



Acton Conservation Commission
Meeting Minutes
June 5, 2019
7:15 PM
RECREATION CENTER, 50 AUDUBON DRIVE

Present: Terry Maitland, Amy Green, Jim Colman, Tim McKinnon, Jennifer Stolz, Suzanne Flint, Zywia Chadzyska

Absent:None

Natural Resources Director and recording secretary: Tom Tidman

7:15 Notice of Intent: 484-486 Great Road (continuance)

[Note: Ms. Green abstained from participating in the discussion since she had not been present for all the meetings and site walks for this hearing.]

Bruce Ringwall, of GPR Inc, discussed the additions to the plans originally submitted for this project based on the Conservation Commission site walks. Monuments (boundary markers) will be added to the corners of the property. Operation and Management (O&M) plans have been submitted to the Commission, specifically regarding the mowing of the CR meadow. New England Wildlife mix will be planted in the wetlands buffer zone to replace invasive species will be mechanically removed. Invasive species will be controlled on a long term basis in the O&M plan annually. Mr. Ringwall described the PCRC process and modification to the existing adjacent CR property to allow public access to the existing CR land. The Plan calls for the construction of 4 four bedroom homes. Mr. Ringwall noted that DEP had questioned the drainage design size and the standards. He said they have met all design standards.

The Commission discussed which standard conditions would need to be waived. They also discussed adding boulders to the plan to better define the areas to remain natural, not allowing lawns to creep into the natural buffer zones. Mr. Ringwall asked if the Commission would consider a fence instead of boulders. The Commissioners agreed to permit a maintained fence.

The Hearing closed at 7:50 PM.

Decision: Mr. Colman moved to issue a standard order of conditions with the following special conditions and findings of fact:

Special Conditions:

1. The Boardwalk for the public to access the Conservation Restriction Land is to be built prior to issuance of the first occupancy permit.
2. The new Conservation Restriction is to be recorded prior to issuance of an occupancy permit.
3. The proposed split rail fence must be kept in good working order and must be maintained by the Homeowners Association. Any change to fencing materials must be approved by the Conservation Commission.



Findings of Fact:

The Acton Conservation Commission finds that the waiver request meets the standards set forth in the Wetlands Bylaw, Chapter F, by accomplishing the following requirements:

1. Removal of invasive species from buffer zone habitat
2. Improvement and restoration of the wetlands corridor by treating stormwater
3. Moving the existing septic systems outside of the 100 foot wetlands buffer
4. Rewriting the Conservation Restriction will allow for 4 public parking spaces and public access to the common land.
5. The development plan, as proposed, will preclude access to wetlands by ATVs, which are currently degrading the resource areas.

Mr. McKinnon seconded the motion. The vote was 6 members approving, and Ms. Green abstaining.

7:55 Notice of Intent: Bruce Freeman Rail Trail, Phase 2B, continued from May 15, 2019.

GPI presented the layout and design for Phase 2B. Construction is completely funded at this time, and it is likely they will start construction in the spring of 2020. A 48 inch by 48 inch box culvert will be installed at the point of the intermittent stream crossing. There will be 74 linear feet of permanent bank impact where the culvert will be installed. The new culvert meets the stream crossing standards. 377 square feet of riparian zone will be permanently altered by the new rail trail. A restoration plan for the impacted area has been proposed. Stormwater management was discussed. This a redevelopment project, located on existing degraded rail bed area. Compost filter tubes will be used throughout. The Commission requested that attention be given to amphibian crossing through the work area. Silt fence will be added to the east side of the construction zone.

The Commission questioned whether dewatering would be required at the intermittent stream. More details will be required, with more detail on the box culvert design, specifically streambed design.

The Hearing was continued to June 19 at 7:45 PM.

8:30 Notice of Intent: 182-184 Great Road

Jonathan Shuster, from Oxbow Associates, Inc., presented for the applicant, Coleman Hoyt. He described the situation (resulting in a violation of the Wetlands Protection Act) as involving several piles of fill that were deposited within riparian zone and the wetlands buffer. An unnamed stream on the site is considered to be perennial. The owner's intent was to clean up the rear of the lot. 2 dump truck loads of debris were removed from the area. Two loads of fill were brought in to fill in the voids left from removing the junk. Mr. Shuster proposed that the fill piles be removed, all invasive species would be removed and native species be introduced to the area with new plantings. A wooden barrier (guardrail) would be extended along the side and rear of the restoration area and will be set 3 feet behind the existing pavement. Natural Heritage had commented that they did not feel that the proposed activity would have a negative impact to endangered species. In addition, 20 native shrubs will be introduced to the area.



The Commission discussed reducing the size of the snow storage area within the buffer zone. The Commission asked if monitoring would be required during planting and follow up. They also discussed imposing a fine for work done without a permit. They proposed a fine of \$200.

The hearing closed at 8:51 PM.

Decision: Ms. Green moved to issue a standard Order of Condition with the following special conditions and enforcement:

Special Conditions required by the Acton Conservation Commission:

1. The southern end of proposed 3' high wooden barrier (guardrail) restricting the snow storage area, will be moved 10' further away from the flagged resource area, at wetlands flag OA D4.
2. An environmental monitor will be onsite during restoration activities, including: the removal of fill and debris from resource area(s), loaming and seeding and the planting of shrubs.
3. A report will be submitted to the Conservation Commission at the end of each growing season for a period of two years, detailing the success of habitat restoration, including invasive species removal activities.

Enforcement:

Pursuant to the provisions set forth in Chapter F, Environmental Protection, Section F14, the Acton Conservation Commission finds that work was done in wetland resource areas without first obtaining the appropriate wetlands permit. Thus, the Commission fines the applicant \$200 and requires that restoration activities adhere to the specifications outlined in the Notice of Intent filing dated May 22, 2019.

Mr. Colman seconded the motion and it was approved unanimously by all Commissioners present.

9:00PM: Notice of Intent: 41 Esterbrook Road

Mr. Shuster, of Oxbow Associates Inc., presented for the applicant, Anna Kolchinsky. The plan is to add a heat pump on a concrete pad, 12 feet by 8 feet. The pad would be located 19.1 feet from BVW. Currently vehicles and horse traffic can move all around the barn. Once the heat pump is installed, traffic will no longer be allowed, and the cart path that extends around the barn will be naturalized. They propose the following:

1. Remove invasive species (knotweed will be cut and dabbed).
2. A settling basin with a riprap spillway will be added at the north end of the yard for stormwater filtering prior to entering wetlands.
3. Boulders will be added to define the naturalized restoration area.
4. The west side of the barn will be naturalized for a distance of 67 feet.

The Commission discussed having the agent meet with the landscaper prior to invasive removal. It was also commented that the manure dumpster is emptied weekly. They also discussed



creating findings of fact in include: addition of boulder, inclusion of the restoration area, invasives removal and the sediment basin.

Visitors questions and comments: Linda Oneil asked what type of herbicides will be used. She noted that silt runs off the front of the paddock onto Esterbrook Road. Graham Knowland commented that while they were talking about erosion control on a limited part of the site, large quantities of the property are eroding onto Esterbrook Road and into a perennial stream further down the road. The property manager noted that there is a master plan for the property and the owner is aware of the erosion problem. Mr. Knowland responded that a silt fence and silt sock could be installed now to reduce the runoff.

Chairman Maitland closed the hearing at 9:50 PM.

Decision: Mr. McKinnon moved to issue a standard Order of Condition with the following special conditions and finding of fact:

Special Conditions:

1. Conditions 18 and 19 of the Bylaw (Chapter F) are waived.
2. The Conservation Agent will meet with the project landscaper and property manager prior to the commencement of invasive species removal: to review and approve the extent and method of species removal within resource areas.

Finding of fact:

The Commission finds that the restoration measures proposed will significantly improve resource area habitat protection, specifically: by removing invasive species from buffer zone habitat and from bordering vegetated wetlands; by naturalizing a buffer zone area previously used for farm vehicle access and horse traffic; by including the installation of a settling basin and riprap spillway to prevent silt-laden runoff from entering resource areas; and by including a row of boulders along the limit of disturbance to ensure the naturalization of previously disturbed buffer zone habitat.

Mr. Colman seconded the motion, and the motion was passed unanimously.

Regular Business

Approval of Meeting Minutes –

The meeting minutes from the May 1, 2019 meeting were reviewed and approved unanimously.

The meeting minutes for the May 15, 2019 meeting were reviewed and approved unanimously.

Adjournment

At 9:50 p.m., it was moved and seconded to adjourn the meeting. Motion unanimously approved.


Terry Maitland
Chairperson



Documents and Exhibits Used During this Meeting

- Notice of Intent for 484-486 Great Road
- Notice of Intent for the Bruce Freeman Rail Trail Phase 2B
- Notice of Intent for 182-184 Great Road
- Notice of Intent for 41 Esterbrook Road
- Meeting Minutes of May 1, 2019
- Meeting minutes of May 15, 2019.

These documents may be found in their entirety using the following link:
<http://doc.acton-ma.gov/dsweb/View/Collection-10608>



CONSERVATION COMMISSION AGENDA

June 5, 2019

7:15 PM

Recreation Center

50 Audubon Drive

Regular Business

7:15 Notice of Intent: 484-486 Great Road, continuance

7:30 Notice of Intent: Bruce Freeman Rail Trail Phase IIB, continuance

7:45 Notice of Intent: 182-184 Great Road

Notice of Intent filed by Coleman Hoyt, for a project at 182-184 Great Road, (town atlas plate F4, parcel 9). The project is the removal of two piles of fill negatively impacting the adjacent wetlands and the restoration of the site to bring it into compliance with the requirements and performance standards of the MA Wetland Protection Act and the Acton Wetland Bylaw, Chapter F.

7:50 Notice of Intent: 41 Esterbrook Road

Notice of Intent filed by Anna Kolchinsky for a project at 41 Esterbrook Road, (town atlas plate F5, parcel 24). The project includes the installation of a heat pump within 100 feet of wetlands, installation of a row of boulders, permanently demarcating and protecting the BVW, installation of a stone-lined settling basin to mitigate runoff from the arena, removal of invasives and stabilization of the soil surface east of the arena.

Consent Items

Minutes: May 1, 2019: Reviewed by TMc, JS

May 15, 2019: Reviewed by TM, AG, TMc

Additional materials can be found here <http://doc.acton-ma.gov/dsweb/View/Collection-10608>



http://doc.acton-ma.gov/.../View?Collection=13653 Acton, MA - Official Website 06-05-2019

Edit Selected... Add...

Type	Title	Owner	Modified Date	Size	Actions
PDF	001 - Agenda 06-05-2019	naturalres	05/29/19	91 KB	☆ ...
PDF	010 - 85-1257 - 484-486 Great Rd_NOI	naturalres	06/06/19	24 MB	☆ ...
PDF	010 - 85-1257 - 484-486 Great Rd_Waiver Letter	naturalres	06/06/19	376 KB	☆ ...
PDF	012 - 85-1257 - 484-486 Great Rd_Plan Set 1-6	naturalres	06/06/19	11 MB	☆ ...
PDF	012 - 85-1257 - 484-486 Great Rd_Plan Set 7-12	naturalres	06/06/19	19 MB	☆ ...
PDF	012 - 85-1257 484-486 Great Rd DEP File No	naturalres	06/06/19	579 KB	☆ ...
PDF	013 - 85-1257 - 484-486 Great Rd_SWMR	naturalres	06/06/19	10 MB	☆ ...
PDF	020 - 85-1259 - BFRT Phase 2B NOI	naturalres	06/06/19	11 MB	☆ ...
PDF	021 - 85-1259 - BFRT Phase 2B Plans1	naturalres	06/06/19	19 MB	☆ ...
PDF	022 - 85-1259 - BFRT Phase 2B SWMR	naturalres	06/06/19	5 MB	☆ ...
PDF	023 - 85-1259 - BFRT Phase 2B DEP File No	naturalres	06/06/19	590 KB	☆ ...
PDF	024 - 85-1259 - BFRT Phase 2B Department of Corrections Contact Info.msg	naturalres	06/06/19	77 KB	☆ ...
PDF	030 - 85-1260 - 182-184 Great Rd NOI	naturalres	06/06/19	7 MB	☆ ...
PDF	031 - 85-1260 - 182-184 Great Rd NOI Plan	naturalres	06/06/19	237 KB	☆ ...
PDF	032 - 85-1260 - 182 GreatRd PlanUpdate_2019.06.05	naturalres	06/06/19	246 KB	☆ ...
PDF	040 - 85-1258 - 41 ESTERBROOK NOI	naturalres	06/06/19	1 MB	☆ ...
PDF	041 - 85-1258 - 41 Esterbrook NOI Site Plan	naturalres	06/06/19	231 KB	☆ ...

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