

**ACTON CONSERVATION COMMISSION  
AGENDA  
AUGUST 18, 2010  
7:15 PM  
TOWN HALL - 472 MAIN STREET - ROOM 204**

7:15 Forest Inventory Report - Wetherbee Land - Chuck Caron - *cancelled*

7:35 Request for Determination - 271 School Street - F. Siddique & B. Strong (020)

Foresite Engineering: proposed addition to the existing dwelling within 100' of a wetland and 200' from Coles Brook and Fort Pond Brook.

7:45 Notice of Intent - 252 Main Street - K-Mart / The Stop & Shop Supermarket Co. (030-031)

Vanasse Hangen Brustlin, Inc.: proposed reconfiguring of the existing loading area and related pavement on the west side of the existing building.

Certificates of Compliance

- 24 Stow Street - 85-1026 (040)
- 80 Hammond Street - 85-1017 (041)

MINUTES

July 7	comments rec'd by	TMak, FP, PL	<i>signature</i>
July 21	“ “ “	PL, AM, BF, FP	“
July 28	awaiting comments		

**ACTON CONSERVATION COMMISSION  
MINUTES  
AUGUST 18, 2010  
7:15 PM  
TOWN HALL - 472 MAIN STREET - ROOM 204**

**COMMISSIONERS PRESENT:** Terry Maitland, Fran Portante, William Froberg, Andrew Magee

**ASSOCIATE MEMBER(S):** Toni Hershey

**RECORDING SECRETARY & CONSERVATION ADMINISTRATOR:** Tom Tidman

**VISITORS:** Sarah Barcock, Su-Jung Tsai, Shaoting Gu, Hong Yan Li, Matthew Varrell, Ken Staffier, Meghan Fulham, Janet Adachi

7:25 Discussion - New Open Meeting Law

Commissioners discussed the outcome of attending the session at the High School regarding the new Open Meeting Law; Commissioners voiced concerns about being able to comment on draft minutes.

Open Space & Recreation Plan - Commissioners scheduled a working session for September 8 at 6:30PM at the Town Hall.

MINUTES

Mr. Maitland discussed minutes of July 7 & July 21, 2010.

Mr. Magee moved that the Commission accept the minutes of July 7, 2010, Ms. Portante 2<sup>nd</sup>; unanimous.

Mr. Magee moved that the Commission accept the minutes of July 21, 2010, Ms. Portante 2<sup>nd</sup>; unanimous.

Certificate of Compliance - 24 Stow Street - 85-1026 (040)

Mr. Tidman reported that the project is complete and in compliance.

Mr. Froberg moved that the Commission issue a Certificate of Compliance for 24 Stow Street as recommended by Mr. Tidman, Ms. Portante 2<sup>nd</sup>; unanimous.

Certificate of Compliance - 80 Hammond Street - 85-1017 (041)

Mr. Maitland reported that he and Mr. Tidman inspected the site on August 18<sup>th</sup>; the required boulders around the perimeter of the "no-disturb setback" were undersized and easily moved by foot. Mr. Maitland also stated that the Applicant's engineer noted in his letter dated 8/4/2010, that the driveway extends into the "75' no-structure setback" to a point of 69' from the edge of wetlands.

The Commission agreed that the driveway must be constructed according to the approved plan (Sewage Disposal Plan, revised 5/21/2009 for 80 Hammond Street) and that proper sized boulders would need to be installed. The Commission took no action and did not approve a Certificate as requested by the Applicant.

7:40 Request for Determination - 271 School Street - F. Siddique & B. Strong (020)

Scott Hayes from Foresite Engineering presented plans for the proposed additions to the existing single family dwelling within 100' of a wetland and 200' from Coles Brook. Proposed construction involves a 97-square foot (SF) mud-room addition, 22.5-SF landing with stairs to grade, a 21-SF deck extension, reconstruction of an existing 22-SF bulkhead and a 25-SF landing with stairs to grade. All work proposed is within 100' buffer zone and within 200' riverfront to Coles Brook, a tributary to Fort Pond Brook. The existing house was constructed prior to the implementation of the River Protection Act; all existing and proposed construction meets the 75' no-structure setback under the Bylaw.

Hearing no comments or questions, Mr. Maitland closed the meeting.

Determination of Applicability - 271 School Street - F. Siddique & B. Strong

Mr. Magee moved that the Commission find that the work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent (-3), Mr. Froberg 2<sup>nd</sup>; unanimous.

*[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 08-18-2010 - (020).]*

7:50 Notice of Intent - 252 Main Street - K-Mart / The Stop & Shop Supermarket Co. (030-031)

\*Mr. Magee disclosed that, in the past, his employer has worked as a consultant on other sites which Vanasse Hangen Brustlin, Inc. (VHB) were also paid consultants; he does not feel that this relation will influence his ability to be impartial as a Commissioner for this hearing.

Matthew Varrell from VHB presented proposed plans for reconfiguration of the existing loading area and related pavement on the west side of the existing building. Mr. Varrell reported that there is an emergent marsh with a certified vernal pool located on the abutting property directly to the east of the proposed improvements at Kmart. Presently, all runoff from the paved surface at the rear of the Kmart facility flow into the adjacent wetland untreated. The proposal is to install several Best Management Practices (BMP's) to intercept and treat stormwater runoff before entering the wetland. A two-foot wide gravel trench will be installed along the edge of the driveway south of the loading dock to intercept runoff and direct it to the proposed stormceptor, stormwater will also be directed to a catchbasin with an oil/debris trap, then runoff will exit into the wetlands through a riprap energy dissipation bowl. A paved berm will be added along the entire edge of the parking lot and a four-foot high chain-link fence will be installed between the parking lot and wetlands to collect garbage that blows across the parking lot. Approximately 900 SF of pavement will be removed at the north end of the loading dock parking area and will be replaced with a berm then loamed and seeded; this area will help with infiltration.

Upon query by Mr. Maitland, Ken Staffier from VHB stated that the existing hay bales and silt fence along the edge of the pavement was installed in the fall of 2009 for a paving improvement project in the front of the Kmart facility. Mr. Varrell stated that this silt barrier will be removed and replaced.

Upon query by Mr. Froberg, Mr. Staffier reported that the radii for truck turning have been taken into account for the installation of the proposed berm.

Ms. Portante expressed concern that trucks will back into the proposed fence along the berm and destroy it, suggesting that the installation of boulders should be considered.

Mr. Magee noted that the installation of a guardrail in front of the fence would protect it and also help prevent snow from being piled on the berm area.

Mr. Staffier agreed that a wooden guardrail could be installed on the parking lot side of the fence.

The Commission asked that VHB amend the proposed plans to reflect modifications to the fence and guardrail design as discussed; revised plans should be sent to the Commission for the file. Mr. Staffier made red-line changes to the plan at this time and will submit revised plans reflecting this red-line change.

8:35 Hearing no further comment or questions, Mr. Maitland closed the hearing.

Decision – 252 Main Street - K-Mart / The Stop & Shop Supermarket Co.

Ms. Portante moved that the Commission issue an Order of Conditions excluding standard Bylaw conditions 35, 36 and 37 and adding the following special conditions:

SO1 - Revised plans that reflect the redline changes made during the hearing of August 18, 2010 showing a wooden guardrail and fence on the parking lot side of the proposed berm must be submitted to the Conservation Commission prior to the commencement of work.

SO2 - The Applicant must perform maintenance and clean-up on no less than a monthly basis that will include the stormwater inlet exiting the wetlands.

Mr. Froberg 2<sup>nd</sup>; unanimous.

Discussion – 69, 71, 73, 75, 77, 79 and 81 River Street

The Commission discussed ongoing communications with the developers of Lothrop Mills on River Street. The Commission is in receipt of the Historic District Commission's decision and will schedule time on the next agenda to publically discuss matters associated with the proposed development.

9:05 Meeting adjourned.

  
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Terry Maitland  
Chair

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