



CONSERVATION COMMISSION

P.O. BOX 236

ACTON, MASSACHUSETTS 01720

MINUTES
CONSERVATION COMMISSION
OCTOBER 7, 1982

CALL TO ORDER: 8:00 p.m.

COMMISSIONERS PRESENT: Vice Chairman Cindy Torkelson, Members - Judy Clark, Mary Donovan, Brewster Conant.

COMMISSIONERS ABSENT: Chairman, Saskia Huisng; Dana Sawyer

ALSO PRESENT: Julie Lipton - Conservation Assistant, Leonard Waterman - Community Gardener, Kay Nicholson - Community Education, John Tuttle - Community Gardener, Kate Meyer - Realtor and James Fenton - Builder.

ITEM 1 : Gate at Community Garden Entrance - Heath Hen Meadow. The Assistant informed the Commission that David Amsdill, an abutter to Heath Hen Meadow, had complained last year and this year about motor vehicles driving behind his property, on Conservation Land, late at night. Apparently, a gate was supposed to be installed last year. Nothing was mentioned about this property in the minutes. The Commission members present had no recollection of the request. This matter was recently brought to the attention of the Assistant, Julie Lipton, via a memo from Nancy Banks, Town Manager.

The Assistant informed the Commission that she and Allen Nelson inspected the area. Mr. Nelson recommended the use of two concrete posts, chain and lock at the entrance to the access drive. The Assistant spoke with David Amsdill and he agreed that this type of fence would be sufficient in keeping unauthorized vehicles out. Mr. Nelson said that he would install the gate around October 8, 1982. Cindy Torkelson said that the Commission does not want to discourage gardeners, but that the Commission must respond to the complaint.

Kay Nicholson, from Community Education said that she thinks there is a problem with parking and that she has seen up to four cars in the garden area. John Tuttle said that it is difficult to carry water and other gardening implements if gardeners are not able to drive to the gardens because of the gate. It would discourage use of the gardens.

Kay Nicholson suggested giving keys to each gardener, and that Community Education would distribute the keys. Judy Clark said that the problem is that no cars are allowed on Conservation land, but that it could be allowed with special permission.

John Tuttle then mentioned that vandalism has been going on for the past four years. A sign was knocked down and garden fruits taken. Nicholson said that kids go back there to drink, and that traditionally it was used as a drinking area even before the land was purchased by the Commission. Cindy Torkelson then asked if it is feasible to put wells in the area. Judy Clark said that the Community Garden Club looked into the feasibility of a well, and that next spring would be a good time to present a proposal. It was further expressed by a gardener that gardens were discouraged by people knocking over the fence and running seedlings over with their vehicles.

Kay Nicholson then said that Community Education will issue keys to persons with permits. As to the well question, she said that Community Education would be happy to share expenses and labor, but feels that it should be a town related project.

ITEM 2 :

Wildwood Hills - parcel A. The Commission discussed the use of Wildwood Hills, Parcel A, for recreation purposes. Brewster asked who would maintain after dredging takes place and would it be a burden on the property owners. It was pointed out that the Commission never received plans to consider dredging. Cindy Torkelson asked if dredging would hold more water and thereby increase the flood storage capacity. Brewster answered that it probably would. Judy Clark asked if dredging would change the ground water quality. The impact was not known. It was pointed out that further study is required to determine impact.

The Commission then reviewed Town Planner Armand Dufresne's, Town Recreation Director Tom Haggerty and the Planning Board's recommendations to Nancy Banks. The Commission disagreed with items 1, 3, 6, & 7 of Armand's report, and added that items 4 & 5 are questionable. It was decided that the Assistant should speak with Armand to discuss said items.

The Commission then decided that it should respond to Nancy Bank's memo by a) requesting a Notice of Intent be filed so that a specific proposal can be reviewed, b) state that a Notice of Intent would answer some of the questions which the Commission has and c) state that a Notice of Intent would address in more detail some of the comments made in reports written by Armand Dufresne, Tom Haggerty and the Planning Board.

ITEM 3 : W.R. Grace & Co. - Notification of Termination of Pumping Test and Request from Nancy Banks for Comments on Sampling Analysis Report. The Commission was advised that W.R. Grace submitted a letter stating that in accordance with Condition #26 of Order of Conditions (D.E.Q.E. 85-99), Grace is submitting the latest and final analytical results of samples taken relative to Sinking Pond. The Commission had no comments on the Sampling Analysis Report.

ITEM 4 : Acton Conservation Trust. The Acton Conservation Trust extended and invitation to Conservation Assistant to attend Trust meeting. The Commission asked the Assistant to find out what the priorities of the Trust are in regards to funding of Conservation Projects.

ITEM 5 : Work Program for Handicapped Adults. Request from Nancy Carroll for work on Conservation Lands. The Commission asked the Assistant to send a copy of the Management and Maintenance objective to Nancy Carroll and ask her which projects would be suitable for the Friday Night Fun Club.

ITEM 5 : 7 Oakwood Rd. - Inspection of property filled within 100' of wetland for leaching field. On the motion of Judy Clark, seconded by Mary Donovan, it was unanimously voted that the Commission send a letter to the property owner stating that:

1. Haybales should be placed at toe of the slope, until the slope can be stabilized with vegetation.
2. That trees and any other material placed in or over the brook be removed.
3. Work is to be done as soon as possible and Assistant should be notified when work is completed so that it can be inspected.

ITEM 6 : Acton Condo - #85-101. The Commission was advised that applicants plan to begin work in a few days. It was pointed out that the Commission has not received the following items required by said Order of Conditions:

1. Revised table and leaching basin section.
2. Certified copy of Order of Conditions to be recorded in Middlesex Registry of Deeds.
3. Bond for \$5000.00.

It was also pointed out that the construction schedule is now outdated and should be revised.

ITEM 7 :

Route 2 Land - License of Agreement - Recommendations from Attorney Stephen Anderson. The following recommendations were made:

1. Provide identification provision.
2. Obtain written authorization showing that the person who will sign for State has authority to do so.

Attorney Anderson also made suggestions as to the sealing of the contract the wording of Paragraph VI and the final paragraph of the agreement. Additionally he suggested that any notices under Paragraph VIII be sent by certified mail.

On the motion of Mary Donovan, seconded by Brewster Conant it was unanimously voted to get the proper authorization from the State, and to revise the agreement in accordance with Attorney Anderson's recommendations.

Item 8 :

178 Great Rd. (85-55) Expiration Date of Permit was March 6, 1982. The Assistant said that she inspected property after receiving a request for a Certificate of Compliance. She said that the outlet structure is not in the location specified in approved plan and that there appears to be ponding near the brook at the back property corner. The Assistant was asked to check the location again.

Item 9 :

Filling of Wetlands at State Reformatory Property - Acton/Concord line. The Assistant told the Commission that the State has not removed the fill from the wetlands nor have they filed a Notice of Intent. The Town Attorney was contacted and he suggested that if the Commission wishes to issue a Cease and Desist Order it should be administered jointly with the appropriate State agency.

The Commission advised the Assistant to speak with Dan Monahan of Community Services in Concord, to discuss the issue with him.

ITEM 10:

Request for Determination of Applicability - Lot 42 Horseshoe Dr. After reviewing plans it was moved by Brewster Conant, seconded by Mary Donovan to require a Notice of Intent form be filed. All ayes.

ITEM 11:

Request for Determination of Applicability - Lot 13A Jackson Dr. The Commission agreed that no Notice of Intent is required, as actual work performed will not be within 100' of wetlands.

ITEM 12:

Notice of Intent - 77 Powdermill Rd. (Chemplast). The Commission reviewed the plans submitted and Notice of Intent. It was noted that information presented was not prepared by an engineer. As information was lacking and vague the Commission Determined that the application was not complete.

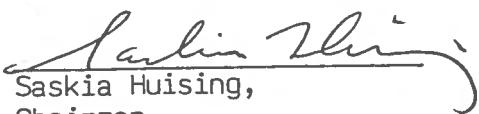
ITEM 13: Freedom Farme Extension Permit for Subdivision. The Commission was told that the Order expired on January 28, 1982. The road is complete and most lots have been built. The Order requires filing for any lots within 100' of the wetlands. The Commission discussed the need for an extension. Since there was no consensus, it was decided that the matter would be discussed at a later date.

ITEM 14: Freedom Farme Subdivision - Lot 20, Freedom Farme Rd. The Commission decided that plans and application submitted are not complete.

ITEM 15: Martin St. Emergent weed growth in Fort Pond Brook at Culvert. The Commission asked the Assistant to request Allen Nelson of the Highway Department to remove the weeds.

MEETING ADJOURNED: 11:35 p.m.

Respectfully submitted,


Saskia Huisings,
Chairman