

**ACTON CONSERVATION COMMISSION
MINUTES
January 15, 2014
7:15 PM
TOWN HALL - 472 MAIN STREET
ROOM 204**

COMMISSIONERS PRESENT: Terry Maitland, William Froberg, Amy Green, Jim Colman, Theresa Portante-Lyle

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Chris Lucas, Joel Frisch, Scott Morrison, Carltan Gray, Bruce Ringwall, Susan Mitchell-Hardt, Adria Osborne Cohen, Newton Taylor, Maurice and Paulette Joyal, Rachel Watsky, Hert Millet, David Hardt, Susan Richmond, James Richmond, Patricia Cook-Rashbaum, Jay Roshbaum, Mohit Sing, Larry O'Rourke

7:15 **Notice of Intent:** 11 Duggan Road (020)

Replacement of a failed septic system at 11 Duggan Road, town atlas plate G1, parcel 154. Work proposed will be performed within the 100 foot buffer zone. Project is exempt from town by-law.

Bruce Ringwall of Goldsmith, Prest & Ringwall, Inc., presented on behalf of the applicant, Michael Widmeyer. He explained that the existing house is currently unoccupied. A "Fast" system will be installed, and Board of Health approval has already been obtained. Access to the new system requires the use of vehicles working within 10 feet of wetlands, moving over an existing driveway. The old system will be removed since it is very close to the new system. The new, innovative system allows for reduced size and depth to ground-water.

Hearing closed at 7:26PM

Decision: Mr. Froberg moved to issue a standard order of conditions under the Wetlands Protection Act. Ms. Portante-Lyle seconded, all in favor.

7:30 **Notice of Intent:** 55 Knox Trail, Water line connection (030)

The proposed project is to connect the existing facility to an existing municipal water main located on Knox Trail, Town atlas plate J3, parcels 37 and 21-2. Work proposed will require alteration of riverfront area.

Joel Frisch from Northeast Geoscience, Inc. presented for the applicant. He explained that a water quality problem exists due to road salt infiltrating the shallow wells, approximately 25 feet deep, used to supply water which results in poor quality of ice for the rinks. Several options were examined to resolve the issue: 1. Install a new well at the rear of the parking lots, 2. Treat the water to remove contaminate salt, 3. Connect to Town of Acton municipal water supply on Knox Trail. Option 3 was most cost effective and practical. It entails directionally drilling under

the Assabet River, running a 4inch polyethylene sleeve under the river with a 2 inch water line inside. Connection would be made by digging two small pits, entry and exit, at either end. Upon completion, the pits would be covered and the area restored to its prior state. This approach results in minimum or no disturbance to Riverbank or Bordering Vegetative Wetland (BVW), or Bordering Land Subject to Flooding (BLSF). Directional drilling will take several hours to complete and the entire construction will take approximately 2 days. There will be no net change in impervious cover and the work will be undertaken soon. It's estimated that 5000 gallons of water per day will be required to run the rinks.

Hearing closed at 7:50 PM

Decision: Ms. Green moved to issue a standard Order of Conditions, Ms. Portante-Lyle seconded, and the vote was unanimous.

7:55 **Plan Review:** 394 Mass Avenue

Chris Lucas of Lucas Environmental presented the proposed removal of existing structures adjacent to the proposed CVS building. That area would be used for parking and a new structure, replacing the existing pavement, would be built on the other side, closer to wetlands. He outlined the wetland locations surrounding the property. He pointed out that the existing pavement is a more intense use of the buffer zone versus a building. The proposed reconstruction would result in a 600 square foot net reduction of impervious surface in the 50 foot buffer than currently exists. The applicant feels that this should be considered redevelopment. The only way this might be considered would be as a waiver request. The Commission asked that the applicant look at other options meeting the bylaw set-back requirements and work with Town staff to find an approvable solution.

8:15 **Groener Conservation Restriction:** Susan Mitchell-Hardt presented (040)

Commission voted to approve and then signed both the Conservation Restriction and the License Agreement.

Decision: Ms. Green moved to approve and Mr. Froberg seconded. Unanimous vote.

8:15 **Discussion of Notice of Intent Withdrawal:** 12 Summer Street, DEP # 085-1127 (050)

Scott Goddard, of Goddard Consulting LLC, presented an update of this project. He stated that the applicant needs to reapply under the Wetlands Protection Act. The local filing has been continued until May. He said that the complex aspects of the project, as they pertain to performance standards, are focused under the bylaw. The primary outstanding issue is the re-establishment of the wetlands flag line.

8:30 **Notice of Intent:** 4 Horseshoe Drive (060)

Proposed construction of a single family home with associated utilities and grading within 100 feet of a bordering Vegetated Wetland and an Isolated Vegetated Wetland. The parcels are located at 121 and 123 Concord Road, Town atlas parcels G4-49-6 and G4-49-4 respectively, and 4 Horseshoe Drive, Town atlas parcel G4-49-13.

Scott Goddard, of Goddard Consulting LLC, presented for the applicant. He pointed out that an ANRAD was done for two of the three parcels encompassed by this NOI. They will need to add flood plain data to the plan. The merger of the third lot allows for enough area to construct the house. Additional soil testing was done near the location of the new house indicating no hydric soils are present. The commissioners requested that further soil samples be taken and that Commissioners be present on-site to review soil conditions at the new test locations.

The hearing was continued until February 5 at 7:30 PM.

8:55 **Notice of Intent:** 114 River Street (070)

Construction of a single family home for a parcel at 114 River Street, (Town Atlas plate H3, parcel 209) within 200 feet of Riverfront area. A portion of the driveway and proposed grading, 625 square feet, are within the 100 foot buffer zone of bordering vegetated wetlands.

Scott Goddard, of Goddard Consulting LLC, presented on behalf of the applicant, Westchester Homes, Inc. He stated that there were no wetlands on the site, but work would occur within both the inner and outer riparian zones. Plans submitted showed the original flagging for river-front and wetlands were done by Carr Research in 2001. Currently, there is an expired Superseding Order of Conditions from the 2001 filing. The current NOI is using the same plan as in the 2001 filing.

Mr. Maitland asked about the relationship between Goddard Consulting LLC and the original engineering firm. Mr. Goddard responded that if a revision was needed, it would be done by another engineer. Mr. Colman pointed out that the plan being presented was without a current engineering stamp. Would the engineer explain to the commission how drainage would work? He said the commission needed a current plan with current wetland flagging. Mr. Marsh, the applicant, stated that his company was buying the property from the existing owner who supplied him with the plans. He has now been given permission to accurately locate wetlands on abutting property.

Ms. Green stated that the commission would need an alternatives analysis. Adria Cohen of 8 Old Surrey Road read a statement as a concerned abutter. Jay Rashbaum of 110 River Street asked about erosion and runoff on the site; how the wall would need to be protected; and voiced concerns over the aging septic system and the settling of the house. Adria expressed concern about the wildlife corridor that runs through the area and wanted assurance that a minimum number of trees would be removed. Larry O'Rourke asked

about the requirements for tree cutting and erosion. Will he designate the number of trees to be cut? He expressed the importance of keeping trees.

Mr. Taylor of 8 Old Surrey Drive asked what assurance would they have that, over time, the hill wouldn't slump over? He has serious concerns about a sink hole on River Street and that this construction would worsen the situation.

Mr. Maitland expressed his frustration with the plans as submitted, stating that the plans are unreliable and some question exists about the legality of using Foresite Engineering 2001 plans. There was also uncertainty as expressed by an abutter as to who owns the property.

The hearing was continued to March 5th at 7:30 PM.

MINUTES of December 18, 2013

Comments received by: TLP, AM, TA, TM

Ms. Portante-Lyle moved to accept, Ms. Green seconded, unanimous vote.

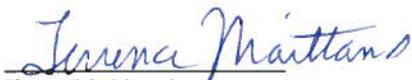
Open Space and Recreation Plan:

Public Meeting Date was set for February 13 at 7:30 PM in Room 204 of the Town Hall.

Authorization of Municipal and Town Forest Land exchange:

Mr. Colman moved to accept the exchange, Ms. Portante-Lyle seconded, unanimous vote.

Meeting adjourned at 9:30 PM.



Terry Maitland
Chairperson

**ACTON CONSERVATION COMMISSION
Amended AGENDA**

01-15-2014

7:15 PM

**TOWN HALL - 472 MAIN STREET
ROOM 204**

7:15 Notice of Intent: 11 Duggan Road (020)

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7:30 Notice of Intent: 55 Knox Trail, Water line connection (030)

The proposed project is to connect the existing facility to an existing municipal water main located on Knox Trail, Town atlas plate J3, parcels 37 and 21-2. Work proposed will require alteration of riverfront area. (DEP #85-1142)

7:40 Plan Review: 394 Main Street

8:00 Groener Conservation Restriction: Susan Mitchell-Hardt presenting (040)

8:15 Discussion of Notice of Intent Withdrawal: 12 Summer Street, DEP # 085-1127 (050)

8:30 Notice of Intent: 4 Horseshoe Drive (060)

Proposed construction of a single family home with associated utilities and grading within 100 feet of a bordering Vegetated Wetland and an Isolated Vegetated Wetland. The parcels are located at 121 and 123 Concord Road, Town atlas parcels G4-49-6 and G4-49-4 respectively, and 4 Horseshoe Drive, Town atlas parcel G4-49-13. (DEP #85-1143)

8:45 Notice of Intent: 114 River Street (070)

Construction of a single family home for a parcel at 114 River Street, (Town Atlas plate H3, parcel 209) within 200 feet of Riverfront area. A portion of the driveway and proposed grading, 625 square feet, are within the 100 foot buffer zone of bordering vegetated wetlands. (DEP #85-1144)

Open Space and Recreation Plan:

Select date for public meetings for input on goals and objectives

Authorization of Municipal and Town Forest Land exchange (080)

MINUTES: December 18, 2013, Comments: TLP, AM, TA, TM

Edit Selected Go Add Go

Type	Title	Owner	Edited	Size	Actions
<input type="checkbox"/>	0001 Agenda 01-15-2014	naturalres	01/13/14	13 KB	
<input type="checkbox"/>	020 11 Duggan Road NOI	naturalres	01/03/14	2 MB	
<input type="checkbox"/>	021 11 Duggan Rd SSS Plan	naturalres	01/03/14	5 MB	
<input type="checkbox"/>	022 11 Dugan Rd Hearing Ext 12062013	naturalres	01/03/14	396 KB	
<input type="checkbox"/>	030 Knox Trail_112 Powder Mill Road NOI	naturalres	01/03/14	3 MB	
<input type="checkbox"/>	031 KnoxTrail Photos	naturalres	01/03/14	425 KB	
<input type="checkbox"/>	032 KnoxTrail Aerial Stub Plan	naturalres	01/03/14	341 KB	
<input type="checkbox"/>	033 KnoxTrail NHESP Determination	naturalres	01/22/14	95 KB	
<input type="checkbox"/>	040 Groener CR Final with DE Edits (A0222110)	naturalres	01/03/14	71 KB	
<input type="checkbox"/>	041 Groener License (A0224726)	naturalres	01/03/14	24 KB	
<input type="checkbox"/>	042 Groener CR Sketch	naturalres	01/03/14	65 KB	
<input type="checkbox"/>	050 12 Summer Street NOI withdrawal	naturalres	01/03/14	52 KB	
<input type="checkbox"/>	060 4 Horseshoe Drive NOI	naturalres	01/03/14	11 MB	
<input type="checkbox"/>	061 4 Horseshoe Drive Septic Plan	naturalres	01/03/14	2 MB	
<input type="checkbox"/>	062 4 Horseshoe Drive Site Plan	naturalres	01/03/14	2 MB	
<input type="checkbox"/>	063 4 Horseshoe Drive additional information	naturalres	01/15/14	362 KB	
<input type="checkbox"/>	070 114 River Street NOI	naturalres	01/03/14	14 MB	
<input type="checkbox"/>	071 Letter from Acton Engineering	naturalres	01/09/14	85 KB	
<input type="checkbox"/>	072 114 River Street Site Plan	naturalres	01/09/14	2 MB	
<input type="checkbox"/>	080 H3776 - Act authorizing the town of Acton to transfer certain forest land	naturalres	01/13/14	97 KB	
<input type="checkbox"/>	081 Land Swap ANR Plan Record Plan (24x36) - 2014-01-01	naturalres	01/13/14	308 KB	
<input type="checkbox"/>	082 5 Quarry Road Land Swap Signature copy	naturalres	01/17/14	155 KB	