

**CONSERVATION COMMISSION**  
**APRIL 18, 2007**  
**AGENDA**

- 7:15 Request for Determination - 182 Arlington Street - Stephanie Bourdage-Braun  
Installation of a 700 SF (Eco-Optilock paver) patio & placement of pea stone under existing deck and stairs within 100' of a wetland.
- 7:30 Notice of Intent – 253D School Street (Pond Ridge Drive) – Joel Villasenor  
Jeff Kehm, Faber Design: addition to an existing single family home and modifications to the existing driveway within 100' of a wetland.
- 7:45 Notice of Intent – Continuance - 53 Fort Pond Road
- 8:00 Notice of Intent – 4 High Street - Faulkner Mill Realty, LLC  
Stamski & McNary - Construction of condominium development within 100' of bordering vegetated wetlands and within the 200' riverfront area.
- 8:15 Notice of Intent– 976 Main Street – Macot Realty Trust  
Stan Tech - Installation of a water main from 952 Main Street (Atlas Plate B-6, parcel 11) to 976 Main Street; work will occur within a bordering vegetated wetland and within the 100 foot buffer zone of a bordering vegetated wetland.
- Certificate of Compliance – 21 Nagog Hill Road

MINUTES

April 4 comments rec'd by TT, JA, LS

**CONSERVATION COMMISSION  
APRIL 18, 2007  
MINUTES**

**MEMBERS PRESENT:** Terry Maitland, Janet Adachi, William Froberg, Linda Serafini, Julia Miles, Frances Portante

**RECORDING SECRETARY:** Andrea Ristine

**VISITORS:** Chris Braun and Stephanie Bourdage-Braun, Joel Villasenor and Maria Quisumbing, Rich Harrington, George Dimakarakos

7:15 Request for Determination - 182 Arlington Street – Chris & Stephanie Bourdage-Braun

Chris Braun presented plans for the installation of a 720 SF (Eco-Optilock paver) patio and placement of pea stone under the existing deck and stairs within 100' of a wetland.

Mr. Maitland gave a brief overview of the history of the property. Some Commissioners visited the site earlier today.

Upon query by Ms. Portante, Mrs. Bourdage-Braun reported that there would not be a change of grades with the installation of the patio.

Upon query by Ms. Miles, Mr. Maitland noted that the Commission has accepted a permeable patio within the no-structure setback.

Ms. Adachi expressed concern about the potential collective impact of serial projects involving the same property and the possibility that the Commission might not have permitted "all" of the cumulative activities if they were presented as part of a single project.

Mr. Froberg stated projects are taken on a case by case basis based on site specifics and feels that this is a minimal impact proposal; he does not feel that the Commission can take a position against a project based on past practice. Mr. Froberg doesn't feel that the proposed patio is a significant change of use of the area given that it will be constructed with permeable materials.

7:34 Mr. Maitland closed the meeting.

Determination – 182 Arlington Street

Mr. Froberg moved that the Commission find the work as proposed to be within its jurisdiction but will not impact the resource area (negative three); Ms. Serafini 2<sup>nd</sup>, unanimous.

7:39 Notice of Intent – 253D School Street (Pond Ridge Drive) – Joel Villasenor & Maria Quisumbing

Ms. Portante recused herself from the hearing as she is acquainted with the Applicant.

Joel Villasenor presented plans for the proposed 700 SF addition to his existing single family home and modifications to the existing driveway within 100' of a wetland. The proposed garage will be located over a portion of the existing paved driveway. The existing driveway is at its closest point approximately 23' from the edge of wetland vegetation; the existing house is approximately 64' from the edge of wetlands. The proposed garage is shown 50' from the edge of wetlands. Mr. Villasenor noted that he plans to convert portions of existing asphalt closest to wetlands to gravel surfaces to counter-balance his proposed addition. He also wishes to add gravel areas for the proposed entry path and seating area behind the house and garage addition.

Mr. Maitland noted that he and other Commissioners inspected the site on this date

Upon query by Mr. Maitland, Mr. Villasenor reported that the proposed garage is angled in such a way to stay 50' from the edge of wetlands.

Upon query by Mr. Froberg and Ms. Miles, Mr. Villasenor stated that he cannot change the angle of the proposed garage to align with the house; the proposal to substitute gravel, rather than plantings, for asphalt takes into consideration snow plowing and snow storage, which would damage vegetation to the northeast side of the driveway.

Mr. Maitland noted that reestablishing natural vegetation to the northeast corner of the lot beyond the driveway would be desirable.

Upon query by Ms. Miles, Mr. Villasenor stated that he is trying to keep the proposed garage addition as compact as possible and it will accommodate only one car.

Upon query by Mr. Froberg, Mr. Villasenor stated that Mr. Tidman had suggested that gravel be placed where the pavement is to be removed as it would increase the permeable surface for drainage. Mr. Froberg stated that he would rather see natural vegetation or lawn instead of gravel.

Mr. Froberg asked if there was the possibility of reducing the amount of pavement within the 50' setback. Mr. Villasenor stated that his family has two cars and wishes to reconfigure the paved area to facilitate maneuverability and snow removal.

Upon query by Mr. Froberg and Ms. Miles, Mr. Maitland noted that the current Bylaw setbacks were mainly implemented to address new development. Ms. Miles noted that under the Bylaw setbacks, any new structure shall be no closer than an existing like use; all new proposed activities and structures are closer to the wetland than any existing like use on the property.

Mr. Villasenor noted that the adjacent pond was man-made in 1973.

Mr. Maitland noted that during the site walk, Mr. Tidman had stated that he felt that balancing the proposed disturbance with revegetated areas conducive to wildlife enhancement would be a reasonable option.

Maria Quisumbing stated that the existing yard historically was lawn up to the pond's edge but she has allowed it to naturalize along the shore on her property.

Upon request by the Commission, Mr. Villasenor agreed to continue the hearing until May 2 at 7:45 PM. The Applicant was asked to redesign the plan to reduce more of the paved surface, meet the like-use structure setback and provide a planting plan.

8:20 Notice of Intent – Continuance - 53 Fort Pond Road

Mr. Maitland noted that the Commission conducted a site walk on April 6.

Rich Harrington from Stamski & McNary presented an amended plan dated April 12, 2007 noting that the Littleton Conservation Commission required a change of haybale location within their jurisdiction. The Acton Planning Board has approved the proposed development and approval from the Acton Board of Health is anticipated soon.

Upon query by Ms. Adachi, Mr. Harrington reviewed the stormwater control structures and said that the design was such that fertilizer in the lawn located above the subsurface drainage system was unlikely to end up in the wetlands.

Upon query by Mr. Froberg, Mr. Harrington noted that the Drainage System Operation and Maintenance Plan is noted on the plans (sheet 5 of 5). The Applicant will be responsible for the drainage system during construction and the long-term operation and maintenance will be the responsibility of Grassy Pond Place homeowners.

8:30 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Decision – 53 Fort Pond Road

Ms. Adachi moved that the Commission issue an OOC for the plans as presented; Ms. Miles 2<sup>nd</sup>, unanimous.

8:31 Notice of Intent – 4 High Street - Faulkner Mill Realty, LLC

George Dimakarakos from Stamski & McNary presented plans for the proposed construction of a condominium development within 100' of bordering vegetated wetlands and within the 200' riverfront area. The Applicant has a valid OOC (DEP # 85-884) for a 27-unit mill-style building with parking and a second building with three townhouse units. Since the approval of the previous development the Applicant has realized that the approved proposal is financially unfeasible and is now proposing 20 residential duplex units (10 buildings) spread throughout the site. The historic old buildings on the site have been demolished and the entire site is disturbed, with bordering vegetated wetlands (BVW) at the southwest corner and northerly end of the lot and an intermittent stream traversing the property via a culvert, BVW and pipes and discharging into Fort Pond Brook. Two water-quality swales (WQS) will be provided, and wetland vegetation is expected to naturalize in WQS1. The development will be connected to the sewer district; an underground pump station is proposed which also will address septic issues on the adjacent Erikson's Grain Mill property. The Applicant proposes plantings similar to those presented and approved in the original OOC.

Upon query by Mr. Maitland, Mr. Dimakarakos reported that the Applicant will have to bring in good loam to support proposed vegetation.

Upon query by the Commission, Mr. Dimakarakos reported that the demolished building was seven-feet from the edge of wetlands; in the new proposal the closest distance from wetlands would be 11' for a proposed deck.

Upon query by Mr. Maitland, Mr. Dimakarakos stated that the Applicant would be willing to approach Erikson's for permission to clean up the riverbank on the Erikson's property between the existing railroad and this proposed development. The South Acton Village District allows the proposed use/development as proposed and the Board of Selectmen should not need to re-approve the site plan. Although the Applicant has not conferred with the Historic District Commission that should not be a problem since the Applicant intends to stay with the general aesthetic look of the previously approved building design.

Upon query by Ms. Adachi, Mr. Dimakarakos reported that the condo-owner association will be responsible for operation and maintenance of the drainage structures.

Upon query by Mr. Maitland, Mr. Dimakarakos noted that the existing disturbance on the property is greater than the 10% of the riverfront riparian zone; he feels that this proposal is an improvement from the current conditions.

Mr. Froberg inquired as to if there is a new planting plan submitted with this NOI

Upon query by Mr. Froberg and Ms. Miles, Mr. Dimakarakos reported that the on-site wetland has phragmites and purple loosestrife; WQS1 is small and will be one elevation which may not allow a creative planting plan.

Upon query by Mr. Froberg, Mr. Dimakarakos reported that the Applicant will request a Certificate of Compliance for the previous plan if this proposal is approved. Ms. Adachi noted Tom Tidman's request during the site walk that Applicant re-flag the wetlands lines.

Upon agreement by Mr. Dimakarakos, Mr. Maitland continued the hearing until May 2, 2007 at 8:00 PM so the Applicant can provide a planting plan to the Commission.

9:11 Notice of Intent– 976 Main Street – Macot Realty Trust

Ryan Allgrove from Stantec Consulting Services presented plans for the installation of 995 linear feet of eight-inch water main from 952 Main Street (Atlas Plate B-6, parcel 11) to 976 Main Street; work will occur within a bordering vegetated wetland and within the 100-foot buffer zone of a bordering vegetated wetland. Approximately 700 linear feet of water main will be installed along the west side of Main Street and will be connected to the existing water main located approximately 120 feet south of the gravel drive. There will be 295 linear feet of water main installed to provide water service to the building at 976 Main Street from the new water main extension. Trench excavation will be five feet wide and a minimum of four feet in depth. All excavation will be backfilled and restored to original grade. Approximately 30 SF of bordering vegetated wetland and 735 SF of the 100' wetland buffer zone will be temporarily disturbed. Accumulated sedimentation will be removed from the wetland and replaced with topsoil and a wetland seed mix thus improving current conditions. The sediment is caused by runoff from the adjacent property's driveway.

Upon query by Ms. Miles, Mr. Allgrove reported that project proposed is the simplest method for the water main connection, as suggested by the Acton Water Supply District without opening the State roadway (Route 27); the Applicant plans to remove existing silt in the wetland and add top soil and wetland seed mix.

Upon query by Ms. Miles, Mr. Allgrove reported that the Water Supply District has an existing OOC for a drainage improvement project approved in October 2006 which should help prevent future sedimentation accumulation in this area.

Mr. Froberg stated that he would like to confer with the Water District regarding this proposal.

Ms. Miles expressed concern as to whether the proposed sedimentation removal would be sustainable noting the abutting property's driveway erosion issue.

Mr. Maitland stated that he would like an explanation from the Water Supply District as to whether the water main extension could be done within the roadway and without crossing the wetland as proposed. Mr. Maitland also would like to confer with the Acton DPW to address further erosion from the existing adjacent driveway accessing the quarry operation.

10:00 Upon agreement by Mr. Allgrove, Mr. Maitland continued the hearing until May 2, 2007 at 8:15 PM.

#### MINUTES

Ms. Adachi moved that the Commission accept the minutes of April 4, 2007; Ms. Miles 2<sup>nd</sup>, unanimous.

#### Certificate of Compliance – 21 Nagog Hill Road - DEP File 85-919

Ms. Ristine reported that the site has been inspected by the Administrator and can receive a Certificate. Ms. Adachi moved that the Commission issue a Certificate of Compliance; Mr. Froberg 2<sup>nd</sup>, unanimous.

10:10 Meeting adjourned.

  
Terrence Maitland,  
Chair

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