

**CONSERVATION COMMISSION
AGENDA
OCTOBER 6, 2010
7:15 PM
TOWN HALL - 472 MAIN STREET - ROOM 204**

7:15 Notice of Intent - 124 School Street - Timothy Racie (010)
Proposed construction of a 20' x 24' addition and deck.

7:30 Request for Determination - 43 Flint Road - William Thompson - R. Wilson & Associates (020)
Proposed replacement and upgrade of a sewage disposal system.

7:40 Notice of Intent - 191 Nagog Hill Road - C & M McCarthy - Stamski & McNary (030)
Proposed demolition and reconstruction of a single family dwelling, sewage disposal system, driveway and associated utilities.

Request for Certificate of Compliance

Acton Plaza 2 - 381-389 Massachusetts Avenue - 85-1043 (040)

MINUTES

July 28	comments rec'd by	TT, FP	} SIGNATURE?
August 18	“ “ “	AM, TT, PL	
September 1	“ “ “	TT, FP	

CONSERVATION COMMISSION

AGENDA

OCTOBER 6, 2010

7:15 PM

TOWN HALL - 472 MAIN STREET - ROOM 204

COMMISSIONERS PRESENT: Terry Maitland, Andrew Magee, William Froberg, Tom Arnold

ASSOCIATE MEMBER(S): Christine Perraud

RECORDING SECRETARY & CONSERVATION ADMINISTRATOR: Tom Tidman

VISITORS: Russ Wilson, John & Jill Groener, Robert Young, Timothy B. & Kimberly L. Montella, Clair & Mark McCarthy, Mimi Rendish

7:15 Notice of Intent - 124 School Street - Timothy Racie (010)

Tim Racie presented plans for the proposed construction of a 20' x 24' addition and deck. Mr. Racie reported that he owns a small cape-style home built in the 1960's; he received approval from the Commission in 1996 for an addition to his home. There is a wetland upstream "Goosie Pond" that flows in an open ditch behind 122 School Street which enters a 24" culvert approximately 70' long behind his house #124. The ditch is an intermittent stream. This culvert has been in place for many years, long before he took ownership of the house. At the closest point, a corner of the house is five feet from the edge of wetlands; there is no wetland vegetation present, but there is a "bank" associated with the ditch. Water flows in the ditch between December and March most years. The proposed addition will be approximately eight feet from the edge of wetlands.

Upon query by Mr. Froberg, Mr. Racie stated that his wetlands were not delineated for this filing but his neighbors had the wetland delineated a couple years ago when they built an addition to their home. The wetlands are very defined; the headwall and the edge of the ditch are the edge of wetlands

Mr. Magee confirmed that the ditch is well defined, establishing the edge of the bank.

Upon query by Mr. Arnold, Mr. Racie reported that the addition will be constructed upon five sono-tubes.

Mr. Magee stated that it is unlikely that the project will cause erosion, but a row of haybales will be placed between the headwall and the addition extending for a distance of ten feet.

7:35 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Decision – 124 School Street

Mr. Magee moved that the Commission issue an Order of Conditions (OOC) for the plans as presented noting that the (proposed) addition does not meet Acton's 50' natural or 75' no-structure setback, but is compliant since the existing structure is closer to the edge of wetlands than the proposed addition under the Town of Acton Wetland Bylaw Section F8.3; thus the TOA Standard OOC's #18 & 19 shall be amended as the existing structure is pre-existing, non-conforming and is closer to wetlands than the proposed additions depicted on "Plot Plan 2, 11-16-1993 - Amended 9/15/2010", Mr. Arnold 2nd; unanimous.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 10-06-2010 - (010).]

7:40 Request for Determination - 43 Flint Road - William Thompson - R. Wilson & Associates (020)

Russ Wilson from R. Wilson & Associates presented plans for the proposed replacement and upgrade of a sewage disposal system. The existing system is in failure with the leaching field approximately 30' from the edge of wetlands. The proposed leaching field will be 60' from the edge of wetlands at its closest point. The proposed system will require a waiver from the Board of Health. The proposed system is a biologically accelerated system known as a "Jet System" which has been in use for more than ten years in Massachusetts; it is a closed pressure system.

Upon query by Mr. Magee, Mr. Wilson reported that the proposed system will not be raised/mounded above grade.

8:50 Hearing no further comment or questions or comments; Mr. Maitland closed the meeting.

Determination of Applicability - 43 Flint Road

Mr. Arnold moved that the Commission find 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. Froberg 2nd, unanimous.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 10-06-2010 - (020).]

8:55 Notice of Intent - 191 Nagog Hill Road - C & M McCarthy - Stamski & McNary (030)

George Dimakarakos presented plans for the proposed demolition and reconstruction of a single family dwelling, sewage disposal system, driveway and associated utilities. Mr. Dimakarakos described what currently exists within the Commission's jurisdiction. The existing driveway is located between two wetlands and is two feet from the edge of wetlands at its closest point. A portion of the existing house and the terraced retaining walls and landscaped planter in front of the existing house are all within the 100' buffer zone and will be removed. The proposed house will be located outside of the 100' buffer zone. A portion of the proposed driveway will be located in front the house accessing an in-law apartment attached to the east side of the proposed house. The proposed sewage disposal system will be located beyond the 100' buffer zone.

Upon query by Mr. Magee, Mr. Dimakarakos stated that the staging area for the proposed demolition and reconstruction will be located outside of the 100' buffer zone.

Mr. Magee stated that he would like to see a permanent barrier at the 50' natural vegetative setback and recreate a natural buffer area. Mr. Dimakarakos stated that the existing lawn in front of the house northwest side, some of which is within the 50' natural vegetative setback is important to the owner; they would prefer not to lose this lawn area. The plan also proposes to extend the existing stone wall defining the existing natural buffer.

Upon query by Mr. Maitland, Mr. Dimakarakos reported that all required blasting will occur outside of the 100' buffer zone.

Upon query by Mr. Froberg, Mr. Dimakarakos reported that the existing terraced area in front of the existing house and its foundation will be demolished and used as fill on site.

Upon query by Kim Montella, Mr. Dimakarakos confirmed that there will be two garages. Claire and Mark McCarthy reaffirmed that the proposed structure will be their house and garage including an in-law apartment with a garage.

Ms. Montella expressed concern regarding stormwater runoff and stated that she did not see the benefit of a 15' wide circular driveway; she suggested an alternative design instead of the circle. She also stated that she would like to see the silt prevention extend down the existing driveway. She also expressed concern about truck traffic.

Mr. Magee noted that there will be construction fence along the driveway creating a limit of work activity.

Upon query by Mr. Froberg, Mr. Dimakarakos stated that the low point is on the property and silt prevention can be extended on both sides of the driveway to the low point (culvert crossing).

Mr. Magee suggested that the Commission require special conditions that would address the silt prevention, extension of the stone wall and an amended plan reflecting the agreed changes.

8:40 Hearing no further comments or questions, Mr. Maitland closed the hearing.

Decision - 191 Nagog Hill Road

Mr. Maitland moved that the Commission issue an OOC with the following special conditions:

- 1) Siltation barrier shall be installed on both sides of the driveway to the culvert at the low point of the property.
- 2) The existing stone wall on the wetlands side of the haybale line shall be extended so that the gap is closed. To the degree that the wall lies within the 50' buffer zone setback it will represent the full extent of any further disturbance.
- 3) The Applicant shall, within two weeks of receipt of this OOC, submit a revised plan to the satisfaction of the conservation agent, memorializing conditions 1 & 2.

Mr. Magee 2nd; unanimous.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 10-06-2010 - (030).]

Request for Certificate of Compliance - Acton Plaza 2 - 381-389 Massachusetts Avenue - 85-1043 (040)

Mr. Tidman reported that the headwall reconstruction and new catch basin had been installed and all areas are stable and recommended that the Commission issue a Certificate.

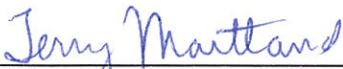
Mr. Arnold moved, Mr. Magee 2nd; unanimous.

[See file in the Conservation Office also located in DocuShare: Conservation Commission – 2010 Meetings – 10-06-2010 - (040).]

MINUTES

Mr. Arnold moved that the Commission accept the minutes for July 28, August 18 and September 1, 2010, Mr. Froberg 2nd; unanimous.

9:10 Meeting adjourned.



Terry Maitland
Chair

TT:ahr
ahr.concom.minutes.2010.100610

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10-06-2010

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<input type="checkbox"/>	PDF	010 - Notice of Intent - 124 School Street	naturalres	09/30/10	1 MB	[Icons]
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