



CONSERVATION COMMISSION
472 MAIN STREET
ACTON, MASSACHUSETTS 01720
(508) 264-9631

**MINUTES FOR
MARCH 15, 1989**

MEMBERS PRESENT: Andrew Sheehan, John Chalmers, Bob Young, Carol Place (8:15)

ASSOCIATE MEMBER: Sandra Mika

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: Dan Danke, Norma Wu, Kevin Sweeney, George Vercelli, Harry Donahue, Roy Smith, Eric Smith, Suzanne and Leonard Gaetano, Sally Campbell, Harry and Jean Morse, Peter and Elizabeth McGovern, John Logan, Ludwig Borowski, John Heffner, Roger Woodard, Debra Alesbury

8:10 Mr. Sheehan opened Citizens' Concerns while awaiting for quorum.

CITIZENS' CONCERNS - There were no concerns presented.

EXTENSION REQUEST - L & S Builders - Ayer Road

Mr. Kevin Sweeney of L & S Builders stated to the Commission that Lots 3, 4, 5, 6, & 7 Ayer Road [DEQE Files 85-176, 85-177, 85-178, 85-192, 85-193] have existing Orders of Conditions for the individual lots as a subdivision, which expires on April 3, 1989. He also has an approved Comprehensive Permit for subsidized housing with a valid Order of Conditions [DEQE 85-250] on the same property {a.k.a. Barker's Pond Village}. Mr. Sweeney stated that he is requesting Extension Permits on the individual lots to keep his options open if the financing is denied for the Comprehensive Permit.

The Commission questioned the validity of the Orders of Conditions for the individual lots after the issuance of the Order of Conditions for the Comprehensive Permit, and stated that they will have to check with Town Counsel.

8:20 Ms. Place called the meeting to order.

8:25 NOTICE OF INTENT - Acton Center Arboretum 75-197

Ms. Place opened the hearing under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the placement of a boardwalk across an isolated wetland.

Mr. Tidman, Conservation Administrator, reported that he proposes to have two Eagle Scouts place a boardwalk across an isolated wetland in the Acton Center Arboretum. The boardwalk will be constructed of old telephone pole pieces as support for pressure treated planks. The boardwalk will be 250' total, and will be done as two separate projects by the two Eagle Scouts. Mr. Tidman stated that there will be no disturbance or digging of wetlands as the boardwalk will lay over the wetland. The placement of the boardwalk will eliminate the need of taking the trail through the Morse property, which is private and trails around the perimeter of the wetland.

8:27 Ms. Place closed the hearing.

REQUEST FOR DETERMINATION - Acton Center Arboretum - D-89-4

Ms. Place opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the removal of two diseased willow trees within 10' of a pond in the Acton Center Arboretum.

Tom Tidman, Conservation Administrator, reported that there are two diseased willow trees 10' away from a pond at the Arboretum, and the Acton Tree Warden has recommended that they be removed. Most of the main branches on these trees have fallen, they are a nuisance, and a liability. The trees will only be removed, the stumps will not be ground, and everything will be done by hand.

8:30 Hearing no further comments, Ms. Place closed the meeting.

Mr. Harry Morse complemented the Commission on all they have done to date to improve the land, as he is an abutter to the property.

8:31 CONTINUATION - NOTICE OF INTENT - South Acton Sewers 75-196

Ms. Place opened the continued hearing from March 1, 1989 under MGL Chapter 131, Section 40 of the Wetlands Protection Act for 15,700 linear feet of sewer pipe in a section of South Acton.

Mr. Vercelli, of S.E.A. Consultants, provided the Commission with plans reflecting the additional information requested at the meeting of March 1, 1989, which was:

1. Show the wetlands and buffer zone delineation on the plans, so the Commission can better determine the impact.
2. Show land grades existing and proposed between the proposed activity and wetlands.

3. Sedimentation control must be indicated on the plans.
4. Show the placement of stockpiled materials on the plans, and tell the Commission how long it will be before the stockpiled materials are backfilled.

After further review, the Commission requested that Mr. Vercelli provide the following.....

1. Try to pull the sewer line out of the wetland at Main Street and Maple Street at the railroad tracks.
2. No Calcium Chloride will be used within 100' of a wetlands.

9:07 Upon agreement by Mr. Vercelli, the Commission voted to continue the hearing until April 19, 1989, as the Annual Town Meeting will be during the first two weeks of April. At that time Mr. Vercelli will bring final plans with the two noted specifications requested by the Commission at this time.

9:08 NOTICE OF INTENT - High Street PC RC Trust - Audubon Hill 75-196

Ms. Place opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of roadways, drainage structures and excavating ponds at Audubon Hill off of High Street.

Mr. Harry Donahue of Acton Survey and Engineering, stated that work within the wetland buffer zone entails: the construction of part of the proposed Audubon Drive, a portion of the proposed Brewster Lane, and some of the proposed units that back up to on onsite wetlands. Work proposed within the wetland are: 36' of a 3" sewer main will cross through the lower wetland area; and the excavation of the two on site wetlands creating ponds.

The proposed construction of the two ponds within the wetlands will involve excavating 10,000 s.f. for the upper wetland, and excavation of 30,000 s.f. for the lower wetland for wildlife enhancement ponds. There will be a overflow pipe incorporated with a swale installed between the two proposed ponds. The proposed ponds will be excavated with a back-hoe and clam bucket, and excavated materials will be removed from the immediate area and used as fill on site or spread as a top soil. The existing overstory vegetation will remain. Siltation prevention will be in place prior to any activity on the site. The areas around the proposed ponds will be allowed to remain in their natural state with no future maintenance, and a wildflower mix will be used to stabilize the excavated slopes of the ponds. Native plant species will be planted in the transition zone between the proposed units and ponds. There will be a semi-annual maintenance of the grass right around the proposed units, but will not be a maintained lawn area.

There is no wetland filling proposed, and the applicant will be leaving as much existing vegetation as possible. All construction of roadways, foundations, related drainage, and pond excavation will be done at one time, and scheduled to be complete within 60 days from start to finish. Then framing of the units will commence. The foundation walls will act as a retaining wall to minimize grading, in turn minimizing tree removals on the site. The proposed units at their closest point will be 20' away from the edge of wetlands; this area between the units and wetlands will be one of the areas proposed to be stabilized with wild grass, and semi-annually maintained. The contractor will not be working within the wetlands except for the proposed excavation of the ponds. Siltation prevention devices will be placed throughout the site regardless of the presence of wetlands or their buffer zones.

The Commission expressed concern over excavating a functional wooded swamp (wetland) into a pond, when a pond had never existed in the past.

10:10 Hearing no further comments, Ms. Place closed the hearing.

DECISION - NOTICE OF INTENT - Acton Arboretum 75-197

Mr. Young moved to issue an Order of Conditions for the placement of a boardwalk across the bog at the Arboretum, Bylaw File 75-197. Mr. Sheehan seconded the motion. The motion passed unanimously.

DECISION - REQUEST FOR DETERMINATION - Acton Arboretum D-89-4

Mr. Young moved to find that the removal of the two willow trees in the Arboretum within the Commission's jurisdiction, and will not have an impact on the ponds. Mr. Chalmers seconded the motion. The motion passed unanimously.

DECISION - NOTICE OF INTENT - Audubon Hill - High Street 75-198

The Commission held discussions regarding the noted project, and the issues of excavating wooded swamps into ponds.

10:40 Mr. Sheehan moved to issue an Order of Conditions for the Notice of Intent filed for Audubon Hill, by High Street PC RC Trust with the following additional conditions:

1. All organic material will remain in the wetlands as they now exist in their natural state.
2. Applicant must leave a 20' natural buffer area surrounding all wetlands on site.
3. A silt retention basin must be provided, and approved by the Acton Engineering Department and the Conservation Commission prior to construction to intercept all street drainage before entering the wetlands.

Mr. Chalmers seconded the motion. The motion passed unanimously.

DECISION - NOTICE OF INTENT - Lot B Acorn Park 75-195

Mr. Sheehan moved to issue an Order of Conditions for the Notice of Intent filed for Lot B Acorn Park with the following additional conditions:

1. Siltation prevention must be provided around the isolated wetland prior to construction, and will remain in place until the area is stabilized.
2. If the reserve parking area, as indicated on the plans, is found necessary the applicant must file a separate Notice of Intent for the work.
3. A natural vegetated buffer area must remain, as it now exists between the parking lot and wetlands.

Mr. Young seconded the motion. The motion passed 3 aye, and 1 nay.

EXTENSION PERMIT - REQUEST - Ayer Road Lots 3 - 7

Mr. Sheehan moved to deny the request for Extension Permits for Lots 3, 4, 5, 6, and 7 Ayer Road [DEQE Files 85-176, 85-177, 85-178, 85-192, 85-193]; due to the applicant having an approved Comprehensive Permit for subsidized housing with a valid Order of Conditions [DEQE 85-250] on the same property {a.k.a. Barker's Pond Village}. Mr. Young seconded the motion. The motion passed unanimously.

11:20 Meeting Adjourned.



Carol Place, Chairperson