

ACTON CONSERVATION COMMISSION

**Minutes
May 7, 2014**

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

COMMISSIONERS PRESENT: Terry Maitland, Andrew Magee, Amy Green, Theresa Portante-Lyle

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Brewster Conant, Janet Adachi, Tom Michelman, Emily Teller, Terra Lydon, David and Karen Francisco

7:15 Notice of Intent: 12 Summer Street, request to continue to May 21 meeting (020)

7:20 Notice of Intent: 214 Newtown Road (030)
The proposed project is for the installation of an in-ground pool and associated landscaping within 100 feet of wetlands at 214 Newtown Road, Acton (*town atlas plate D-3-parcel 5-8*).

Owner David Francisco reported to the commission that they would like to have an in-ground pool and patio installed in their backyard. The pool will be located within 100 feet of wetlands. The wetlands were flagged in April by Tom Tidman.

Tom Tidman reported that the pool will be located outside the 75 foot buffer zone with the patio at its nearest point to wetland being 65 feet. Several trees have been marked for removal along the rear line of existing lawn. The nearest point of the landscaping will be 55 feet to edge of wetland. Four wetland flags were set along the rear of the lot. Terry Maitland walked the site on May 6 to verify the wetlands line. Mr. Tidman noted for the record that there is a bordering vegetative wetlands east of the existing driveway, more than 100 feet from the proposed work area. This was mentioned to Mr. Maitland during the sitewalk.

Terra Lydon, of Surfside Pools, described how the "salt water" pool will function, and mentioned that it will only be dropped by approximately 4 inches each fall.

Hearing closed at 7:40 PM.

Decision: Mr. Magee moved to issue an Order of Conditions with the following special conditions:

1. This Order of Conditions only affirms the location of wetlands flags 1 through 4, for work associated with the installation of an inground pool and associated landscaping.
2. No water from the pool may be discharged within the 50 foot natural buffer zone.
3. Should the need arise to dewater the entire pool, or to lower the water levels more than 4 inches, all dewatering would be pumped to a truck and taken off-site for disposal.
4. Prior to the annual 4 inch lowering of the pool in preparation for winter, the pool must sit untreated for a period of 7 days.

Ms. Portante-Lyle seconded, vote unanimous.

Rebecca Williamson fo GPI continued the hearing, addressing Commission concerns as expressed on April 16. They discussed the invasive plant removal plan as proposed by the Massachusetts Department of Transportation (MassDOT). The DOT would like to arrange a walk of the rail trail with the commission to review and identify invasives to be removed.. Ms. Williamson also discussed the width of the trail and the need for soft shoulders.

Marta Nover of Nover-Armstrong discussed riverfront impacts and possible mitigation of wildlife inpacts for work conducted within the floodplain. It was pointed out that the State has indicated that commissions consider the "reasonableness" of the project in making their decisions.

An option discussed was the design and installation of rain gardens for NARA park as mitigation.

The commission discussed the conditions necessary for them to approve the project. It was decided to hold a special meeting, on the following Thursday, May 15, at 7:00 PM, at the Acton Town Hall, to advance the draft conditions.

Certificates of Compliance

- 107 Summer Street, inspected 04/22/2014

Mr. Magee moved to issue a certificate of compliance, Ms. Green 2nd, unanimous vote

MINUTES: 04-16-2014, reviewed by AM, AG

Mr. Magee moved to accept the minutes of 4/16, Ms. Portante-Lyle seconded , unanimous vote.

Meeting adjourned at 9:20 PM.



Terry Matland
Chairperson

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AGENDA
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7:30 Notice of Intent: Bruce Freeman Rail Trail, continuation (040)

Certificates of Compliance

- 107 Summer Street, inspected 04/22/2014

MINUTES: 04-16-2014, AM, AG

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