

**CONSERVATION COMMISSION  
OCTOBER 1, 2008  
AGENDA**

- 7: 00 Request for Determination - 9 Faulkner Hill Road - Toros Maksoudian (010, 011)  
Proposed selective removal of trees within 100' of a wetland (*see agenda information for Administrator's comments (0002)*).
- 7:15 Acton Conservation Trust - Andrew Magee (020)  
Presentation pertaining to the Town of Acton's proposed purchase of 4 & 8 Piper Lane; two parcels totaling approximately 11 acres of open space abutting Great Hill Conservation Area.
- 7:25 Request for Determination - 624 Main Street - Enterprise Bank - SFC Engineering Partnership (030, 031)  
Proposed partial removal of existing pavement, installation landscaping and the proposed addition of a canopy to the existing building within 200' of Nagog Brook & 100' of a wetland (*see agenda information for Administrator's comments (0002)*).
- 7:30 Notice of Intent (2) - 107-111 Great Road - Wetherbee Plaza, LLC - L. Bertolami (040 - 043),  
Proposed paving and grading associated with existing buildings.
- 7:35 Continuation - Notice of Intent (1) - 107-111 Great Road - Wetherbee Plaza, LLC (050)  
Amended plan dated 9-15-2008 submitted.
- Decision - 81 River Street - Lot 2F – vote special condition – see agenda information (060)

MINUTES

September 3	comments rec'd by	TT, TM, JA	<i>signature</i>
September 17	forthcoming		

**CONSERVATION COMMISSION  
OCTOBER 1, 2008  
MINUTES**

**MEMBERS PRESENT:** Terry Maitland, Janet Adachi, Fran Portante, Patty Lee, Bill Froberg,

**ASSOCIATE MEMBER:** Toni Hershey

**RECORDING SECRETARY:** Andrea Ristine

**VISITORS:** Toros Maksoudian, Michaela Moran, David Jordan, Andrew Magee, Susan Mitchell-Hardt, Jim Keenan, Mark Donohoe, Leo Bertolami, Chuck Caron

7: 11 Request for Determination - 9 Faulkner Hill Road - Toros Maksoudian (010, 011)

Proposed selective removal of trees within 100' of a wetland (*see agenda information for Administrator's comments (0002)*).

Homeowner, Toros Maksoudian reported to the Commission that he has approximately 12 dead or dying Ash trees and one Hickory that he has hired a tree contractor to remove. Seven trees had been removed when he was asked by a town representative to stop work as he was made aware that the Commission must approve the removal of trees within the 100' buffer zone; there are five trees remaining that need to be removed because they are a hazard.

Upon query by Mr. Maitland, Mr. Toros reported that his property is fairly heavily wooded; the trees to be removed are selective removals within the wooded areas.

7:22 Mr. Maitland closed the meeting.

Determination - 9 Faulkner Hill Road

Ms. Adachi moved that the Commission find the work as presented to be within its jurisdiction but will not impact the wetland with a special condition that the Applicant shall obtain the approval of the Conservation Administrator, pursuant to an on-site inspection, of the remaining trees to be removed. Ms. Lee 2<sup>nd</sup>; unanimous

7:24 8 Piper Lane - Acton Conservation Trust & Open Space Committee - Andrew Magee (020)

Presentation pertaining to the Town of Acton's proposed purchase of 8 Piper Lane; two parcels totaling approximately 5.5 acres of open space abutting Great Hill Conservation Area.

Selectman Andy Magee presented the proposed Article 2 to be presented at Special Town Meeting on October 2<sup>nd</sup> pertaining to a proposed 5.5-acre land purchase which includes a undersized parcel with a single-family home and an undeveloped parcel. The undeveloped parcel abuts the Great Hill Conservation Area. The Acton Conservation Trust (ACT) and the Open Space Committee (OSC) are actively pursuing open space and this property is a high priority. The current owner has approached the town to purchase the land in hopes to preserve it as open space but a developer also is interested. The appraised price of the property is within range for the town to purchase. The existing house is a 1840's structure and the intent, if the town purchases the property, is for the town to hold most of the undeveloped parcel as open space with a small portion of the undeveloped parcel added to the house lot to satisfy zoning size requirements, put a historic restriction on the house lot and sell the conforming house lot. The hope is that the town will be able to recoup half of the money spent on the entire purchase with the sale of the house; it may take one or two years to sell with the current market conditions. The Community Preservation Committee, Board of Selectmen, Finance Committee and Planning Board recommend the purchase and the OSC is asking the Conservation Commission to support the purchase. The funds would be provided through money set aside for

open space under the Community Preservation Act. If Town Meeting approves the purchase, negotiations with the owner will continue with the execution of a purchase and sale agreement and pending a home inspection. Fortunately, the owner is anxious to see the land preserved as open space.

Upon query by Mr. Maitland, Mr. Magee reported that the land, if purchased, would be "town owned" with a conservation restriction being held in part by ACT; the statutes governing conservation restrictions require that the conservation restriction not be held by the owner of the property. The property has historic preservation, open space and recreation components.

7:41 Ms. Portante moved that the Conservation Commission endorse the land acquisition as presented by Mr. Magee, Mr. Froberg 2<sup>nd</sup>; the motion passed unanimously.

7:42 Request for Determination - 624 Main Street - Enterprise Bank - SFC Engineering Partnership (030, 031)  
(See agenda information for Administrator's comments (0002)).

David Jordan from SFC Engineering presented plans for the proposed partial removal of existing pavement, installation of a landscaped island and addition of a canopy to the existing building within 200' of Nagog Brook & 100' of a wetland. Mr. Jordan reported that Mr. Tidman has been to the site and recommended filing an RDA. The proposed activity is on the south side of the existing building which is currently paved; the proposed canopy will be for a drive-through bank window. The proposed canopy roof will be pitched to direct stormwater runoff toward the existing parking lot and drainage system. The existing six-inch granite curb will be maintained; there is no proposed alteration of the resource areas or undisturbed buffer zone.

Upon query by Mr. Maitland, Mr. Jordan reported that the existing catch basins will be fitted with filter material (silt sacks) that will strain potential sediments from the area of activity before entering the drainage system.

Upon query by Mr. Froberg, Mr. Jordan reported that the existing drainage system filters stormwater and directs it towards the north side of the existing plaza before discharging to the wetland resource area on the north side of the plaza.

Upon query by Ms. Adachi, Mr. Jordan reported that Mr. Tidman did not see a need for siltation prevention beyond what is proposed since the work will be within an existing paved area with a six-inch vertical granite curb.

Upon query by Ms. Lee, Mr. Jordan reported that the proposed canopy will have two footings.

Upon query by Ms. Lee, Jim Keenan reported that the proposed striped area on the existing pavement cannot be landscaped due to the space and turning radius required by the Building and Fire Departments.

7:53 Hearing no further comments, Mr. Maitland closed the hearing.

Determination - 624 Main Street - Enterprise Bank

Mr. Froberg moved that the Commission find the work as proposed to be within its jurisdiction and will not impact the resource areas (-3). Ms. Portante 2<sup>nd</sup>; unanimous.

7:50 Notice of Intent (2) - 107-115 Great Road - Wetherbee Plaza, LLC - L. Bertolami (040 - 043),

Mark Donohoe presented plans for proposed paving and grading associated with the existing buildings. This NOI is to complete site work associated with an expired OOC, DEP File No. 85-814 approved by the Commission in 2002.

Upon query by Ms. Adachi, Mr. Donohoe reported that surrounding properties drain through tributaries into this site; a ditch diverter sends runoff to the wetland. The Applicant has to provide access and stormwater recharge on his site; flow of runoff will be detained to protect recharge areas.

Upon query by Ms. Adachi, Mr. Donohoe stated that the proposed wetland restoration should be done during dry conditions; the Applicant will sequence the construction and restoration project depending on the season's allowances. Proposed pavement work should be done before winter. Chuck Caron from Caron Environmental Consulting stated that July and August are generally the best time of year to conduct wetland work.

Upon query by Ms. Adachi, Mr. Donohoe stated that this NOI proposes finishing site work associated with the 2002 OOC (85-814). The septic system connection between the existing Carriage House and Wetherbee House referenced in the plans is still pending with the Board of Health. The Applicant proposes to regrade and resurface the existing paved areas. The limit of site work will be along the contour lines with the existing and proposed paved areas; the use of silt fence is proposed instead of haybales to prevent weed seeds further entering the site and causing detriment to the proposed wetland restoration project.

8:13 Continuation - Notice of Intent (1) - 107-115 Great Road - Wetherbee Plaza, LLC (050)

Chuck Caron from Caron Environmental Consulting noted that an amended plan dated 9-15-2008 has been submitted pertaining to the proposed wetlands restoration and improvement project; Mr. Caron also provided a Wetland Improvement Construction Sequence (WICS). Upon completion of the wetland restoration planting, weeding should occur monthly from June to September for the first two growing seasons. The intensity of weeding in subsequent years will be assessed based upon conditions. The landscaper, or person conducting the weeding, shall meet with the wetland scientist each June to determine the species that need to be removed.

Upon query by Mr. Froberg, Mr. Caron reported that the tributaries feed into this site and end at this wetland; there is no further connection to other wetland resource areas under Great Road to Nashoba Brook. Mr. Donohoe added that the site is 10' above flood plain elevations.

Upon query by Ms. Adachi, Mr. Donohoe reported that the proposed boardwalk will be placed on boulders with no footings.

In response to questions about the proposed work sequence for the two projects, Mr. Donohoe said that the grading and paving work would begin in the next few weeks. The Commission suggested that the Applicant submit monthly progress reports until both projects are completed.

8:33 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Decision - NOI1 - 107-115 Great Road - Wetherbee Plaza

Ms. Adachi moved that the Commission issue an Order of Conditions with the following special condition: The Applicant shall submit a monthly project status report to the Commission from the time that work commences until completion of the project.

Ms. Portante 2<sup>nd</sup>; unanimous.

Decision - NOI2 - 107-115 Great Road - Wetherbee Plaza

Ms. Lee moved that the Commission issue an Order of Conditions with the following special condition: The Applicant shall submit a monthly project status report to the Commission from the time that work commences until completion of the project.

Mr. Froberg 2<sup>nd</sup>; unanimous.

Amend Decision - 81 River Street - Lot 2F – vote special condition – see agenda information (060)

Ms. Lee moved that the Commission confirm the Decision approving the issuance of an OOC as voted September 17, 2008 with the following special condition: The Applicant shall submit a detailed planting plan that uses wildlife beneficial, native/indigenous species for the proposed bio-retention areas. The Applicant also shall provide a long-term management plan for the wetland area on Lot 2A and the bio-retention

areas on all lots to ensure the success of native species and control of non-native species. The Applicant shall present the planting plan and long-term management plans to the Commission for approval prior to the commencement of work on the site.

Ms. Adachi 2<sup>nd</sup>; unanimous.

### MINUTES

Ms. Lee moved that the Commission approve the minutes of September 3, 2008; Mr. Froberg 2<sup>nd</sup>, unanimous.

9:00 Meeting adjourned.

  
Terrence Maitland  
Terrence Maitland  
Chair

ahr.concom.minutes.2008.100108

**ADMINISTRATIVE COMMENTS:**

(0002)

Request for Determination - 9 Faulkner Hill Road – T. Maksoudian

In early August trees were cut from the rear of the house. The owner was stopped after a report was called in by a neighbor. Most of the trees cut were dying or dead White Ash. No trees were cut in wetlands, only buffer zone. The owner was given permission to clean-up the trees dropped, but no additional trees were to be removed prior to filing this RDA. (Negative 3)

Request for Determination – Acton Woods Plaza – Enterprise Bank

The end unit of Acton Woods Plaza at 642 Main Street (corner of Rt. 2A & Rt. 27) will be converted into a bank with a drive-up window and canopy. No drainage modifications in the existing parking lot will be necessary. Work will be confined to the existing building and parking lot. This project is within 100' of wetlands and 200' of Nagog Brook. (Negative 3)