CONSERVATION COMMISSION

AMENDED AGENDA

APRIL 1, 2010
6:30 PM - ROOM 204 - ACTON TOWN HALL

6:30 Request for Determination - 4 Huckleberry Lane - Mark & Lisa Munson *(010)*
Installation of a stockade fence within a wetland resource area.

Request for Extension - 549-615 Main Street & 619-639 Main Street - 85-966 *(020)*

Update & Discussion - Caouette Land

Minutes
March 17 forthcoming

CONSERVATION COMMISSION
MINUTES
APRIL 1, 2010
6:30 PM - ROOM 204 - ACTON TOWN HALL

COMMISSIONERS PRESENT: Janet Adachi, Terry Maitland, Tom Arnold, William Froberg, Fran Portante, Toros Maksoudian

ASSOCIATE MEMBER(S): None present

RECORDING SECRETARY: Tom Tidman

VISITORS: Lisa & Mark Munson

6:30 Ms. Adachi called the meeting to order.

Request for Determination - 4 Huckleberry Lane - Mark & Lisa Munson *(010)*

Lisa and Mark Munson presented their request for the proposed installation of a stockade fence.

Mrs. Munson stated that they would like to install a fence six inches back from the edge of their property line extending to the location of the sono-tubes they installed (without authorization) prior to filing this RDA. At this time, they do not intend to extend the fence towards the pond beyond the posts already installed. The proposed fence will be elevated one foot above the bottom of the ditch so as not to impede water flow. Forms will be removed to the grade of the cement.

Mrs. Munson showed the Commission a series of photos of the location of the sono-tubes, the approximate location of the 20' wide easement and also debris dumped into the drainage easement by the abutter. Both Mr. & Mrs. Munson described the difficulties they are having with the neighbors.

Upon query by Mr. Arnold, Mrs. Munson confirmed that they do not plan to extend the fence towards the pond at this time.

Mr. Maitland stated that it is important for the Commission to have a plan showing the property boundary and location of the fence accurately

Ms. Portante added that a detailed plan would help the Commission determine what the entire project entails.

Upon query by Mrs. Munson as to what action the Commission planned to take with respect to the abutting neighbors' dumping of debris in the drainage easement, Mr. Maitland stated that the Commission will pursue that issue.

Upon query by Mr. Froberg of Mrs. Munson as to whether the wetland line is delineated on her property, Mrs. Munson stated that she would like to wait until the abutting property owners have cleaned up the debris on their side of the drainage easement; she believes that this debris has caused her property to become wetter, by directing water onto theirs. Mr. Froberg stated that the material dumped on the abutting property should have no impact on the location of the wetland line on her property.

Mr. Maitland noted that the Commission needs to know the extent of wetlands on the Munson property so that it can determine whether the proposed fence is in the wetland; the plan should also be to scale.

Mr. Munson stated that he does not intend to add additional posts at this time.

Upon query by Mrs. Munson, Mr. Maitland confirmed that one cannot construct a fence within a wetland resource area; it is impossible to approve the project until the wetland line has been delineated.

Mr. Maitland stated that he feels that the project should be filed as a Notice of Intent, fully engineered and vetted by the Commission, with a specific plan delineating the wetlands.

Mrs. Munson noted that she understands Mr. Maitland's statement but feels that they are being punished by the Town. Mr. Munson stated that he feels that he is being held to a standard higher than other people.

Ms. Adachi stated that if the Applicants were asking the Commission to approve the posts as currently installed, which the Commission cannot do, then we're at an impasse the Commission's position all along has been that the posts need to be removed from the wetlands.

Determination - 4 Huckleberry Lane - D-10-4

Ms. Adachi moved that the Commission issue a positive determination for the project as filed, requiring the filing of a complete Notice of Intent, Mr. Arnold 2nd; unanimous.

Request for Extension - 549-615 Main Street & 619-639 Main Street - 85-966 *(020)*

Mr. Arnold moved to issue a three year extension on the Order of Conditions, Ms. Adachi 2nd; unanimous.

Update & Discussion - Caouette Land

Mr. Maitland described the town's interest in purchasing the Caouette property: Town Atlas Plate H-2, Parcel 95 and H-2A and H-3B, Parcel 62 is currently classified as agricultural land under Massachusetts General Laws Chapter 61A. The Town had the right of first refusal and matched the potential developer's price. A conservation restriction will be put on a portion of the Caouette house lot at 90 Martin Street.

The Commission agreed to endorse the the proposed purchase of the Caouette property.

8:10 Meeting adjourned.

Terrence Maitland

Terrence Maitland
Chair

TT:ahr
ahr.concom.minutes.04012010