

**CONSERVATION COMMISSION
MINUTES FOR
NOVEMBER 21, 1990**



MEMBERS PRESENT: Andrew Sheehan, Pam Resor, Peter Shanahan, John Chalmers, Charlotte Timlege

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: Stewart Kennedy

7:37 Mr. Sheehan called the meeting to order.

CITIZEN'S CONCERNS - There were no concerns presented.

STONEYMEADE DEVELOPMENT - UPDATE

The two principle owners/developers of Lot 43 Stoneymeade subdivision; The Cooperative Bank of concord and Dr. Dimare, would like to move the conservation land 6-8 car parking lot from Common Land "C" to an area as common land Parcel 12-11. The developers also requested that the easement running between lots 1A and 36A, be moved to a location between lot 1A and 43A. In return for these request, the owner, Dr. Dimare represented by Tony Bonjourneau would pay for the parking area to be installed by the Town of Acton Highway Department. Steve Calichman representing the Cooperative Bank has also requested that the Commission consider removing the replication area requirement from the Order of Conditions.

Mr. Chalmers moved to let the Administrator proceed with the parties involved in attaining the lot in return for money to construct a parking lot and remove the easement in center of subdivision to relieve liability.

Ms. Resor seconded the motion. The motion passed unanimously.

7:55 **BUSINESS** - David Von Jess

The Administrator reported that Mr. Von Jess has inquired about leasing a piece of land in West Acton for the purpose of growing nursery stock. The Administrator stated that this would probably be long term leasing and would mean the use of pesticides on the property. The Administrator reported that Mr. Von Jess was to be present on this night, but he is not, therefore, there is no need to discuss it further until he comes to a meeting.

7:56 **360 Great Road - Update**

The Commission reviewed the original plans, and the latest proposed plans. The Commission discussed the D.E.P. Superseding Orders of Conditions. The Commission noted that now the retaining wall is 20' from the edge of the wetlands, it was originally 5'. The Commission tabled the issue until later in this meeting.

8:01 REQUEST FOR DETERMINATION - 195-197 Arlington Street

Mr. Sheehan opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the reconstruction of a septic system, and retaining wall.

Mr. Stewart Kennedy reported that he had to replace a original 1913 cesspool, this replacement was an emergency repair, the cesspool was 50' from the edge of the brook. The Board of Health approved the new pump system, he did the work and was unaware of the need to go through the Conservation Commission, or the Board of Appeals.

Mr. Kennedy also stated that he wants to replace the steps at the rear of the house, and add a six by ten foot deck with no foundation. He also wishes to repair the stone retaining wall that has existed since the early 1900's that is also within the buffer zone.

8:07 Hearing no further comments or questions, Mr. Sheehan closed the meeting.

Mr. Chalmers moved to find the work within the Commission's jurisdiction, but it will not impact the wetlands.

Mr. Kennedy re-entered the meeting room to add that the contractor replacing the septic system has stated that it will take some fill over the new leaching field to complete the job.

Mr. Shanahan seconded the motion. The motion passed unanimously.

Nashoba Valley Pedalers (NVP) - Donation

The Administrator reported that the NVP would like to create a Jane Poole Memorial by donating a bench temporarily to the Acton Arboretum, and when the rail trail is created, the bench would be moved to an area along the trail.

CERTIFICATE OF COMPLIANCE - Audubon Hill Units 40 & 48

The Administrator reported that he has received a request to release Units 40 & 48 Audubon Hill. The Administrator has inspected the area and feels that a partial release of these two units is acceptable.

Ms. Resor moved to issue a Certificate of Compliance for Units 40 & 48 Audubon Hill. Mr. Chalmers seconded the motion. The motion passed unanimously.

8:18 REQUEST FOR DETERMINATION - 17 Mohawk Drive

Mr. Sheehan opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection Act and the Town of Acton Bylaws for the reconstruction of a septic system.

The Administrator reported that this was an emergency repair of a residential septic system, the previous system failed. The new system is 80' from the edge of wetland. The project is completed at this time; loamed and seeded with haybales in place in case of siltation.

Mr. Chalmers moved to find the work as presented to be within the Commission's jurisdiction, and will not impact the wetlands. Mr. Timlege seconded the motion. The motion passed unanimously.

EXTENSION PERMITS

Acorn Park 85-238 - The Administrator reported that he has received a letter requesting an extension for three years for the above noted project, which is the main roadway in. Work has not yet commenced due to the need of attaining one final permit from the State.

Ms. Resor moved to grant a one year extension for DEP File # 85-238, Acorn Park. Mr. Chalmers seconded the motion. The passed unanimously.

Lot 1/Driveway @ 48 Hammond Street - 85-232 - The Administrator reported that he has received a letter requesting an extension of two years for the work at the noted location within the buffer zone.

Ms. Resor moved to grant a one year extension for DEP File # 85-232, Lot 1/driveway @ 48 Hammond Street. Mr. Chalmers seconded the motion. The motion passed unanimously.

8:27 **DISCUSS** - Memo - Conservation Land Names

The Commission discussed the memo submitted by the Municipal Properties Director regarding the changing of conservation land names. The topic was tabled for further discussion.

8:30 **REQUEST FOR DETERMINATION** - 40 Robbins Street

Mr. Sheehan opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaw for the reconstruction of a septic system within 100' of a wetland.

The Administrator reported that the septic tank failed, and a new 1000 gallon tank went in at the side of the house. The owners had to elevate this area six feet from the original grade. The tank is 28' from the edge of wetland. The Board of Health has approved the plans.

8:35 Hearing no further comments or questions, Mr. Sheehan closed the meeting.

Mr. Chalmers moved to find the work as proposed to be within the Commission's jurisdiction, but will not impact the wetlands. Mr. Shanahan seconded the motion. The motion passed unanimously.

BUSINESS

DEP Response - Stow Street & Robbins Street Resurfacing Project

The Administrator reported that he went to the noted location to meet with the State D.E.P. representative regarding the appeal by Ms. Dorothy Campbell. He found nobody at the site.

HUNTING - The Administrator reported that he has many calls regarding hunters on conservation land. He has put up No Hunting signs, but it

does not deter the hunters. Spring Hill and Nashoba Brook seem to be hunted on the most.

DISCUSS - 360 Great Road - Jiffy Lube

The Administrator presented a new rough draft of plans to be re-submitted by Stamski & McNary for the noted site. The abutters of the site still say that there is a discrepancy of the boundary line between Brook Run and 360 Great Road.

The Commission discussed the amendments to the plans.

The Commission stated that they would entertain a motion when the applicant is ready to re-open the hearing, at which point the applicant would have to renotify abutters.

8:55 Meeting Adjourned.



Andrew Sheehan, Chairman