



**Acton Conservation Commission**  
Meeting Minutes  
October 18<sup>th</sup>, 2023  
7:15 PM  
Hybrid Meeting (Room 204 & Zoom)

**Present:** Terry Maitland (Chair), Jim Colman (Vice-Chair), Peter Hocknell, Zywia Chadzynska, Amy Green, Kate Warwick

**Absent:** Jillian Peters

**Conservation Agent:** Mike Gendron

7:15 The Chair, Terry Maitland, opened the meeting and read virtual meeting guidelines.

**Regular Business**

7:15 **Request for Determination:** 11 Hazelnut Street

The applicant, Nirmala Paul, explained that the proposed project was to renovate the existing screen porch and extend their deck 4 feet closer to the wetland. The existing deck is 91 feet from the wetland, the proposed deck would be 87 feet from the wetland. The only ground disturbance would be 3 holes for the new deck footings.

There was a discussion regarding the need for erosion control. Ultimately, the Commission asked that the applicant place erosion control in an area agreed upon by the agent.

The Chair closed the hearing at 7:34 PM

**Decision:**

Amy moved to issue a negative 3 determination, with one special condition that erosion control be placed along the 75-foot setback, with length determined by the agent, and this shall serve as the limit of work.

Zywia seconded and the motion passed.

7:43 **Notice of Intent:** 4 Apple Valley Drive; DEP 85-1357 (continued)

Representing the applicant was Aidan Schlotman of Stamsky & McNary. Aidan explained that during the last hearing the Commission had asked for stormwater management (2 drip edges) to be added to the plan and as well as a stockpile location.

Hearing no further questions/comments the Chair closed the hearing at 7:45 PM



**Decision:**

Kate moved to issue a standard order of conditions.

Jim seconded and the motion passed.

**7:47 Notice of Intent: 362 Pope Road; DEP 85-1356 (continued)**

Representing the Town of Acton was the Conservation Agent, Mike Gendron. Mike explained that since the last hearing he had met with the Town Engineer to do analysis of the culvert, in particular to determine how this project could impact flooding, downstream flow and habitat connection. As a result of this meeting it was determined that the replacement pipe should be 24" not 18", and that the existing stones should be used to reinforce the pipe. Additionally, she stated that she would like to be onsite before the project is completed.

There was a discussion regarding historical flooding of the property and if the size of the culvert would be sufficient. Bettina Abe and Dean Charter both spoke in the public comment period regarding no record of historic flooding of the property. Mike also stated that even in this very wet year, the road did not flood out of the culvert. The Commission ultimately decided that as long as the culvert matched the size of the existing culvert, that it should be sufficient.

Zywia explained that the culvert should look as much like the existing culvert as possible. Mike stated that existing stones would be used to stabilize the culvert pipe.

The Chairman closed the hearing at 8:05 PM.

**Decision:**

Amy move to issue an order of conditions, waiving conditions 18 & 19, and with the standard condition that Town Engineer approve the placement of the culvert.

**8:06 Discussion and Leash Rule Proposed for Arboretum Upper Grounds**

Representing the Friends of the Acton Arboretum (FAA) was Pheobe Conant and Bettina Abe. Pheobe explained that a mission of the Arboretum has been to create an accessible park. She stated that since this is a place that many people with mobility constraints like to visit it seems like a good place to institute a leash rule only for the upper grounds of the Arboretum. Pheobe explained that the FAA is asking the Conservation Commission to grant permission for signs to be posted for this purpose. Bettina explained that NARA park has a similar rule in place that asks dog owners to keep their dog leashed.

A member of the public spoke against this rule stating that the Arboretum has a lot of responsible dog owners and she hasn't seen a problem with dogs. She also mentioned that the Arboretum would not be the same with a leash rule implemented.



Dean Charter stated that he has personal experience with family members who are scared of dogs off leash because of mobility issues. Dean explained that he thinks it makes a lot of sense to have a rule in an area that attracts many people with mobility concerns. Another member of the public, Linda Vieira stated that she completely agrees with Dean's points.

Jim Colman made a motion that the Commission approve having signs that institute a leash rule in the upper grounds of the Arboretum; the Commission shall have the right of review of the signs.

Zywia Chadzynska seconded the motion; the motion passed unanimously.

### **Consent Items**

#### **Certificate of Compliance: 115 River Street**

Amy moved to issue the Certificate of Compliance with special condition #1 held in perpetuity: "All rip rap aprons in the NOI filing shall be included in the routine schedule for the site drainage plan and shall be in the O&M plan for the property"

Jim seconded and the motion passed.

#### **Certificate of Compliance: 5 Fletcher Court**

Terry Maitland recused himself from discussion. The Commission did not issue the COC for lack of information.

#### **Meeting Minutes of September 20<sup>th</sup>**

Zywia moved to approve as amended, Peter seconded and the vote upheld the motion

8:57 Meeting adjourned