

**TOWN OF ACTON  
CONSERVATION COMMISSION  
Minutes  
August 2, 2017  
7:15 PM  
TOWN HALL - 472 MAIN STREET  
ROOM 204**

**COMMISSIONERS PRESENT:** Terry Maitland, William Froberg, Amy Green, Jim Colman, Tim McKinnon, Jennifer Stolz, Paula Goodwin

**RECORDING SECRETARY:** Fran Portante

**VISITORS:** Tim White, Janet Adachi, Julie Greenspan, Bob Guba

**7:20 Notice of Intent 31, 39 & 45 Martin St, Anthem Way**

*Mark Gallagher for a project at 31, 39 and 45 Martin St. (town atlas plate H2, parcels 11, 20 & 25). The project is a 40B development to be called "Anthem Village." Construction involves relocating two existing dwellings, construction of 26 single family units and associated utilities, within 100 feet of bordering vegetated wetlands and within 200 feet of riverfront area associated with Fort Pond Brook.*

Mr. Maitland opened the hearing noting that it was a large and complex project likely needing to be continued. He noted that, even though they had walked the property earlier in the year for the ANRAD filing, it was important that the Commission have the opportunity to visit the site again for the current proposal.

Susan Carter, principal of Places Associates, Inc., presented the project to the Commission. This is 40B project so is exempt from the Acton WPA Bylaw. A Comprehensive Permit was already obtained. Abutters were notified and copies of the green cards were submitted at the hearing.

Martin Street is across from Jones field and is bordered by Fort Pond Brook. Susan described the approximately 13 acre site. There are 3 existing houses, served by two driveways from Martin Street. These are located on a small hill which is about 12 inches above Martin St. About 4.8 acres are Bordering Vegetated Wetlands and about 7.8 acres are Riverfront areas. Two smaller wetlands are adjacent to the northerly existing driveway, Wetland A, an isolated wetland on the northerly side and Wetland B on the southerly side. A culvert running under the driveway connects them.

There are 28 units to be constructed according to the plan. Two of the existing houses will be relocated on the property and a barn will also be moved. The third house will be razed. Of the 28 units, four will be duplexes and the remainder single dwellings. A community garden is being added, popular with condo owners.

Fort Pond Brook runs along the southern and westerly portions of the property. There are approximately 4.8 acres of bordering vegetated wetlands (BVW) directly adjacent to the brook and the site contains about 7.8 acres of riverfront. While the project is not regulated by the Town WPA bylaw, the plans reflect the 100, 75 and 50 foot lines familiar to the Commission when seeing such project plans. In addition to Riverfront, there are two smaller wetlands adjacent to the northerly driveway. These are connected through an existing culvert running under the driveway.

One of the goals of this plan design is to preserve the large shade trees to the left of the entry drive. The driveway used for 31 Martin Street will be used as a utility path. It's wooded on both sides as are the isolated wetland areas.

The existing homes and structures are within the inner and outer riparian zones. In an earlier meeting with Tom Tidman, he asked that as much of the riverfront as possible be restored. The cross-hatched area on the plan indicates the area to be restored. Approximately 2,300 square feet will be restored in the inner and 133,454 square feet in the outer riparian zones will be restored. Per Tom's request, they will allow the area to naturalize rather than have a planting plan.

An alternative plan was to construct an apartment complex, but this was not viewed favorably by surrounding neighbors. This is a unique property, the result of combining three house lots. It is not comparable to any other property in town, particularly with its proximity to both a playing field and a rail station.

Ms. Carter presented an overview of the drainage characteristics. The majority of the flow is directed to Fort Pond Brook. The remaining flows and overflows go to the wetlands. The isolated wetland areas cause flooding to neighbors, so the plan was designed to maintain current water flow volumes to the back of the abutting lot. There was a discussion of flow rates vs. volume and the Commission wanted to ensure that the wetlands were not de-watered as a result of the drainage changes.

Ms. Green noted that the houses were quite old, and Ms. Carter confirmed that they dated back to the 1800's. Ms. Carter also pointed out that this was not being filed as a Limited Project, in that they were working within the bounds and constraints of the property.

Ms. Stoltz asked if there were clear delineations between the restored areas. Ms. Carter said they would be amenable to posting markers and signs.

Ms. Green asked if there was a restoration plan. Ms. Carter said they were allowing it to naturalize. She would add monitoring requirements to prevent invasive plants from overtaking these areas. Ms. Green asked if there were other sites in Acton that could be used and Ms. Carter replied that the proximity to the train station and

playground make this an ideal location for affordable housing. Originally, 32 units had been proposed but they pared it down to 28.

Ms. Goodwin as if they could go below 28 units and Mr. Gallagher said this is the minimum to be economically feasible. Ms. Goodwin then asked if they had considered the 40B on High Street which is a short distance from the train station and has 8 units on 2 acres. Mr. Gallagher pointed out that they qualified under the 40R regulation as a larger, more concentric development, but chose to build under the 40B regulations.

Mr. Colman asked about the connection between wetland A and B. Ms. Carter pointed out that they were hydraulically connected via the culvert. Ms. Goodwin asked about permeable surfaces. Ms. Carter reiterated the intention to naturalize. There was no intention to maintain the utility corridor as a cartpath. They avoided changing the hydrology of these two Isolated Wetlands.

Ms. Green asked if they could overlay the plan with a current aerial photo. Ms. Carter agreed to provide such a plan. Ms. Green would like to see what is there now. She also asked for a clarification of the riverfront impact. Susan agreed that she would have to recalculate the riverfront impact to account for the existing house and lawns. She agreed to submit that recalculation along with the other requests from the Commission.

Mr. Maitland asked how many structures would be moved. Ms. Carter said that #31 would be razed and the barn, #39 and #45 moved. The barn would be adjacent to the Community Garden. The neighbors liked the idea of keeping at least one of the barns.

Mr. Colman asked if the spacing of the housing was controlled by zoning rules. Ms. Carter replied that the comprehensive permit releases the builder from zoning rules. They agreed to a spacing of 15 feet between houses.

Mr. Froberg asked for an explanation of the existing drainage characteristics. In reviewing the plan, he noted the pipe between the two isolated wetlands and asked if this contributed to the flooding. Ms. Carter said she believes the culvert was set too high. It should be set as an equalizer. Mr. Gallagher noted that it's been around about 15 years but has not been maintained.

Mr. Colman asked if they would change the culvert. Engineering requested that the culvert maintenance be addressed in the O&M. Ms. Carter said the intent was to mimic what is there, not change it.

Mr. White, a neighbor, asked about unit size. Mr. Gallagher said the condos would run from 2,400 to 1,600 sq. ft. Units at higher elevations will have basements, those adjacent to wetlands will be on slabs. They will have a porch and deck on the back.

Ms. Green asked if basin A is sized for roof runoff. Ms. Carter responded that the upper portion of the site flows toward Fort Pond Brook. Units 13 to 18 and 22-23 have roof recharge in their backyards. Discussion continued around the maintenance of the grassy area, which would be seeded and naturalized. Ms. Green asked that the edge of wetlands be planted and allowed to remain naturalized, mowed only once or twice annually to control invasive plants.

Mr. White was concerned about flooding on the other side of the street. The front of the driveway is in the 100 year flood plain. He has seen 100 year flood conditions 3 times over the last 20 years, with flooding deep enough on Stow Street to cause cars to back up. Ms. Green asked for more detail concerning the flood plain.

Ms. Carter explained that there would be a net increase in rate, not volume of flows between Wetland A and Wetland B. Therefore her calculations were based on volumes, since this is a sensitive isolated wet area. Basin A will take the runoff from the front units. A Storm Water basin will capture the water before it gets to the wetlands. The houses have recharge roof systems. The design diverts as much runoff as possible to the low point near the river using catch basins and piping to capture and divert.

Ms. Goodwin asked if wildlife impact had been considered. Ms. Carter stated that Mr. Tidman has asked that the area be naturalized to the greatest degree possible. When asked if it would be accessible to residents, Ms. Carter said they could go back there but there would be no trails or paths. Mr. Colman asked that no paths be created to the riverfront area or the isolated wetlands.

The Home Owners Association will be responsible for maintaining the drainage system, which will be stated in the Association Rules.

Mr. Gallagher noted that Zoning had already approved the project. There was some sensitivity to timing and he was concerned about delays. He asked when the next meeting would occur and was given the date of August 16.

Follow up actions:

- Tom Tidman will arrange a site walk with the commission prior to the next Commission meeting of August 16.

- Susan Carter will revise Riverfront area impact calculations, provide an overlay of the site, submit a restoration plan and a planting plan for the compensatory area

8:20: Mr. Maitland continued the hearing to August 16 at 8:00PM.

### **7:45 Heath Hen Meadow Beaver Dam Discussion**

*Bettina Abe presenting*

Bettina Abe, Natural Resources Associate, presented a project to relocate a beaver dam at Heath Hen Meadow Brook. A ppt presentation was prepared but difficulties with the overhead projection system interfered with the ability to project to the entire Commission. The use of several laptops allowed members to view the presentation. The entire presentation is attached to these minutes.

Essentially, the proposal was to relocate an existing beaver dam, down-stream from an existing bridge, to a location upstream of the bridge. The request was to issue an Emergency Certification allowing the movement of the dam as well as a letter of recommendation to the Board of Health allowing the action.

The current location of the dam is causing water to rise and submerge the bridge stringers that support the boardwalk of the bridge, which was designed and constructed a number of years ago by Bob Guba. Western red cedar was used for the stringers. But he is concerned that the continued immersion of the 4" / 4" timbers used to build the cribs holding up the bridge will be compromised if water levels remain too high. Should the bridge become unsafe, it would have to be rebuilt, using metal pipes similar to other bridges being constructed more recently.

Paula Goodwin, who is the Land Steward for Heath Hen Meadow, breaches part of the dam almost weekly to maintain water level below the height of the bridge. She is looking for some solution that will reduce the current overly demanding maintenance effort.

Mike Callahan of Beaver Solutions assessed the bridge. During his assessment and written proposal he described his recommendation. The proposed solution is move the dam upriver of the bridge. It would require a number of volunteers to dismantle the dam, port the materials up river, and rebuild it at the new site. The Commission perceived this as too dangerous for a volunteer crew and was skeptical of the plan's workability. Additionally there was concern about the liability associated with making the current beaver-made structure into a man-made structure. Commissioners rejected the proposal and asked that Ms. Abe find an alternative solution that would

involve less risk. They also expressed concern about siltation when deconstructing the dam.

Mr. Colman suggested that Beaver Deceivers be installed and extended to the upper, deeper water areas of the stream. They also questioned whether the Emergency Certification would be the proper vehicle to use to approve such a project.

Ms. Abe will work with Ms. Goodwin and Michael Callahan, owner of Beaver Solutions, to find another solution to the problem.

**Minutes:**

Mr. McKinnon moved to accept the minutes of July 5, 2017, Ms. Green seconded and the motion carried unanimously.

**Meeting adjourned: 9:00PM**

A handwritten signature in blue ink that reads "Terry Maitland". The signature is fluid and cursive, with "Terry" on the top line and "Maitland" on the bottom line.

Terry Maitland

Chairperson

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AGENDA  
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**Citizens Concerns**

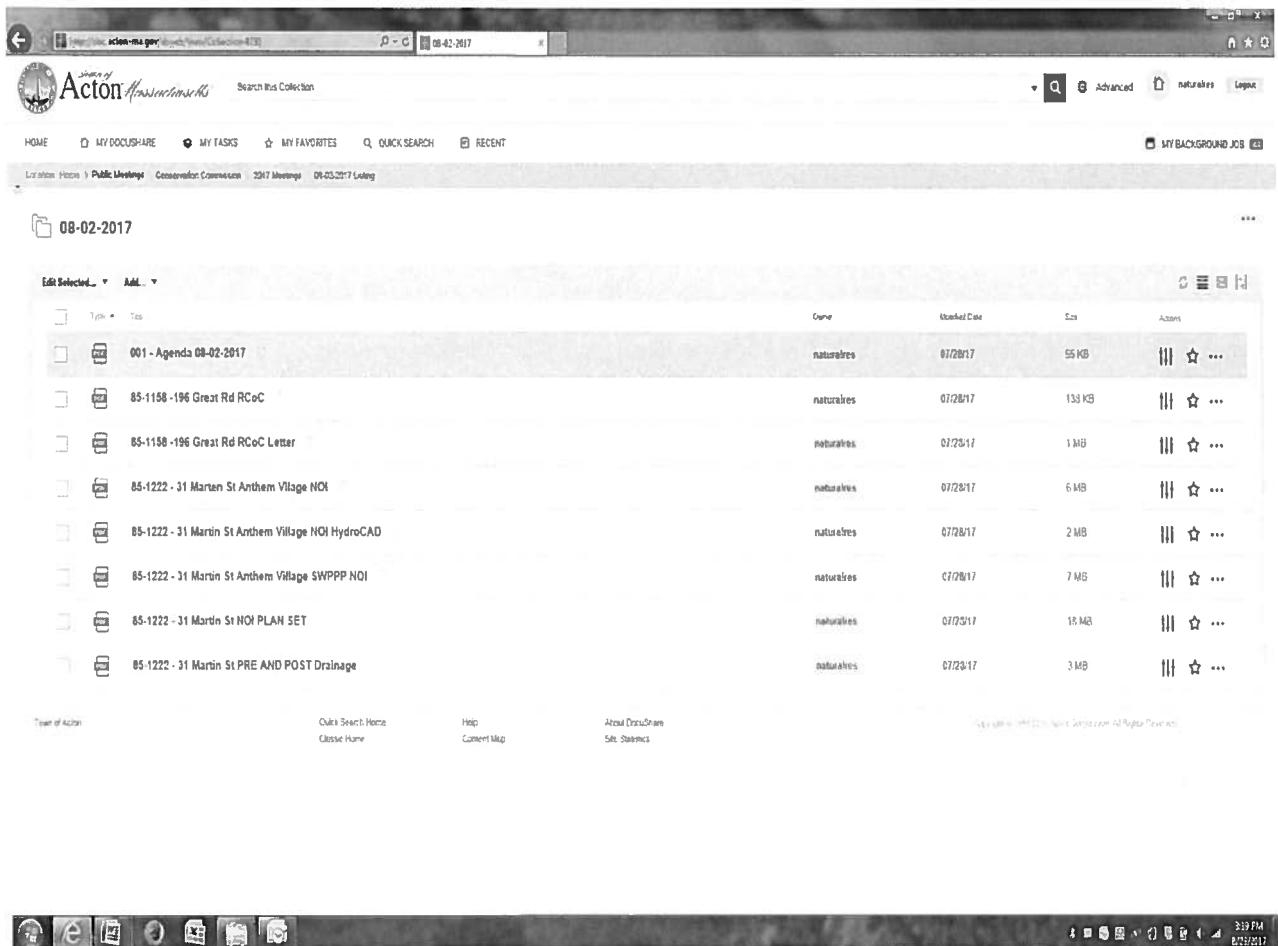
**Commission Business**

**Certificate of Compliance: 196 Great Road, 85-1158**

**Minutes:**

July 5, 2017, reviewed by TM, TMcK

July 19, 2017, pending



The screenshot shows a web browser window with the following details:

- Header:** The title bar shows the URL <http://acton-ma.gov/acton/actonCollection-413> and the date 08-02-2017.
- Top Navigation:** Includes links for HOME, MY DOCUMENTSHARE, MY TASKS, MY FAVORITES, QUICK SEARCH, RECENT, and a search bar labeled "Search this Collection".
- User Information:** Includes links for MY BACKGROUND JOBS, Logout, and a user icon.
- Breadcrumb:** Shows the path: Location Home > Public Meetings > Conservation Commission > 2017 Meetings > 08-02-2017 Meeting.
- Section Title:** 08-02-2017
- File List:** A table showing the following files:

	Type	Name	Uploaded Date	Size	Actions	
<input type="checkbox"/>	File	001 - Agends 08-02-2017	naturales	07/28/17	55 KB	
<input type="checkbox"/>	File	85-1158 -196 Great Rd RCoC	naturales	07/28/17	133 KB	
<input type="checkbox"/>	File	85-1158 -196 Great Rd RCoC Letter	naturales	07/28/17	1 MB	
<input type="checkbox"/>	File	85-1222 - 31 Marten St Anthem Village NOI	naturales	07/28/17	6 MB	
<input type="checkbox"/>	File	85-1222 - 31 Martin St Anthem Village NOI HydroCAD	naturales	07/28/17	2 MB	
<input type="checkbox"/>	File	85-1222 - 31 Martin St Anthem Village SWPPP NOI	naturales	07/28/17	7 MB	
<input type="checkbox"/>	File	85-1222 - 31 Martin St NOI PLAN SET	naturales	07/28/17	18 MB	
<input type="checkbox"/>	File	85-1222 - 31 Martin St PRE AND POST Drainage	naturales	07/28/17	3 MB	

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