

**ACTON CONSERVATION COMMISSION**

**MINUTES**

**June 18, 2014**

**7:15 PM**

**TOWN HALL - 472 MAIN STREET**

**ROOM 204**

**COMMISSIONERS PRESENT:** William Froberg, Tom Arnold, Amy Green, Jim Colman, Theresa Portante-Lyle

**NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY:** Tom Tidman

**VISITORS:** Scott Hayes, Foresite Engineering; Kirk Fitzpatrick, Civil Solutions; Jack Maloney, Sullivan, Connors & Assoc.; Mike Turgeon, Jacobs Engineering

**7:15 Request for Determination of Applicability: 4 Conant Street**

Request for Determination of Applicability filed by Stephen and Idell Stein at 4 Conant Street, Plate no. I-3, parcel 17. The proposed work is for the installation of a replacement subsurface sewage disposal system. The leaching field is outside the 100 foot buffer zone but the fill associated with minimum grading requirements extends 22 feet into the buffer zone, 78 feet from edge of wetland. (010)

Kirk Fitzpatrick from Civil Solutions, presented the project. The existing septic system failed Title 5 inspection, necessitating the installation of a new system. This will be a pump system, which will have to be elevated due to high ground water table. The design has been approved by the Board of Health. Approximately 3 feet of fill will be added, with a three to one slope at the fill line.

*The meeting was closed at 7:35 PM*

Mr. Arnold moved that the project be issued a Negative 3 determination, meaning 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. Ms. Green seconded the motion, all in favor.

**7:40 Request for Determination of Applicability: 81 Charter Road**

Request for Determination of Applicability filed by Dean Charter for a project at 81 Charter Road, Plate E-3, Parcel 90. Project entails an addition to an existing dwelling and replacement of septic tank with associated grading and landscaping. A portion of the addition and the septic installation are within the 100 foot buffer zone of bordering vegetated wetland. (020)

Scott Hayes from Foresite Engineering presented the project. It entails the addition of a new 1500 gallon septic tank and an addition to the house. The site is relatively flat so erosion is not expected to be a problem. The existing leaching field will remain as is. The new septic tank will be approximately 80 feet from edge of wetlands. No additional bedrooms are proposed so there is no need to increase the size of the leaching field.

*Meeting was closed at 7:45 PM.*

Mr. Arnold moved that the project be issued a Negative 3 determination, meaning 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. Ms. Green seconded the motion, all in favor.

7:50 **Request for Determination of Applicability:** 149 Newtown Rd. (Grassy Pond)  
Request for Determination of Applicability filed by Acton Department of Natural Resources for a project at 149 Newtown Road, town atlas plate D-3, parcel 14. The project entails improving an existing 50 foot wide gravel access drive to a new, three car gravel parking lot at Grassy Pond Conservation Area. (030)

Mr. Tidman presented the project for the Department of Natural Resources. Currently there is a narrow pull-off area close to Newtown Road. The property has a 50 foot wide entrance that will be modified to accommodate a three car parking area, with a gravel surface. Work will occur within the 100 foot buffer zone of bordering vegetated wetlands. The closest point of work will be approximately 60 feet from wetlands.

Ms. Green inquired whether hay bales would be needed. Mr. Tidman responded that, while no silt prevention is showing on the plan, it could be added. He then added a hay bale line to the plan.

Mr. Froberg asked how much fill will be needed and Mr. Tidman said close to 200 cubic yards was expected.

*With no further discussion, the meeting was closed at 7:55 PM.*

Ms. Green moved that the project be issued a Negative 3 determination, meaning 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. Mr. Arnold seconded the motion, all in favor.

8:00 **Request for Determination of Applicability:** 5 Littlefield Road  
Request for Determination of Applicability filed by Michael and Jolene Small for the installation of a new septic system at 5 Littlefield Road, plate D-2, parcel 52. Leaching field, tank and pump chamber will all be installed outside the 75 foot buffer zone, but associated grading will extend into the 75 foot buffer. No grading or fill will be installed within the 50 foot buffer zone. (040)

Jack Maloney of Sullivan, Connors and Associates presented the project. A new system including grading will be installed on the existing lawn. The existing tank will be filled and crushed, and a new tank installed. The existing system is approximately 45 years old. The new system will be in the same location as the existing system. All material from the old system will be re-used in the break-out area.

*Meeting was closed at 8:15.*

Mr. Arnold moved that the project be issued a Negative 3 determination, meaning 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. Ms. Portante-Lyle seconded the motion, all in favor.

8:15 **Notice of Intent:** Mass Bay Transportation Authority: Culvert Repair near Central Street crossing  
Notice of Intent, 85-1153, filed by Mass Bay Transportation Authority for the repair of a collapsed culvert at Mile Post 25.93, east of the Central Street grade crossing. Emergency certification was granted to perform required repairs on Nov 8, 2013. This is an after-the-fact filing to document the work in accordance with the Emergency Certification. The repair work included work in the bank of an intermittent stream and the 100 foot buffer zone to bank and bordering vegetated wetland. (050)

Mike Turgeon with Jacobs Engineering Group Inc., presented the project. Last October, the culvert collapsed and required immediate repair. An Emergency Certification was granted in November of 2013. Work proceeded during the months of November and December of 2013. The culvert was

replaced with reinforced concrete pipe. The repair took approximately one month to complete. A silt sack was used for dewatering, and the engineer has asked that the used silt sack be removed.

Due to the engineer forgetting to bring the proof of abutter notification, the meeting was continued to July 2<sup>nd</sup>, at 7:45 PM.

**8:30 Wetlands Violation: 196 Great Road, briefing (060)**

Mr. Tidman updated the Commission on the violation that was brought to the attention of the Natural Resources office on May 29<sup>th</sup>. by DEP. He subsequently met with the owner of the property, Coleman Hoyt. Work was stopped and hay bales were installed. The owner then hired Oxbow Associates Inc. to begin the filing process with the Commission.

Mr. Tidman has discussed the violation with Brian Butler, principal of Oxbow Associates. A letter from Oxbow Associates provided detailed information to the Commission. An after-the-fact Notice of Intent will be filed shortly.

**8:40 Update on Quail Ridge CR: Jim Colman**

Mr. Colman reported to the Commission that Town Counsel had notified him that Pulte had agreed to revise the language in the "future use" section of the CR concerning permanently discontinuing the use of the property as a golf course and abandonment for five years. They would not, however, agree to the language proposed by the Commission regarding the removal of structures.

Mr. Colman's position was that the town should not be responsible for removing building on land in private ownership. The liability would remain with the owner. Mr. Colman will express the concern of the Commission to Town Counsel about structures being the landowner's responsibility for removal, not the town's.

**Certificate of Compliance:**

62 Charter Road, Lot 10B, 85-1107, inspected 6/4/2014

Ms. Green moved to issue Certificate, Mr. Arnold seconded, all in favor.

244 – 248 Main St. 85-807:

Open issues remain, no action taken.

**Minutes:**

5-21-2014: reviewed by AM, TM, WF, AG

Ms. Green moved to approved, Ms. Portante-Lyle seconded, all in favor.

5/27/2014: reviewed by TM, AM, AG

Ms. Green moved to approved, Ms. Portante-Lyle seconded, all in favor.

**Meeting adjourned at 9:10 PM.**



Terry Maitland  
Chairperson

**ACTON CONSERVATION COMMISSION**

**AGENDA**

**June 18, 2014**

**7:15 PM**

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- 8:40 Update on Quail Ridge CR: Jim Colman**
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244 – 248 Main St. 85-807
- Minutes:**  
5-21-2014: reviewed by AM, TM, WF, AG  
  
5/27/2014: reviewed by TM, AM, AG
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My Background Jobs (9)

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## 06-18-2014

<input type="checkbox"/>	Type	Title	Owner	Edited	Size	Actions
<input type="checkbox"/>	PDF	001 - Agenda 06-18-2014	naturalres	06/06/14	15 KB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	010 - RDA 4 Conant Street	naturalres	06/06/14	2 MB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	011 - RDA 4 Conant St SDS Design REV	naturalres	06/06/14	3 MB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	020 - RDA 81 Charter Road	naturalres	06/06/14	941 KB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	030 - RDA 149 Newtown Road	naturalres	06/06/14	798 KB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	031 - RDA 149 Newtown Road Plan	naturalres	06/06/14	141 KB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	040 - RDA 5 Littlefield Rd	naturalres	06/06/14	51 KB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	041 - RDA 5 Littlefield Rd Septic Design	naturalres	06/06/14	1 MB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	050 - NOI MBTA Culvert Repair 85-1153	naturalres	06/11/14	8 MB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	060 - Violation 196 Great Rd Letter June 2_2014	naturalres	06/06/14	46 KB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>
<input type="checkbox"/>	PDF	061 - Violation Acton 196 Great Road_Ortho_Jun2	naturalres	06/06/14	1 MB	<input type="button" value="View"/> <input type="button" value="Download"/> <input type="button" value="Print"/> <input type="button" value="Share"/>