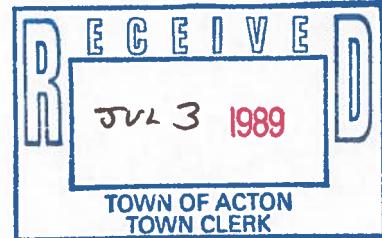




CONSERVATION COMMISSION

472 MAIN STREET
ACTON, MASSACHUSETTS 01720
(508) 264-9631

MINUTES FOR
MARCH 1, 1989



MEMBERS PRESENT: Carol Place, Andrew Sheehan, Ken Dow, Pam Resor, John Chalmers, Bob Young

ASSOCIATE MEMBER: Sandra Mika

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: Dan Danke, Michael Kuzulak, Ken Frado, George Vercelli, Sally Kettross, Manon Rodrique, Mr. & Mrs. Ed Bennet, Kirk Ware

8:07 Ms. Place called the meeting to order.

CITIZEN'S CONCERNS There were no concerns presented.

REPORT - WETLANDS VIOLATION - Hayward Road and Arlington Street Intersection

The Administrator stated, as the Commission is aware, that Mr. Bennet is in violation of the Wetlands Protection Act for clearing and burning brush around the pond at the noted intersection, in preparation for dredging this spring. He is present at this meeting to explain what he has done.

Mr. Bennet stated that a number of years ago, the Town replaced the culvert at the noted intersection, which changed the water flow into the pond. Since the replacement of the culvert the pond has accumulated silt even more than before. He will be dredging the pond this spring. The engineered plans for this project are being prepared by Acton Survey and Engineering. In preparation for the dredging, he needed to clear the brush around the pond, this was done when the ground was frozen. Mr. Bennet explained that he thought the best time to clear and burn brush, was at this time (winter), since the ground was frozen all of the root systems of the dead vegetation were left intact, allowing for normal plant growth this spring.

The Commission explained that the issue is that he did not come before them for a hearing prior to the activity, and asked that he file a Request for Determination for the completed work if he cannot file the plans for a full Notice of Intent for the clearing and dredging with the Conservation Administrator by the next meeting of March 15, 1989. Mr. Bennet so agreed.

8:30

NOTICE OF INTENT - Lot B Acorn Park 2/14/89 75-195

Ms. Place opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws.

The Administrator reported that the Commission had approved this project last year for the roadway, drainage and Lot B under Bylaw File # 75-158. The Army Corp of Engineers has denied the filling of the isolated wetland on Lot B, therefore they have filed new plans for Lot B, which omits filling the isolated wetland by changing the location of the proposed three story building, and the parking area around it. There is no proposed work within the wetlands.

Manon Rodrique, of Stamski & McNary, stated that the wastewater generated by Lot B will be accommodated by the proposed Sewage Treatment Plant situated on Lot A of Acorn Park Drive. Lot B drains to Wills Hole Brook, and to a wetland area that is known as the lower retention area of Acorn Park. The objective of the overall drainage design is to divert the site development areas to the sedimentation basins for sediment control before entering the lower retention area for runoff control. With the exception of the roof area, the entire developed area on Lot B is being directed to the retention area for runoff control. The roof drainage is being diverted to the isolated wetland before returning to Wills Hole Brook wetlands. The site itself will have ten catch basins to collect stormwater runoff. The drain pipes have been sized to handle the ten year storm. All the catchbasins will have sumps to collect sand from the parking lot. Gabion barriers are provided to trap sediments and should be cleansed or replaced when needed.

The parking area on the west side of the site will be 18' from the edge of wetland. The Administrator suggested a guardrail of some type be placed between the wetland and the parking area on this side of the lot. The Commission suggested that the applicant not have a maintained lawn on this side of the parking lot, and will require the applicant to place haybales around the isolated wetland and along the buffer zone throughout the site.

9:01

Hearing no further comments Ms. Place closed the hearing.

9:02

NOTICE OF INTENT - South Acton Sewer Pipe 2/13/89 75-196

Ms. Place opened the hearing under MGL Chapter 131, Section 40 of the Wetlands Protection Act. This hearing will not be heard under the Town of Acton Bylaws for reasons to be determined.

George Vercelli, of S.E.A. Consultants, stated that the project is form 15,700 linear feet of sewer pipe in a section of South Acton. The majority of the work will be within the street right of way along Maple Street and Route 27. The pipe will be an 8" PVC pipe. The trench for the pipe will be 10' to 22' deep and three (3) feet wide.

After reviewing the plans the Commission suggested that the applicant ask for a continuation of this hearing so he can provide the following information:

1. Show the wetlands and buffer zone delineation on the plans, so the Commission can better determine the impact.
2. Show land grades existing and proposed between the proposed activity and wetlands.
3. Sedimentation control must be indicated on the plans.
4. Show the placement of stockpiled materials on the plans, and tell the Commission how long it will be before the stockpiled materials are backfilled.

Upon agreement by Mr. Vercelli, Mr. Dow moved to continue the hearing for the South Acton Sewer until March 15, 1989 at 8:30, in order to give the applicant time to gather the requested information. Mr. Chalmers seconded the motion. The motion passed unanimously.

9:35

MINUTES

Staff received comments for the minutes of February 15, 1989. The Commission approved and signed the minutes for January 4 & 18, and February 1, 1989.

EXTENSION PERMITS

The Administrator reported that he has received a request for extension for Lot 6 Newtown Road, L & S Builders, DEQE File 85-184, as it expires on March 5, 1989; the applicant states that he will be able to complete this project this summer,(1989).

Mr. Dow moved to issue an Extension Permit for Lot 6 Newtown Road, 85-184, provided that the haybales are evaluated and replaced as seen necessary by the Administrator. Mr. Young seconded the motion. The motion passed unanimously.

The Administrator reported that he has received requests from L & S Builders for Extension Permits for Lots 3-7 Ayer Road, DEQE File Numbers 85-176, 85-177, 85-178, 85-192, and 85-193, as they expire on April 3, 1989.

After discussions, the Commission questioned the validity of the original Orders of Conditions for these lots, as they are now under a Comprehensive Permit for affordable housing.

Mr. Young moved to deny the issuance of extension permits for Lots 3-7 Ayer Road, because it is unclear to the Commission if the original Orders of Conditions, (DEQE File Numbers 85-176, 85-177, 85-178, 85-192, and 85-193) are still valid along with the approved Comprehensive Permit.

CERTIFICATE OF COMPLIANCE

Staff reported that the Certificate of Compliance that the Commission issued on February 1 for Lots 8, 9, and 10 Breezy Point Road, DEQE File No. 85-209 was filled out incorrectly, and needs to be re-issued by the Commission. This is not to be confused with the re-issuance of the Certificate of Compliance for 'Breezy Point Road DEQE File 85-208', which was originally issued on the same date as Lots 8, 9, and 10 Breezy Point Road.

Ms. Resor moved to re-issue the Certificate of Compliance for Lots 8, 9, and 10 Breezy Point Road, DEQE File 85-209 due a typographical error. Mr. Dow seconded the motion. The motion passed unanimously.

ADMINISTRATOR'S REPORT

The Administrator reported the Water District was within the 100' buffer zone when clearing the brush and trees around their headquarters on Route 111, and the Acton Tree Warden and the Conservation Administrator will be in contact with the Water District.

GREAT HILL CONSERVATION AREA - South Acton Congregational Church

The Administrator reported that the South Acton Congregational Church has requested the use of the Great Hill conservation area for March 26, 1989 for an Easter Sunrise Ceremony, and June 18 for a picnic and ball game.

Mr. Young moved to grant permission to the South Acton Congregational Church for the use of Great Hill conservation land for the noted activities, provided that they contact the Fire and Police Departments and obtain a fire permit if a camp fire is planned. Ms. Resor seconded the motion. The motion passed unanimously.

10:05 Meeting Adjourned.

Carol Place

Carol Place, Chairperson