

Acton Conservation Commission
Meeting Minutes
April 2, 2025
7:15 PM
Hybrid Meeting (Room 9 & Zoom)

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

Absent: Terry Maitland (Chair)

Conservation Agent: Olivia Barksdale

Public Concerns and Regular Business

7:18PM Public Concerns

7:18PM Request for Determination of Applicability- Public Hearing – 240 Main Street

Steve Dunlot, Resident 240 Main Street, presented the plan to remove and replace his shed. He plans to move the shed from 67 feet from the wetland to 71 feet from the wetland. The shed is elevated from the wetland and on a slope. It would need to be leveled with crushed stone. A small excavator will be used and no heavy equipment will be employed. The commission commented that erosion control would be needed, and provided guidance to implement this. Ms. Green moved to issue a negative three determination of applicability with the condition that an erosion control plan be submitted to the conservation agent. Ms. Peters Seconded. Vote (6-0)

7:25PM Request for Determination of Applicability- Public Hearing – 20 Woodchester Dr.

Bela Hinge, 20 Woodchester Drive, presented the plan to build a deck on the property. The deck is expected to be 10 feet by 22 feet and about 8 inches off the ground. The flood zone area and the vernal pool were noted on the GIS map. Bela shared that the planning board recommended the deck not be any further from the house than the existing higher deck (that will remain). The commission confirmed no heavy equipment will be used, and agreed no erosion control would be needed. Ms. Green moved to issue a negative three determination with no conditions. Mr. Hocknell seconded the motion. Vote (6-0)

7:30PM Notice of Intent- Public Hearing – 60 Powder Mill Road

Leticia Oliveria from Moran Cameron Group, INC, presented the plan on behalf of the applicant. She outlined that the property is within the riverfront area and is also located in the flood area. They are proposing to expand the parking lot. This will increase the impervious area by 1,870 square feet. Nine square feet of impervious area will be added in the flood zone area.

Compensatory flood storage using an underground drainage system is outlined in the plan. There are presently two storm water systems, and a third is proposed. The area under the planned trailer site will not be impervious and will be gravel. The area to the left of the building is not impervious. It is landscaped with mulch and trees. The Commission asked that the areas noted in green (impervious area to be removed) be vegetative and not gravel. The Commission requested that the landscaped area equal the 1,870 square feet of impervious surface and that a barrier be put in place to prevent parking or storage on these vegetative areas. The Commission requested additional information on Riverfront impacts and compliance.

Hearing was continued to April 16th at 7:15pm

8:01PM Request for Determination of Applicability- Public Hearing – 2 Sachem Way

Katherine Andruchuk, Allen and Majors Associates Inc, presented on behalf of the applicant (the Acton Housing Authority). The housing authority has an elderly development, McCarthy Village, that has a depressed area in front of building number two. This area holds water and standing water can get as close as 10 feet from the entrance to the residences. They are proposing a drainage improvement, maintenance, repair to excavate the soils there install crushed stone, a 6-inch perforated pipe and to wrap it all in filter fabric. They will also provide an outlet and overflow from that area and connect it to an existing drain manhole on site. That existing drain manhole is about 185 feet from within the riverfront, and 15 feet within the 200-foot buffer. Approximately 110 square feet of disturbance is anticipated. No trees will be taken down, and utilities will not be disturbed. The Commission indicated they were on site earlier that day. Mr. Hocknell moved to issue the negative two determination and Ms. Warwick seconded. Vote (6-0)

8:08PM Hazard Tree - 24 Washington Drive

Chad Dorsey, resident at 24 Washington Drive, presented the plan to remove 8 hazardous trees on the property. The resident consulted with an arborist, and determined that there are 5 dead Ash trees, 1 invasive Norway Maple and 3 Red Maple with structural issues. The resident does not have plans to replant. There are many healthy trees remaining. The resident clarified that the three red maples are very tall, one is split, and they are diseased making pruning a less viable option. Ms. Green moved to approve the removal of 8 trees with the replacement of 8 shrubs to be approved by the Conservation Agent. Ms. Peters seconded the motion. Vote (6-0).

8:19PM Request for Determination of Applicability- Public Hearing – 14 Musket Dr.

Bill Dickinson, Dickinson Architects, presented the project on behalf of the applicant. The applicant is proposing building an addition. The construction for the addition will overlap the 100-foot buffer by about 4 feet. They are proposing a straw waddle erosion control to prevent run off, keep construction materials, and dirt within the area, and also keep construction vehicles within the construction boundaries. Mr. Dickinson clarified that the addition would have a full poured concrete basement. He also confirmed the proposed driveway would be outside of the buffer zone as well. The Commission noted the area was pretty flat based on their site visit. Ms.

Peters moved to issue the negative three determination with the condition that all stock piling take place outside of the buffer zone. Mr. Hocknell seconded the motion. Vote (6-0)

8:28PM Certificate of Compliance – 3 Summer Place

Olivia Barksdale attested that both conditions had been met. The brush was removed, and 3-4-foot boulders were added from the west, going east, and were placed 5 feet from the limit of work. Amy Green moved to issue the Certificate of Compliance, Zywia Chadzynska seconded the motion. Vote (6-0)

8:30PM Red Line Change – 115 River Street

Joe Connolly, Howard Stein Hudson, and Chris Chancy, Gold Beach Construction, presented the plan for this site on behalf of the applicant. Joe outlined that an NOI was granted in 2022 when the owner originally planned to replace an industrial building at the rear of the site. They intended to mill and overlay the existing paved areas and run sewer and water across Fort Pond Brook over an existing bridge. They returned to the Commission to seek approval for the raising of the existing house at the front of the site along River Street. The client had originally intended to renovate the existing home but has decided to remove the building and replace it with grass and plantings due to financial constraints. The Commission determined the change exceeds the limit of a Red Line change and requested that the applicant file a permit for the demo.

**8:46PM Abbreviated Notice of Resource Area Delineation – 42 Taylor Road DEP
#085-1383**

Nathaniel Cataldo, Stamski McNary, and Leah Stuckey, Oxbow Associates, presented on behalf of the applicant. Nathaniel outlined that there was a site visit earlier in the afternoon, and only one wetland flag was moved in the southwestern corner of the site. They will provide the stamped plan with the change tomorrow. Leah added that there was a site walk previous to the one that took place earlier in the day and outlined those changes as well. She clarified that wetland flags 22- 24 were revised and the wetland line was bumped out. They also connected the two sections of the intermittent stream. It was agreed to connect those two areas as the channel between them was difficult to discern and changed with elevated water levels due to seasonal fluctuations. Amy Green moved to issue the ORAD with the condition that a stamped plan be provided. Zywia Chadzynska seconded the motion. Vote (6-0)

9:05PM Enforcement Order – 43 Kinsley Road

Olivia Barksdale opened with an explanation of communication challenges with the property owner. She has not been able to get in touch and the owner returns calls after business hours. Olivia noted that in December the commission moved to escalate and go to district court. Olivia had raised the concerns that the fines had not been issued through the required process. She had them reassessed and reestablished. She confirmed there is still standing and the enforcement has not changed. Olivia has spoken to town counsel and peers and has consensus that there is still a case. The Commission noted that at the last meeting the owner agreed to contact Olivia by

Monday, March 23rd, and to have a site walk prior to the April 2nd meeting. Neither of those requirements were met and the property owner was not in attendance at the meeting. The Commission reviewed the bylaw and determined that two Section F14 violations and fines would be enforced:

1. Work within the buffer zone without prior submittal of request or Notice of Intent (\$200)
2. Storage of fill within the buffer zone (\$150)

The Commission would also like to clarify the owner of the adjacent property to enforce violations on that site as well. The Town Assessors shows the property to be owned by Armand's brother which is incorrect, Ms. Barksdale will look into the landownerships. Amy Green moved to start the fines as soon as the conservation agent has a system in place to implement the fines. Seconded by James Colman. Vote (6-0)

Terra asked what would happen to the fines if it was discovered that there were no violations once the site walk took place. The commission stated the fines would be removed if that were the case.

9:25PM Amend Wetland Protection Bylaw Rules and Regulations

Olivia Barksdale has collaborated with Town Engineering to craft language to amend the rules and regulations in Chapter X. The amendment would read "stormwater design submitted as part of the application must meet the design standards of Chapter X." The Commission was favorable of the concept and Olivia will work with Town Counsel to refine the language.

Administrative Updates

9:40 Review and Approve Meeting Minutes

Amy Green moved to approve the 3/19/25 minutes and Kate Warwick seconded. Jillian abstained (5-1-0)

9:45PM Arboretum Survey

The applicant is asking for the Commissions guidance on the Arboretum Master Plan. The Commission will review and provide a response.

9:50 976 Main Street – Kennedy Property

A complaint was received regarding this site. In response Kristen Guichard, Town Engineer, and Olivia Barksdale reviewed the site. They determined there was fill and alteration in the buffer zone, and there was storage of materials in a residential area. Olivia noted that it could be a pre-existing nonconforming use. Olivia showed areal views of the site from 2019, 2020 and 2023 showing changes in the landscape. Olivia will reconvene with planning, but brought this forward notify the Commission of issues.

9:52 Peter moved to close the meeting and Amy seconded. All in favor (6-0)

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<input type="checkbox"/>		2022 LOS from Conservation Commission.pdf	obarksdale	04/02/25	536 KB	
<input type="checkbox"/>		4-2-2025.pdf	obarksdale	03/31/25	226 KB	
<input type="checkbox"/>		Chapter F rules and regulations amendment.docx	obarksdale	03/31/25	12 KB	
<input type="checkbox"/>		ConCom Minutes 3.19.25 DRAFT.docx	obarksdale	03/31/25	104 KB	
<input type="checkbox"/>		Conservation Commission LOS 4-1-2025.docx	obarksdale	04/02/25	13 KB	
<input type="checkbox"/>		115 River Street Red-line Change	obarksdale	03/31/25	0	
<input type="checkbox"/>		14 Musket Drive RDA	obarksdale	03/31/25	0	
<input type="checkbox"/>		2 Sachem Way RDA	obarksdale	03/31/25	0	
<input type="checkbox"/>		20 Woodchester Drive RDA	obarksdale	03/31/25	0	
<input type="checkbox"/>		24 Washington Drive Haz Tree	obarksdale	03/31/25	0	
<input type="checkbox"/>		240 Main Street RDA	obarksdale	03/31/25	0	
<input type="checkbox"/>		3 Summer Place/111 Summer Street CoC	obarksdale	03/31/25	0	
<input type="checkbox"/>		42 Taylor Road ANRAD	obarksdale	03/31/25	0	
<input type="checkbox"/>		43 Kinsley Road EO	obarksdale	03/31/25	0	
<input type="checkbox"/>		60 Powder Mill Road NOI	obarksdale	03/31/25	0	

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