

**TOWN OF ACTON
CONSERVATION COMMISSION**

Minutes

May 15, 2019

7:00 PM

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

COMMISSIONERS PRESENT: Terry Maitland, Jim Colman, Tim McKinnon, Jennifer Stolz, Suzanne Flint, Zywia Chadzynska

Visitors: Robert Hart, David McKinley, Amanda Lye, Annie Lye, Brian Defilippis, Bruce Ringwall, Sherrill Gould, Laura Lefebvre, Maria Firstenberg, Greg Russo, Chris Allen

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

7:00: Abbreviated Notice of Resource Area Delineation: 68 Harris Street
Filed by the Town of Acton

Tom Tidman, in his role as Conservation Agent, presented the delineation filing to the Commission. He described the property, a 1.9 acre parcel purchased in 2015, as having Bordering Vegetated Wetland (BVW) on the east side, which was originally flagged in 2015. A survey of the property was also done in 2015 and 640 linear feet of BVW was flagged. In May of this year, the flags were all restored. Three Commissioners have visited the property, Amy Green, Jim Colman and Terry Maitland, and they have confirmed the flag line.

Transects were done at 2 locations on the property, both of which were reviewed by Amy Green. Data forms were done for both transects and are in the ANRAD filing. DEP has reviewed the filing and assigned it #85-1256.

Decision: Mr. Colman moved to accept the delineation as submitted. Mr. McKinnon seconded the motion and it was passed unanimously.

7:15 Notice of Intent: 484-486 Great Road, Betty Estates
Goldsmith, Prest & Ringwall, Inc. for a Planned Conservation Residential Community at 486 Main Street. Work under this filing is limited to the construction of the proposed 4 residential dwellings, driveway, septic systems, grading and associated tree clearing.

Bruce Ringwall of GPR presented the filing for the applicant, Sherry Gould, the owner in attendance. This is to be a Planned Conservation Residential Community (PCRC), which requires a special permit from the Planning Board. In 1978 a Conservation Restriction was placed on most of the property, approximately 15 acres in total. The entire lot is approximately 16.18 acres. Mr. Ringwall reviewed the existing conditions for the Commission. 1. The existing home will be renovated; 2. The CR will be modified to allow public access, and will accommodate 3 parking spaces. The Town of Acton is the Trustee of the CR, and the Sherrill R. Gould Trust owns the entire property.

Mr. Ringwall reviewed the removal of the homes, the septic systems and some trees. The entry drive will be 16 feet wide and paved, with 3 foot wide grass shoulders. Mr. Ringwall

also reviewed construction of the driveway and drainage system. He described the Storm Water Treatment being proposed. Runoff will be directed into a forebay before entering a wet swale. The wet swale will be at the same elevation as adjacent wetland and will be planted with wetland vegetation. Access to the CR from the parking lot will be across a boardwalk. A silt prism will be placed in the deep sump basin and very effective for TSS removal. The proposed basins meet the 2, 10 and 100 year requirements for stormwater runoff. Mr. Ringwall discussed removing invasive species with the buffer zone. Mr. Ringwall reviewed the proposed landscape plan and the proposed split rail fence at the rear of the 3 car parking lot.

Mr. McKinnon asked, “what was the nearest corner of the proposed house to wetlands?” Mr. Ringwall said the house was 55 feet away and the proposed driveway was 50 feet away. Currently, the driveway is approximately 30 feet from wetlands. The road will be maintained by the condo association. O&M plan mentions the frequency of road sweeping.

Mr. Colman expressed concern about the owner moving the meadow, and asked if boulders could be added along the boundary with the wetlands buffer (restored meadow). Mr. Ringwall suggested that the fence could be continued along the boundary of the meadow.

Ms. Stolz asked if there was planning for snow removal and Mr. Ringwall pointed out several places along the edge of the driveway.

Further discussion revolved around the drainage basin. Mr. Ringwall explained that it was moved as far away from the wetlands as possible, and that it meets the requirements of Acton’s Chapter X bylaw and the Commonwealth of Massachusetts Stormwater requirements.

The Commission agreed that another site walk was needed.

The hearing was continued to June 5th, at 7:15PM.

Notice of Intent: Bruce Freeman Rail Trail Phase IIB: *Applicant requested that this hearing be continued to the June 5 meeting, 7:30 PM.*

8:10 Notice of Intent: 24 Duggan Road

Barbara Nichols for a project at 24 Duggan Rd., town atlas plate G1, parcel 27. The proposed project is to replace a failed septic system with a new Title 5 compliant system. The location of the proposed system is beyond the 50 foot buffer zone.

Ted Doucette of Doucette Engineering explained that the current system was in failure. He had proposed the installation of a Presby System. The Board of Health required nitrogen removal. The system is outside the 50 foot buffer zone. A new tank and an entire new system are required. The closest point of grading is 44 feet from wetlands. Stockpiled material will be handled at the discretion of the contractor.

Decision: Mr. McKinnon moved to issue a standard Order of Conditions with one special condition: Materials are to be stockpiled as far away from wetlands as possible. Mr. Colman seconded the motion and it passed unanimously.

8:25 Request for Determination: Lawsbrook Solar Project

Acton Water Resources for the construction of a solar field on 14 acres of a 45 acre parcel owned by the Acton Water District on Lawsbrook Road. The entire parcel is made up of 7 contiguous parcels at 28, 61, 56, 44, 52, and 60 Lawsbrook. A portion of the road construction is within Riverfront area.

Chris Allen from Acton Water District introduced the project. The solar project is revenue generating, with the expectation that it will allow the district to stabilize rates and do other capital projects. The proposed location of the array is a previously disturbed brownfield site (associated with the W.R. Grace superfund site). There is an active plume being treated at this site. DEP review comments have been included in the design.

Maria Firstenburg (TRC) described the wetlands location and flagging procedure. There are minimal improvements planned for the existing road. They plan to address the erosion along the west side of the entry road, as noted by the Commission on their 5/15/2019 sitewalk. The road will pitch away from the wetlands and infiltrate through the shallow natural swale area. These are minor repairs to an existing road. They are not changing the footprint of the existing road. Very little vegetation will be removed. The Commission discussed the alternatives analysis. Could other access drives be used?

The following points and comments were made:

- Since erosion already exists, what permanent “structural” improvements in the entry road will be made?
- Road improvements are completed first to stabilize and improve conditions prior to the solar field installation.
- If more substantial improvements are required to address the erosion and structure of the road, then they will have to return to the Commission.
- The Commission discussed moving the road 2 feet to the uplands side near the entrance to address the erosion area.
- The project requires a “Land Disturbance Permit.”

Decision: Mr. McKinnon moved to issue a Negative 3 determination, meaning 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.

He included two special conditions: 1. No work will be undertaken from March 15 to June 15. 2. The Natural Resources Director will review and approve the erosion and mitigation plan. Mr. Colman seconded the motion and it passed unanimously.

Minutes:

April 17, 2019: reviewed by TM

Decision: Mr. McKinnon moved to approve the minutes of April 17; Ms. Stolz seconded the motion and it passed unanimously.

May 1, 2019: pending

Certificate of Compliance:


11 Lothrop Road, DEP #85-790:

Decision: Mr. Colman moved to issue a Certificate of Compliance for 11 Lothrop Road, Mr. McKinnon seconded the motion and it passed unanimously.

2 Harris St., DEP #85-143:

Decision: Mr. Colman moved to issue a Certificate of Compliance for for 2 Harris St., Mr. McKinnon seconded the motion and it passed unanimously.

Meeting adjourned: 9:20 PM.


Terry Matland
Chairperson



CONSERVATION COMMISSION AGENDA (Amended)

May 15, 2019

7:00 PM

ACTON TOWN HALL

472 MAIN STREET

ROOM 204

Regular Business

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7:30 Notice of Intent: Bruce Freeman Rail Trail Phase IIB: Continued to June 5, 2019

Massachusetts Department of Transportation for Phase IIB construction of the Bruce Freeman Rail Trail. This is a .9 mi. segment of the recreational trail running through the towns of Acton and Concord, along the former Lowell Secondary railroad line. The Acton segment of the trail to be constructed in this phase is .3 mi.

7:45 Notice of Intent: 24 Duggan Road
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2 Harris St., DEP #85-143

Additional materials can be found here: <http://doc.acton-ma.gov/dsweb/View/Collection-10607>

05-15-2019

Type	Name	Owner	Modified Date	Size	Icons
PDF	001 - Agenda 05-15-2019	naturales	05/06/19	70 KB	☆ ...
PDF	001 - Agenda 05-15-2019 amended	naturales	05/15/19	70 KB	☆ ...
PDF	002 - 85-1256 - 66-68 Harris St ANRAD	naturales	05/15/19	573 KB	☆ ...
PDF	002 - 85-1256 - 66-68 Harris St ANRAD Plan	naturales	05/15/19	74 KB	☆ ...
PDF	010 - 85-1257 484-486 Great Rd_NOI Betty Estates	naturales	05/15/19	11 MB	☆ ...
PDF	012 - 85-1257 484-486 Great Rd_Plan Set 1-6 Betty Estates	naturales	05/15/19	18 MB	☆ ...
PDF	012 - 85-1257 484-486 Great Rd_Plan Set 7-12 Betty Estates	naturales	05/15/19	19 MB	☆ ...
PDF	012 - 85-1257 484-486 Great Rd_Proof of mailing Betty Estates	naturales	05/15/19	12 MB	☆ ...
PDF	013 - 85-1257 484-486 Great Rd_SWMR Betty Estates	naturales	05/15/19	10 MB	☆ ...
PDF	030 - 85-1255 - 24 Duggan Rd NOI	naturales	05/15/19	3 MB	☆ ...
PDF	031 - 85-1255 - 24 Duggan Rd NOI Revised Plan	naturales	05/15/19	2 MB	☆ ...
PDF	040 - Acton Water Solar Partners RDA (4-30-2019)	naturales	05/06/19	34 MB	☆ ...
PDF	85-143 - 2 Harris - 471 Great Rd Behind RCOC	naturales	05/13/19	148 KB	☆ ...
PDF	85-790 - 11 Lothrop Rd RCOC	naturales	05/13/19	13 KB	☆ ...

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