



Acton Conservation Commission

Meeting Minutes

September 18th, 2024

7:15 PM

Hybrid Meeting (Room 204 & Zoom)

Present: Terry Maitland (Chair), James Colman (Vice-Chair), Amy Green (Zoom), Peter Hocknell, Jillian Peters, Kate Warwick

Absent: Zywia Chadzynska

Conservation Agent: Olivia Barksdale

7:16 The Chair, Terry Maitland opened the meeting with a roll call vote and read the Zoom regulations at 7:16pm.

Public Concerns and Regular Business

7:17 Notice of Intent – Public Hearing –48 Great Road DEP # 085-1372

Caitlin White, Brian Gaudreau and John Riley from Hancock Associates gave an overview of the project. James Colman pointed out that there is a building between the proposed work site and resource area. Mr. Colman moved to issue an Orders of Conditions with no special conditions and Jillian Peters seconded, all voted yes ending the hearing.

7:23 Notice of Intent – Public Hearing – 106 Hosmer Street DEP #085-1369

Matthew Marro represented the landowner, gave an overview and addressed the comments from DEP. Seven trees will be removed. The Commission noted that the area is wooded and there is no need to replace the trees, the yard will always be shaded. Ms. Peters moved to issue an Orders of Conditions with no special conditions and Kate Warwick seconded, all voted yes ending the hearing.

7:32 Notice of Intent – Public Hearing –Prospect Street and Main Street

Dominic Rinaldi from the BSC Group gave an overview of the project. The trees are staying in the island, and another wetland might be identified near the site. The plan does incorporate a little bit of sidewalk that leads to the Great Hill parking lot. Meg Steffey Schrier who abuts the project site asked to provide input on the design of the roadway since her driveway will connect with the new intersection. Mr. Rinaldi said he will connect her with a town representative. Mike Broberg asked if there will be a crosswalk across Main Street. Mr. Rinaldi responded that there will be a crosswalk to connect with the new sidewalk. The project needs a DEP number and revised plan with an updated delineation. Hearing was continued to October 2nd at 7:15pm.

7:46 Notice of Intent – Public Hearing – 25 Grasshopper Lane



Eugene (Fred) Leffler III, landowner, gave an overview of the project. The wall will be about 135 feet long, at the highest point four feet tall, and about 50 cubic yards of fill will be used to construct it. The Commission noted that a freestanding wall less than four feet is not considered a structure, a retaining wall is considered a structure and structures cannot be within the 75-foot buffer. Amy Green would like to see more information about the native plantings proposed as restoration for working with in the 50-foot no disturbance buffer zone. The native plantings would amount to about 270 square feet, some should be planted at the walls edge. The project is waiting on the DEP number. The hearing is continued to October 2nd at 7:20pm.

8:12 Enforcement Order – 9 West Road

Piers and Amber Newberry presented a presentation on the current state of the property. They removed all of the materials from the previous landowner and left the area around the pond to grow and reestablish. The Commission is concerned about the future of the property and request that the Newberry's place boulders or a sign to prevent the lawn extending into the pond again. The family feels that a physical marker is not necessary and are willing to file a notice on their deed stating that the property has a protected resource. The Commission likes the idea of recording a notice at the registry of deeds with a plan showing the property and wants to conduct a site visit to locate a place for the signs. The agent has been tasked with scheduling a site visit.

9:02 Enforcement Order Update- 78 Arlington Street

On September 5, Ms. Barksdale and Ms. Green met with the landowner and Oxbow Associates to excavate the gravel to find the original wetland line. Ms. Barksdale was instructed to reach out to the landowner and inform them of their options to either; pull all of the gravel out from the driveway, unless they can prove that the gravel was there prior or if they would like to keep the gravel they must file a new NOI permit for the gravel driveway.

8:44 Notice of Intent- Continued Public Hearing- Parcel E5-46 DEP #085-1371

Ms. Barksdale read the special conditions drafted at the September 4th meeting. Mr. Colman requested to make two changes, first that monitoring has to take place for three years and the annual report has to be submitted by Nov 1st. Mr. Colman moved to issue the Orders of Conditions and Peter Hocknell seconded, all voted yes ending the hearing.

8:46 Notice of Intent- Continued Public Hearing – 127 Concord Rd DEP #085-XXXX

Andrew Gorman from Beals and Thomas gave an update of the project, addressing two modifications to the plan. A turbidity curtain will be on hand, and they added a tree protection detail for the large oak. The Commission drafted special orders, including notification of work, and an environmental monitor. The environmental monitor is a person dedicated on site for monitoring with the capability to stop the work if soil



slumps. The environmental monitor has to have at least five years' experience, submit their qualifications ahead of time, and have to be available for a phone call 24/7 in case there is an issue over the weekend. Still waiting on DEP number. The hearing is continued to October 2nd at 7:25pm.

8:54 Notice of Intent- Continued Public Hearing – 182-184 Great Road DEP #085-1370

Aiden Schlotman from Stamski and McNary represented the landowner. DEP wants the project to include more siltation controls. Siltation controls were added around the perimeter, and add a silt sack was placed in the nearest catch basin. The 200-foot river front buffer was added to the plan. Peter Hocknell moved to issue the Orders of Conditions with no specials and Jillian Petters seconded, all voted yes ending the hearing.

9:11 Vote to Confirm Central MA Mosquito Control Project

Ms. Barksdale met with Town Counsel to address the Commissions concerns about the mosquito project. This work could be considered under F4.1 as an emergency order, Given that an emergency order was not sent out, the commission should vote to confirm the project, all voted yes.

Administrative Updates

Review and Approve Meetings Minutes

Mr. Colman moved to approve the 9.4.24 minutes with edits as noted and Peter Hocknell seconded, all voted yes and Kate Warwick abstained.

Kinsley Road Enforcement Request

Ms. Barksdale gave a status update. The Enforcement Order and fine was sent out on September 13th via a constable. We received a verbal confirmation from the landowner that he received the enforcement packet. A site visit was set up on September 25th and a list of materials stored must be sent to Ms. Barksdale by September 27th.

Hazard Tree Quick Update

The town is not liable if they deny the request to remove a tree that has been deemed a hazard by a licensed arborist. Individuals that work in the town cannot be sued as long as they are operating in good faith under the regular parameters of their jobs. Which applies to committee members and employees. There has to be good reason to deny an application. The Commission cannot require the applicant to get a third party. They can keep saying no because of the lack of information or that you disagree with the hazard tree designation.

9:28 The meeting closed at 9:28PM



Documents and exhibits used at this meeting:

09-18-2024 Meeting Information

Type	Title	Owner	Modified Date	Size	Actions
	78 Arlington St	naturalres	09/10/24	6	
	9 West Road	naturalres	09/10/24	1	
	09-18-2024.pdf	naturalres	09/11/24	268 KB	
	Central MA Mosquito Control Project_07152024161036.PDF	naturalres	09/10/24	934 KB	
	Minutes_9.4.24_DRAFT.docx	obarksdale	09/18/24	352 KB	
	106 Hosmer Street. NOI 85-1369	naturalres	09/09/24	0	
	127 Concord Rd, NOI	naturalres	09/10/24	0	
	182-184 Great Rd, NOI	naturalres	08/27/24	0	
	25 Grasshopper Lane, NOI	naturalres	09/11/24	0	
	48 Great Road, NOI	naturalres	09/09/24	0	
	Bellows Farm- NOI	naturalres	08/27/24	0	
	Prospect St @ Main St, NOI	naturalres	09/09/24	0	

Town of Acton

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