CONSERVATION COMMISSION

AGENDA

DECEMBER 1, 2010

7:00 PM

TOWN HALL - 472 MAIN STREET - ROOM 204

7:15 Notice of Intent - Lot 2 Beacon Court - (57 Robbins Street) - Centennial Homes *(010)*

Notice of Intent - Lot 3 Beacon Court - (57 Robbins Street) - Centennial Homes *(020)*

Proposed construction of two single family homes, associated utilities, grading and landscaping within 100-feet of a bordering vegetated wetland.

7:30 Continuation - Request to Amend Order of Conditions - 50 Powdermill Road - 85-1002 *(030)*

CERTIFICATES OF COMPLIANCE

85-1036 - Erikson's Dam *(040)*

85-802 - Robbins Mill Estates - Phase 1 *(041)*

85-887 - 65 Canterbury Hill Road *(042)*

85-888 - 67 Canterbury Hill Road *(043)*

85-889 - 69 Canterbury Hill Road *(044)*

85-895 - 79 Canterbury Hill Road *(045)*

85-896 - 85 Canterbury Hill Road *(046)*

MINUTES

November 3	awaiting comments
November 17	forthcoming

CONSERVATION COMMISSION
MINUTES
DECEMBER 1, 2010
7:00 PM
TOWN HALL - 472 MAIN STREET - ROOM 204

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

RECORDING SECRETARY & CONSERVATION ADMINISTRATOR: Tom Tidman

VISITORS: Seth Donohoe, Michelle Kilpatrick, Suyun Ding, John Sweeney, Scott Hayes, Glen Kaufman, Paul Gaboury

7:15 CITIZENS' CONCERNS

16 Martin Street - John Sweeney

Mr. Sweeney stated to the Commission that he owns a home built in 1890. He received an Order of Conditions (OOC) in December 2004 for an addition to his home. Currently he wishes to construct a shed within the existing lawn area which is within 75' of wetlands.

The Commission stated that Mr. Sweeney will have to delineate the wetlands and the Commission will need to review the file for this property and conduct a site walk.

7:25 Notice of Intent - Lot 2 Beacon Court - (57 Robbins Street) - Centennial Homes *(010)*

*Mr. Maitland recused himself from the hearing due to the fact that he recommended a broker to the sellers and stands to earn a referral fee in the event of a sale.

Mr. Magee opened the hearing. A site walk was conducted on 12/1/10 at 8am.

Scott Hayes from Foresite Engineering presented plans for the construction of a single family home, associated grading, utilities, and landscaping within 100-feet of a bordering vegetated wetland. This lot will be a part of a residential compound with a 12' wide porous private roadway. This property is within Groundwater Protection Zone 4. The proposed house will be constructed within the 100' buffer zone; roof runoff will be directed to drywells and have limited grading. During the site walk with Commissioners on this date, Mr. Magee and Ms. Green felt that an additional wetland flag may needed between Wetland Flags B10 & 11; it was suggested that Charles Caron from Caron Environmental could revisit the site to review the delineation in this area if the applicant had an issue with the additional flag.

Upon query by Ms. Green, Mr. Hayes reported that the haybale/siltation prevention line will become the demarcation of a conservation restriction (CR) proposed by Oxbow Associates in the Mass. Endangered Species Act (MESA) Project Review as determined by Natural Heritage & Endangered Species Program (NHESP).

Upon query by Ms. Green, Mr. Magee noted that NHESP letter dated April 30, 2010 approved activity up to the 100' buffer, whereas the December 1, 2010 NHESP letter approved down to 75'.

Mr. Hayes reported that the 4/30/10 concept plan was not different than what was submitted, reviewed and reflected in the NHESP 12/1/10 letter. The applicant always planned to clear up to 75' from the BVW and NHESP knew that.

Mr. Magee stated that there's still confusion about the total CR acreage.

Michelle Kilpatrick from 7 Prescott Road expressed concern regarding the septic systems; her house has a wet basement and does not want to experience more water in her basement.

Upon query by Ms. Kilpatrick, Mr. Hayes reported that stormwater will be directed to the rear of Lot 2 and not onto her abutting property.

Upon query from Mr. Hayes, Mr. Magee stated that the language in the NHESP letter does not make sense regarding the exact acreage of the CR and he wants this issue resolved with NHESP.

Upon agreement by the applicant, Mr. Magee continued the hearing until December 15, 2010 at 7:45pm.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 12-1-2010 - (010).]

Notice of Intent - Lot 3 Beacon Court - (57 Robbins Street) - Centennial Homes *(020)*

Proposed construction of a single family home, associated utilities, grading and landscaping within 100-feet of a bordering vegetated wetland.

*Mr. Maitland recused himself from the hearing due to the fact that he recommended a broker to the sellers and stands to earn a referral fee in the event of sale.

Mr. Magee opened the hearing and asked the applicant who will hold the proposed conservation restriction (CR) on a portion of both Lots 2 & 3.

Glen Kaufman from Centennial Homes stated that NHESP was struggling with figuring out who would hold the conservation restriction; he thought that the CR was to be dropped.

Mr. Magee stated that this is important to know if and where the CR will be since placing a line of boulders as a demarcation of no future disturbance along the CR line will let everyone including future owners know where it is.

Mr. Hayes stated that it seems to be a mistake by NHESP.

Ms. Portante expressed concern stating that she is disturbed by the debris in the proposed CR land.

Mr. Kaufman stated that he plans on removing the old dump site and debris.

Mr. Hayes stated that the applicant would prefer to add the permanent markers along the CR line and leave the boulders at the 50' no-disturb setback.

Ms. Portante stated that a line of boulders may be considered redundant when the CR line is established.

Mr. Froberg stated that the proposed monuments seem like they are just survey posts and suggested that CR information be labeled on them.

Upon query by Mr. Magee, Mr. Hayes stated that the proposed back patio will be made of stone.

Upon query by Mr. Froberg, Mr. Hayes reported that dry-wells are designed for a 10-year storm and a secondary overflow is factored into the design. The proposed driveway is porous asphalt and is beyond the 100' buffer zone.

Upon query by Ms. Kilpatrick, Mr. Hayes reported that the proposed limit of work line shown as the line of haybales will be the limit of clearing.

Upon further query by Ms. Kilpatrick, Mr. Hayes reported that NHESP approved the "concept plan" 75' from the edge of wetlands; he will be submitting a final design plan to NHESP.

Upon agreement by the applicant, Mr. Magee continued the hearing until December 15, 2010 at 7:45pm.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 12-1-2010 - (020).]

8:30 Continuation - Request to Amend Order of Conditions - 50 Powdermill Road - 85-1002 *(030)*

Seth Donohoe from Acton Survey & Engineering stated that changes to the amended plan dated 11/24/2010 are not substantial and reviewed the proposed changes.

Ms. Portante noted that there is no actual loading dock at the door; the door would be replaced with a new door.

Mr. Magee expressed concern regarding the 10' wide construction easement and its labeling, this should be spelled out as a conservation restriction easement. The area at the door appears to be broken pavement. If a new door is installed will be there be new pavement?

Mr. Donohoe reported that a shed in this location had previously been removed.

Mr. Froberg noted that the plan does not reflect the loading dock paved surface at the side of the building.

Mr. Donohoe reported that the loading dock was in the previous NOI filing.

Mr. Magee noted that the line of boulders required under the original OOC was never placed at the back of the parking lot.

Mr. Donohoe stated that he will clarify the work that will be necessary to complete the loading dock area.

Mr. Magee noted that it will not be possible to install the proposed stone drip line behind the building as shown.

Mr. Donohoe will change the plan to show the drip line stopping at the chimney.

Mr. Froberg suggested that the Commission give the applicant some more time to address the Commission's questions and concerns.

Mr. Magee stated that the applicant will need to go through the new Stormwater Regulations with the proposed loading dock.

Ms. Green expressed concern that the notes submitted are very vague.

Mr. Maitland gave an overview of items that need to be detailed & addressed:
1) drip line;
2) rear emergency egress details;
3) picnic area;
4) loading area – Mr. Donohoe will clarify the bump out at the rear with structural engineer;
5) status of old OOC special conditions (i.e.: line of boulders);
6) status of conservation restriction area;
7) Stormwater Regs – applicability to new "use" of the facility.

The Commission will conduct a site walk on December 8th at 3pm.

Upon agreement by the applicant, Mr. Maitland continued the hearing until December 15 at 7:40pm.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 12-1-2010 - (030).]

CERTIFICATES OF COMPLIANCE

85-1036 - 113 Main Street - Erikson's Dam *(040)*

Mr. Froberg moved that the Commission issue a Certificate as recommended by Mr. Tidman; Ms. Portante 2nd, unanimous.

85-887 - 65 Canterbury Hill Road *(042)*
85-888 - 67 Canterbury Hill Road *(043)*
85-889 - 69 Canterbury Hill Road *(044)*
85-895 - 79 Canterbury Hill Road *(045)*
85-896 - 85 Canterbury Hill Road *(046)*

Ms. Portante moved that the Commission issue Certificates for 65, 67, 69, 79 and 85 Canterbury Hill Road; Mr. Froberg 2nd, unanimous.

85-802 - Robbins Mill Estates - Phase 1 *(041)*
Mr. Tidman reported that Phase 1, Robbins Mill Estates is not ready for a Certificate at this time.

9:45 Meeting adjourned.

Terry Maitland

Terry Maitland,
Chair

TT:ahr

ahr.concom.minutes.2010.12012010

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PDF	010 - Notice of Intent - Lot 2 Beacon Court (57 Robbins Street).pdf	naturalres	11/22/10	1 MB	
PDF	020 - Notice of Intent - Lot 3 Beacon Court (57 Robbins Street).pdf	naturalres	11/22/10	1 MB	
PDF	021 - NHESP Determination - 57 Robbins Street (Lots 2 & 3 Beacon Court)	naturalres	12/01/10	84 KB	
PDF	030 - 50 Powdermill Road - AMENDED NOI Plan & Letter 11-24-2010	naturalres	11/29/10	687 KB	
PDF	040 - Request for Certificate - 113 Main Street - Erikson Grain Mill - Dam Repair - 85-1036	naturalres	11/22/10	1 MB	
PDF	041 - Request for Certificate - Robbins Mill Estates - Phase 1 - 85-802	naturalres	11/22/10	9 MB	
PDF	042 - Request for Certificate - 65 Canterbury Hill Road (Lot 42) - Robbins Mill - 85-887	naturalres	11/22/10	227 KB	
PDF	043 - Request for Certificate - 67 Canterbury Hill Road (Lot 41) - Robbins Mill - 85-888	naturalres	11/22/10	216 KB	
PDF	044 - Request for Certificate - 69 Canterbury Hill Road (Lot 40) - Robbins Mill - 85-889	naturalres	11/22/10	244 KB	
PDF	045 - Request for Certificate - 79 Canterbury Hill Road (Lot 35) - Robbins Mill - 85-895	naturalres	11/22/10	199 KB	
PDF	046 - Request for Certificate - 85 Canterbury Hill Road (Lot 33) - Robbins Mill - 85-896	naturalres	11/22/10	254 KB	