

Acton Conservation Commission
Meeting Minutes
February 5, 2025
7:15 PM
Hybrid Meeting (Room 204 & Zoom)

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

Absent:

Conservation Agent: Olivia Barksdale

Public Concerns and Regular Business

7:20 Terry Maitland, Chair opened the meeting at 7:20pm.

7:20 Public Concerns

7:20 Abbreviated Notice of Resource Area Delineation –Public Hearing –42 Taylor Road

Applicant asked for a continuance. Continued to February 19 2025 at 7:35pm

7:21 Request for Determination of Applicability –Public Hearing –8 Revolutionary Road

Kevin MacKinnon, contractor and Patrick Byrne, landowner presented the proposed project of replacing the existing deck. The deck will be the same size in the same footprint. 8 helicoids will be used for footings. There will be no digging or excavation. The existing 4 concrete footings will remain on site and buried. The property drops about 8 – 10 feet into the wetlands below. The project is about 65 feet into the buffer zone. Mr. Hocknell moved to issue a negative 3 determination and Ms. Peters seconded. All voted yes but Ms. Chadzynska abstained.

7:27 Notice of Intent –Public Hearing –124 Great Road- 085-1382

Ryan Rainville, landowner gave an overview of the proposed project of re-building his garage/barn. The plan is demo the existing barn and replace it with a 2-story garage in a similar footprint. The proposed structure is no closer to the existing wetlands. The impervious area would be reduced by 90 square feet. 279 square feet of impervious surfaces would be removed and 188 square feet of impervious surface will be added. The existing asphalt will be removed and replaced with pervious pavers with native species planted. Stockpiling will be put on a gravel portion of the driveway. 279 square feet is calculated from the pavement where it is 8 feet wide, 11 feet wide in another section and 24 feet long and 51 square feet from shorting of the back wall. The 120 square feet listed on the plan is incorrect. The 188 impervious consists of 132 feet added to the garage, 24 square feet for the rear steps and 16 x 16 square feet for the landing. The pavers are about

270 square feet. The project does not need grading, the top step at the doorway is enough and there is flexibility with the stairs. There is no plan to include gutters, impervious surface is decreasing. The only response to DEPs comment is the attached map in the filling. The map shows that the pond is a pond and the river ends at the top of the pond. Ms. Green agrees that the map shows that the project is not river front and that the map only applies to the project. The Commission would like to see details about the type of pavers that will be used. The Commission would like to see a revised plan showing the additions and removals. The Commission would like a list of 4 to 5 native plants that will be used. Continued to February 19, 2025 at 7:30pm.

7:47 Notice of Intent –Public Hearing –64 & 68 Charter Road #085-1380

Dan Carr from Stamski and McNary represented the Town and gave an update on the project. The sidewalk will be shifted 2 feet closer to Charter Road and the elevation will be increased by a foot and half. A pipe will be put under the sidewalk. The elevation of the pipe is set lower than the wetland so water will flow into the pipe instead of flooding Charter Road. No trees will be removed. The overflow will be piped 270 feet down to an existing pipe near 60 Charter Road and piped across the street to the wetland. The grate of the public catch basin will be an upgraded to a beehive grate that should prevent the gate from clogging. The runoff to the private catch basin has been accounted for. They were unable to find the connection to the private catch basin. they were able to confirm that the pipe is large enough to accommodate the flow. DPW will address the dead pine. Mr. Colman moved to approve the updated plan revised date Jan 31st, wave 18 and 19 and issue the OOC. Ms. Warwick seconded and all voted yes.

7:48 Notice of Intent –Public Hearing –12 Spring Hill Road #085-1379

Applicant asked for a continuance. Continued to February 19 2025 at 7:50pm

7:57 Enforcement Order – 43 Kinsley Road

Ms. Barksdale submitted a memo to the Conservation Commission and requested that the Commission discuss it and decided a course of action. The landowner is not present. There is a concern that a site walk cannot happen now due to snow and impending snow. The Commission wants to hold the fines in abeyance because a site walk has not been conducted. The landowner has not paid the fines. The Commission feels like they have given the landowner plenty of chances but the site visits have been canceled several times. The fines have amounted to 2,850 dollars, about 19 fines have been issued. Terra Fredricks would like to understand what the violation is. There have been years' worth of violations, Town Staff have been on the property, materials are stored in the buffer one and organic soil stored in the buffer zone. The Town can charge the individual for violation the Wetland Protection Act and the Town Bylaw. The owner will have to prove that all of the materials have been on the property priors to 1970s. The Commission would prefer to work with the landowner but the landowner has been difficult to work with. The landowner has attempted to fill out a NOI with Town Staff and did not submit the form. The Commission decided to put the fines in abeyance. A site visit has to occur by April

2nd if the site visit does not happen the fines are due and payable and the Commission will seek legal action. The fines will start up again on the April 2nd if the site visit does not occur.

8:13 Certificate of Compliance –Public Hearing –252 Main Street

Ms. Barksdale can attest that everything has been built to plan and OOC. The only special condition was that signs have to be installed every 50 feet that say “Do not push snow into the wetlands”. Ms. Peters moved to issue the COC and Mr. Hocknell seconded, all voted yes, but Ms. Chadzynska abstained.

Administrative Updates

8:15 Review and Approve Meetings Minutes

Minutes were not submitted for approval.

Ms. Barksdale gave an update on the Wetherbee CR. The house has been demolished, the survey is almost complete, three stone bounds will be installed, at title report has been completed with one lingering question about Chapter 61. Ms. Barksdale has incorporated the Commissions feedback on the CR and SVT will hopefully send the application by Friday Feb 7th.

8:21 The meeting closed at 8:21PM

Documents and exhibits used at this meeting:

02-05-2025 Meeting Information

<input type="checkbox"/>	Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	PDF	2-5-2025.pdf	obarksdale	01/31/25	231 KB	⋮ ☆ ...
<input type="checkbox"/>	🔗	12 Spring Hill Road NOI	obarksdale	01/30/25	0	⋮ ☆ ...
<input type="checkbox"/>	🔗	124 Great Road NOI	obarksdale	01/30/25	0	⋮ ☆ ...
<input type="checkbox"/>	🔗	252 Main Street CoC	obarksdale	01/30/25	0	⋮ ☆ ...
<input type="checkbox"/>	🔗	42 Taylor Road ANRAD	obarksdale	01/30/25	0	⋮ ☆ ...
<input type="checkbox"/>	🔗	43 Kinsley Road EO	obarksdale	01/30/25	0	⋮ ☆ ...
<input type="checkbox"/>	🔗	64 Charter Road NOI	obarksdale	01/30/25	0	⋮ ☆ ...
<input type="checkbox"/>	🔗	8 Revolutionary Road RDA	obarksdale	01/30/25	0	⋮ ☆ ...

All Documents can be found at:

<https://doc.actonma.gov/dsweb/View/Collection-18944>