ACTON CONSERVATION COMMISSION
AMENDED AGENDA
JULY 17, 2013

7:15 PM
TOWN HALL - 472 MAIN STREET
ROOM 204

7:15 Notice of Intent - 100 - 102 Nonset Path - Nagog Woods Community Corp. - 85-1129 *(010 - 013)*

Upgrade of four existing tennis courts, grading and installation of a sidewalk to permit seasonal installation of a tennis dome partially within riverfront and wetlands buffer zone (town atlas plate B-5, parcel 25-3).

7:30 Continuation - Notice of Intent - 12 Summer Street - 85-1127 (020)
Applicant has requests a continuance until August 7, 2013, 7:30 PM

7:40 Continuation - Abbreviated Notice of Resource Area Delineation - 4 Horseshoe Drive - 85-1128 *(030 - 032)*

8:00 Request for Determination - 77 Powdermill Road - ACD Lee Investments, LLC *(040)*

Installation of a concrete and stone filled trench within riverfront resource area located at 77 Powdermill Road, Acton (town atlas plate J-3, parcel 50).

8:15 Notice of Intent - 3 Nagog Park - J. Apazidis - The Red Raven, Inc. *(050)*

Repair and reinforcement of the existing deck/patio within Bordering Vegetated Wetlands located at 3 Nagog Park (town atlas plate B-4, parcel 7).

Certificate of Compliance - 400 Central Street - 85-1106 *(060)*

Update - Quail Ridge Conservation Restriction - J. Colman

MINUTES

June 5 *reviewed by* AM, AG signature?

ACTON CONSERVATION COMMISSION
MINUTES
JULY 17, 2013

7:15 PM
TOWN HALL - 472 MAIN STREET
ROOM 204

COMMISSIONERS PRESENT: Terry Maitland, William Froberg, Tom Arnold, Andrew Magee, Amy Green, Jim Colman

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Marcus Lewis, Mark Donohoe, Rich Harrington, Scott Goddard, Jenifer and Peter Apazidis

7:20 Notice of Intent - 100 - 102 Nonset Path - Nagog Woods Community Corp. - 85-1129 *(010 - 013)*

Rich Harrington from Stamski & McNary presented plans for the proposed upgrade of four existing tennis courts, grading and installation of a sidewalk to permit seasonal installation of a tennis dome partially within riverfront and wetlands buffer zone. The 100' buffer zone line runs through the middle of the tennis courts, the 200' riparian zone also cuts through the site. The existing courts are in need of repair and a proposed bubble-dome will be installed encompassing the courts. Current drainage patterns will remain the same and two bio-retention basins will be constructed at both ends of the proposed dome. Stormwater runoff will be treated and a long-term management plan has been submitted with this Notice of Intent (NOI) filing. A five-foot wide walkway will be installed around the perimeter of the dome and will be kept up as an emergency walkway in the event of a problem with the dome. Some large trees will be removed since they are a hazard to the dome.

Upon query by Ms. Green, Mr. Harrington reported that the project will create a 467 s.f. increase in impervious surface in the riverfront area.

Upon further query by Ms. Green regarding stormwater guidelines and pre-stormwater treatment, Mr. Harrington reported that the applicant will not be using sand in the winter for the proposed walkway and therefore will not need pre-treatment for runoff. Ms. Green also pointed out that the proposed rain gardens do not fully meet the Stormwater Design Guidelines but that, given the nature of the project, this is not of concern but that Mr. Harrington should make a note of this for future use.

Upon query by Mr. Froberg, Mr. Harrington reported that there will be an addition to the slab where a heater/blower unit will be installed.

Upon further query by Mr. Froberg, Mr. Harrington reported that the work will start in August involving the replacement of the old courts, the dome should be installed in September and approximately 6-8 trees (oak & pine) will be removed. Nagog Woods Community Corporation will be responsible for maintenance including the stormwater bio-retention basins.

7:38 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Decision - 100-102 Nonset Path

Ms. Green moved that the Commission issue an Order of Conditions, amending standard Bylaw conditions 18 and 19 for the plans as presented; Mr. Colman 2nd, unanimous.

7:30 Continuation - Notice of Intent - 12 Summer Street - 85-1127 (020)

Upon request by the Applicant, Mr. Maitland continued the hearing until August 7, 2013, 7:30 PM

7:40 Continuation - Abb. Notice of Resource Area Delineation - 4 Horseshoe Drive - 85-1128 *(030 - 032)*

Scott Goddard from Goddard Consulting, LLC, representing Westchester Corporation, presented an amended delineation plan dated June 21, 2013. There is an isolated wetland on site which falls under jurisdiction of Acton's Wetland Protection Bylaw; both soil samples and vegetation were used to delineate the on-site wetlands.

Mr. Goddard hand drew the 100' wetland buffer, for the record, at this meeting of July 17. Mr. Goddard reported that based on the June 18, 2013 site walk attended by Ms. Green, Mr. Magee and Mr. Tidman, it was found that under wet conditions there is a small seep at the south end of the property which required additional delineation flags WF 6A through WF 6L.

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

Order of Resource Area Delineation - 4 Horseshoe Drive - 85-1128

Mr. Magee moved that the Commission find the delineation accurate as shown on the June 21, 2013 plan for Isolated Wetlands under the Acton Wetland Protection Bylaw and 100' buffer zone of a Bordering Vegetated Wetland under the Wetlands Protection Act located on the adjacent property, 121 Concord Road (town atlas plate G-4, parcel 49-4). Ms. Green 2nd, unanimous.

8:00 Request for Determination - 77 Powdermill Road - ACD Lee Investments, LLC *(040)*

Mark Donohoe from Acton Survey & Engineering presented plans for the proposed installation of a concrete and stone filled trench within a riverfront resource area. Mr. Donohoe reported that the applicant is very concerned about the excessive erosion along the riverbank; riprap is an option but would require both state and federal permits. Activities proposed with this filing are to plant Willow to stabilize the bank with retaining walls and riprap; the work can be done in two weeks. Riverbank stabilization is complex; this proposal keeps the work back a minimum of five feet from the bank. The proposed stone and concrete trench will be three feet wide and six feet deep on a standard concrete footing, tapered away from the riverbank; Six-inch sono-tubes will be installed horizontally through the concrete to allow roots to grow through.

Upon query by Mr. Maitland, Mr. Donohoe reported that the applicant chose to not to file a Notice of Intent (NOI) due to the expense involved with that level of filing.

Ms. Green and Mr. Magee expressed concern with the proximity to the riverbank and feels that this project should be filed as a NOI.

Mr. Colman stated that there is potential of setting a precedent as there is no public process with a Request for Determination.

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

Determination of Applicability - 77 Powdermill Road

Mr. Magee moved that the Commission find that the area described on the referenced plan(s) is an area subject to protection under the Act and Bylaw. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent, and that the work described on thrjhe referenced plan(s) and document(s) is within an area subject to protection under the Act and Bylaw and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent (positive 1 and 3). Mr. Colman 2nd; unanimous.

Notice of Intent - 3 Nagog Park - J. Apazidis - The Red Raven, Inc. *(050)*

Jenifer and Peter Apazidis presented plans for the proposed repair and reinforcement of the existing deck/patio within Bordering Vegetated Wetlands (BVW). The wooden post at one end of the existing deck is angled causing the deck to fail. They propose to install seven new helical metal posts that will

be pressure drilled into the substrate below the deck; a structural engineer has determined this to be the correct number of support beams.

Upon query by Mr. Magee, Mr. Apazidis stated that they plan replace the existing deck surface with pressure treated wood.

Mr. Magee expressed concern stating that the deck surface boards will need to be painted prior to installation as some of the deck is above water.

The Commission discussed the water resource (pond) and where it drains to; Mr. Magee explained the source and flow pattern to fellow Commissioners.

Decision - 3 Nagog Park

Mr. Froberg moved that the Commission issue an Order of Conditions, amending standard Bylaw Conditions 18 and 19 to allow work as proposed for the plans as presented with the following special condition: Staining of the deck surface shall be done prior to installation; initial staining is not to be done over the pond's water surface.

Mr. Colman 2nd; unanimous.

Certificate of Compliance - 400 Central Street - 85-1106 *(060)*

Mr. Colman moved to issue a Certificate as recommended by Mr. Tidman; Mr. Magee 2nd, unanimous.

Update - Quail Ridge Conservation Restriction - J. Colman

The Commission held a brief discussion, Mr. Colman will distribute a draft conservation restriction to the Commission for comment. Mr. Maitland reminded Commissioners do not "reply all" in response to Mr. Colman's future email in this regard.

MINUTES

Mr. Magee moved to approve the minutes of June 5, 2013; Ms. Green 2nd, unanimous.

9:05 Meeting adjourned.

Terry Maitland

Terry Maitland
Chair

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PDF	011 - Notice of Intent - WETLAND PERMITTING PLAN - 100-102 Nonset Path	naturalres	07/15/13	3 MB
PDF	012 - Stormwater Management Report - 100-102 Nonset Path	naturalres	07/15/13	3 MB
PDF	013 - Stormwater Operation & Maintenance Manual - 100-102 Nonset Path	naturalres	07/15/13	957 KB
PDF	020 - Request for Continuance - 12 Summer Street	naturalres	07/10/13	478 KB
PDF	030 - Abbreviated Notice of Resource Area Delineation - 4 Horseshoe Drive	naturalres	07/10/13	4 MB
PDF	031 - 4 Horseshoe Drive REVISED Site Plan 6-21-2013	naturalres	07/10/13	594 KB
PDF	032 - 4 Horseshoe Drive - Site Plan 5-11-2013	naturalres	07/10/13	937 KB
PDF	040 - Request for Determination - 77 Powdermill Road	naturalres	07/10/13	306 KB
PDF	050 - Notice of Intent - 3 Nagog Park	naturalres	07/10/13	463 KB
PDF	060 - Request for Certificate of Compliance - 400 Central Street - 85-1106	naturalres	07/10/13	98 KB