

CONSERVATION COMMISSION

AGENDA

NOVEMBER 3, 2010

7:30 PM

TOWN HALL - 472 MAIN STREET - ROOM 204

7:30 Abb. Notice of Resource Area Delineation - 294 Main Street - Acton Management, Inc. (010)

Stamski & McNary, Inc. - Delineation of 149 linear feet of Bordering Vegetated Wetland located (Town Atlas Plate F-3, Parcel 80).

Request for Certificate of Compliance - 163 Nagog Hill Road - 85-1030 (020)

MINUTES

October 6	comments rec'd by	TT, FP, AM	signature
October 20	“ “ “	FP	“

**CONSERVATION COMMISSION
MINUTES
NOVEMBER 3, 2010
7:30 PM
TOWN HALL - 472 MAIN STREET - ROOM 204**

COMMISSIONERS PRESENT: Terrence Maitland, Andrew Magee, Fran Portante, William Froberg

ASSOCIATE MEMBER(S): Christine Perraud

RECORDING SECRETARY & CONSERVATION ADMINISTRATOR: Tom Tidman

VISITORS: Seth Trotz, Eliza Tan, Edward Bravo, Isabella V. Choate, Leo Bertolami, George Dimakarakos

7:25 Meeting called to order.

Citizens' Concerns

50 Powdermill Road – Wayside Management Corp. - 85-1002

Leo Bertolami representing Wayside Management Corp. reported to the Commission that he has a current Order of Conditions (OOC), issued in 2008, for renovation of 50 Powdermill Road.

Mr. Maitland reported that he and Mr. Tidman met on site at 50 Powdermill Road with Mr. Bertolami on October 28, 2010 to discuss the project.

Mr. Bertolami stated that he would like to make improvements to the existing foundation, remove an old chimney and fill the existing basement with "flowable fill"; he would also like to prune trees at the rear of the building, and he plans to re-side the building.

The Commission felt that the proposed changes mentioned would be best dealt with in the form of an Amended OOC (AOOC). The Commission informed Mr. Bertolami that an AOOC would require notification of a public and notification to abutters. The Commission will require a written request to amend with a narrative describing the changes, submittal of an amended plan illustrating the scope of work and the interests of the Act affected by the proposed amendment.

7:30 Abb. Notice of Resource Area Delineation - 294 Main Street - Acton Management, Inc. (010)

George Dimakarakos from Stanski & McNary, Inc. presented plans delineating 149 linear feet of Bordering Vegetated Wetland (BVW) and potential Vernal Pool located on the property at 300 Main Street (Hosmer House) abutting 294 Main Street. The wetlands and limits of the potential vernal pool were delineated by B & C Associates; Commissioners met Dave Crossman from B & C Associates on November 3rd to review the delineation.

Mr. Dimakarakos reported that the plans have been amended from the original NOI submittal for this hearing; amended plans, dated 11/3/10, show the same line of wetland delineation with the flagging numbers removed at the request of the property owner of 300 Main Street (Historical Society). Mr. Dimakarakos also reported that the Historical Society would not be amenable to the Applicant accessing their property in the future to proceed with certifying the potential vernal pool.

Upon query by Mr. Magee, Mr. Dimakarakos reported that, although not certified, the potential vernal pool does appear on the Natural Heritage & Endangered Species Habitat Map.

Mr. Maitland informed people in the audience that an Abb. Notice of Resource Area Delineation (ANRAD) is not required to show future development plans and the Commission was satisfied with the location of the delineation flags as placed by Mr. Crossman.

Upon query by Mr. Magee, Mr. Dimakarakos stated that the Applicant is asking the Commission to approve both the BVW and potential vernal pool delineation as shown on the plan.

The Commission discussed the potential vernal pool location and its relationship to the edge of wetlands and agreed that the setbacks associated with the BVW flagging of the delineation are more restrictive than the 100' buffer around the potential vernal pool.

Mr. Magee stated that he would like the applicant to withdraw the delineation of the potential vernal pool from the plans submitted, as it is not possible to confirm.

Mr. Maitland noted that the potential vernal delineation was added to the plan by the surveyors as located in the field by B & C Associates.

Mr. Magee requested that the Applicant allow a continuance of the hearing to allow the Commission the opportunity to re-visit the site to focus on the potential vernal pool location.

Mr. Froberg noted that it was the botanist's location shown on the plan and he isn't sure the Commission would be able to get a better boundary line for the pool.

Seth Trotz of 288 Main Street asked if the Historical Society would object to allowing the Commission to enter onto 300 Main Street (Hosmer House) property.

Isabella Choate, representing the Historical Society, stated that access onto the property would not be permitted.

Upon query by Chuck Frampton of 288 Main Street, Mr. Magee stated that there is guidance from DEP on how to make a best estimate of the extent of vernal pool habitat if the owner/abutter does not allow access onto their property for a delineation.

Upon query by Eliza Tan of 288 Main Street, Mr. Dimakarakos reaffirmed the Commission's statement that the 75' no-structure setback to the BVW for "new construction" is more restrictive than that the 100' vernal pool buffer since it is encompassed within the BVW.

8:40 Upon request of the Commission, Mr. Dimakarakos agreed to continue the hearing until November 17th at 7PM to allow the Commission to re-visit the site.

Request for Certificate of Compliance - 163 Nagog Hill Road - 85-1030 (020)

Mr. Tidman reported that the project is complete and stabilized.

Ms. Portante moved that the Commission issue a Certificate, Mr. Arnold 2nd; motion passed unanimously.

MINUTES

Mr. Magee moved that the Commission accept the minutes of October 6 and October 20, 2010, Ms. Portante 2nd; unanimous.

BUSINESS

- Open Space and Recreation Plan – the Commission will hold a meeting on November 10 to continue working on the plan.
- Wetherbee Conservation Land – site walk with Chuck Caron will be held on November 11 at 9AM.

9:10 Meeting adjourned.



Terrence Maitland
Chair

TT:ahr
ahr.concom.minutes.2010.110310

11-03-2010

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PDF	020 - Request for Certificate of Compliance - 159 - 163 Nagog Hill Road 85-1030	naturalres	10/28/10	2 MB	Refresh, Download, Upload

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