items noted.

Callahan of 7 Spring Hill Road, voiced concerns about downstream flooding should this development be approved, noting flooding across Spring Hill Road is already occurring. Mr. Callahan noted that the NOAA rainfall statistics being used to determine drainage design are from 2015 and are outdated.

Petrosky of 4 Spring Hill Road, concerned about the extensive impact to wetlands caused by the driveway and the use of salt on wetlands organisms resulting from salt use on the driveway.

Chairman discussed extending the hearing continuation to the March 16<sup>th</sup> hearing, allowing the applicant time to: (1) resolve the existing unpaid tax situation, (2) have a tree survey done for all impacted areas on the lot, (3) do an alternatives analysis with the proposed house located on the street side of the wetlands and the septic system where



shown now, (4) report back on the cost to construct a bridge as an alternative to a box culvert. Mark agreed to the continuation to the March 16<sup>th</sup> meeting.

Hearing no further questions, the Chairman announces the continuation for 12 Spring Hill Notice of Intent will be held on March 16<sup>th</sup> at 7:30 PM.

**Documents and exhibits used at this meeting:**

Notice of Intent filing for 48 Carlisle Road DEP 85-13xx

Notice of Intent filing for 8 Grassy Pond Way DEP 85-1316

Notice of Intent filing for 12 Spring Hill Road DEP 85-1292

**All documents can be found at <http://doc.acton-ma.gov/dsweb/View/Collection-14513>**

**The meeting was adjourned at 10:10 PM.**

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*Terrence Maitland, Chair*