

CONSERVATION COMMISSION  
AMENDED AGENDA  
DECEMBER 17, 2008



**POSTPONED** - Request for Determination - 26 Duggan Road - Robert Craig

January 7, 2009 – Beacon didn't run the legal ad. Proposed replacement of a failed septic system within 100' of a wetland.

7:20 Request for Determination - ITCC - 149 Central Street

Infant Toddlers Children's Center for the extension of an existing fence within 100' of a wetland and Fort Pond Brook.

7:30 Notice of Intent - Continuation – Residence at Quail Ridge

Progress Prints (amended plans) received.

MINUTES

November 19	comments rec'd by	TT, TM, PL, JA, FP	<i>signature</i>
December 3	" " "	TT, PL, FP, JA	

**CONSERVATION COMMISSION  
MINUTES  
DECEMBER 17, 2008**

**COMMISSIONERS PRESENT:** Terry Maitland, Janet Adachi, Julia Miles, Fran Portante, Bill Froberg

**ASSOCIATE MEMBERS:** Jim Snyder-Grant, Toni Hershey

**CONSERVATION ADMINISTRATOR & RECORDING SECRETARY:** Tom Tidman

**VISITORS:** Andrew Ossman, Peter Ashton, Susan Twombly, Kathy & Mary Dacey, Mr. & Mrs. William Ossman, George Dimakarakos, Ben Ewing

**7:15** Eagle Scout Presentation – Andrew Ossman

Andrew reported that he completed his Eagle Scout Project which was done at the canoe landing along the Assabet River off Powdermill Road in November, 2008. He constructed steps to access the Assabet River from the canoe launch parking lot which involved approximately 100 man hours. The construction of the stairs addressed an existing erosion issue and created safer access to the river, Andrew also picked up broken bottles, garbage and other debris along the river.

The Commission thanked Andrew for his project's contribution to Acton's conservation resources.

**7:20** Request for Determination - Infant Toddlers Children's Center (ITCC) - 149 Central Street

Susan Twombly from ITCC reviewed the project for the extension of an existing fence within 100' of a wetland and Fort Pond Brook. Ms. Twombly described erosion control measures completed this past fall. Ms. Twombly reported that she had met with Mr. Tidman in the fall to discuss the installation of gutters on the rear of the building and the installation of a French-drain along the drip-line of the existing building. These measures were undertaken to address continuing erosion along the back of the building, specifically, to control loss of mulch in the playground areas. As a safety measure, ITCC also straightened the fence along the rear of the playground area and would like to extend the fencing in a small terraced area known as the "Fairy Garden". Ms. Twombly was advised by Mr. Tidman to file an RDA for the fence work.

Kathy Dacey from 153 Central Street reported that several saplings were removed from the "Fairy Garden" without a prior filing with the Commission. In addition the landscape contractor entered the Daceys' property without their permission and used a Bobcat to work along the fence at the rear of the play area. Ms. Dacey is very concerned that ITCC has continued to add fill and mulch to the play area over the past eleven years, which ultimately impacts her property. As a private homeowner, Ms. Dacey would not be able to do this on her property without getting permission from the Commission. Ms. Dacey also inquired if the Commission is aware of the ongoing site work and what type of site monitoring is being done.

Mr. Maitland noted that the Commission does not have an ongoing active monitoring system in place. Mr. Maitland also noted that the Commission did conduct a site walk last year, thoroughly evaluating the site pertaining to the building addition, and found nothing objectionable.

Upon query by Ms. Portante, Ms. Twombly reported that she wishes to enclose the Fairy Garden area with fencing for safety and it will be used for passive recreation.

Mr. Maitland stated that an RDA filing, such as this, does not give the Commission the ability to condition the project very extensively. The Commission will look to ITCC to devise a landscape design for both screening and erosion control.

**8:45** Mr. Maitland closed the meeting.

Determination – 149 Central Street – ITCC

Ms. Adachi moved that the Commission find the work as proposed to be within its jurisdiction but will not impact the wetland resource areas with the special condition that the Applicant shall consult with a

landscape professional to develop an appropriate planting plan to screen the new garden area and provide erosion control.

Mr. Froberg 2<sup>nd</sup>; unanimous.

8:50 Notice of Intent - Continuation - Residence at Quail Ridge

George Dimakarakos presented Progress Prints (amended plans) dated 12/3/08 for the proposed subdivision in its final form noting that there will be few changes to the final plans. Unless the Commission requests significant changes Mr. Dimakarakos stated that he will request to continue the hearing until January 2009 in order to submit final stamped plans. The current Progress Prints show improvements at the Fairway 10 wetland crossing. The permanent wetland alteration for road construction will involve the filling of 3,470 s.f. of wetlands. The proposed replication will involve the removal of the existing "tee boxes" on Fairway 10 and the creation of 9,820 s.f. of wetland replication. Wetland restoration will also occur on the south side of Quail Ridge Drive near the crossing at Fairway 10; this area was impacted before the construction of the golf course.

Jim Snyder-Grant, from the Land Stewardship Committee (LSCom), inquired about the performance requirements of the trail easement which became effective November 14, 2008, and has since been recorded at the Registry of Deeds. Mr. Snyder-Grant reviewed the terms of the easement agreement and issues relating to the trail, including the proposed construction of the boardwalk at the edge of the vernal pool and how RQR plans may have to be modified to accommodate the trail. It is his understanding that RQR representatives will prepare the plans in cooperation with the LSCom at the Applicant's expense and the Town will present the wetland crossing plans to the Commission.

Mr. Dimakarakos agreed to the key points noted by Mr. Snyder-Grant and stressed that the agreement had been agreed to and signed and filed with the Registry.

Mr. Tidman noted the importance of constructing the trail before any houses are built. Potential homeowners will accept, a trail if they see it already in place, but they will tend to protest if a trail is constructed through what appears to be their backyards after they have moved into their new homes.

The Commission discussed options for reinforcing the trail installation through possible special conditions, and supported the educational benefits of a well-constructed boardwalk at the edge of wetlands.

Mr. Tidman noted that Progress Print, Sheet 39 indicates that the replication and restoration planting will only be done after one growing season and two growing seasons respectively if wetlands have not re-established.

Mr. Dimakarakos reported that both the wetland replication and restoration areas will be planted as soon as they are constructed; he will review the notes on Sheet 39 and clarify the language.

Mr. Dimakarakos asked that any additional comments or changes that the Commission might have pertaining to the plans be forwarded to Stamski & McNary through staff as soon as possible.

Mr. Maitland continued the hearing until January 21, 2009 at 7:40 PM.

9:15 MINUTES

Ms. Miles moved that the Commission approve the minutes for November 19 and December 3, 2008; Ms. Adachi 2<sup>nd</sup>, unanimous.

9:20 Meeting Adjourned.



Terrence Maitland  
Chair

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