



Acton Conservation Commission
Meeting Minutes
July 10, 2019
7:15 PM
Acton Town Hall, 472 Main Street
Acton, MA 01720
Room 9

Present: Terry Maitland, Amy Green, Jim Colman, Suzanne Flint
Absent: Tim McKinnon, Zywia Chadzyska
Natural Resources Director and recording secretary: Tom Tidman

Regular Business

7:15 Request for Determination: 33 Kinsley Road

Applicant is George Mustoe for a project at 33 Kinsley Road (town atlas plate F2-8, parcel 89-1). The project is to extend the existing driveway and level the approach to the back porch. Work will occur within 100 feet of wetlands.

Mr. Mustoe presented his project to the Commission. He wishes to expand the existing driveway and armor the slope with riprap and a wooden rail fence. The intention is to create easier access to the rear entrance of the house.

Decision: Mr. Colman moved to issue a Negative 3 determination, meaning work will occur within 100 feet of wetland but will not cause disturbance to a resource area. Therefore the work does not require a Notice of Intent. A condition was added that the Conservation Agent Tom Tidman be notified when work was to begin. Ms. Green seconded the motion and it passed unanimously.

7:30 Notice of Intent: 2 Kingman Road

Applicant is Elizabeth Molina-Markham of 2 Kingman Road (town atlas plate G1, parcel 83). The project includes the construction of a driveway pipe culvert, installation of a line of boulders, paving of a gravel driveway and installation of fencing around the drainage basin.

Dan Carr, from Stamski & McNary, presented for the client. He explained that a drainage basin in front of the house had been constructed in 1981. Any large storms cause severe erosion to the existing gravel driveway. The Town of Acton has made some drainage improvements at Notre Dam Road which has reduced but not eliminated the problem. The proposed project is to install a grass swale along the north side of the driveway. A 6 inch ADS pipe will run under the driveway and a riprap outlet added at edge of wetlands. A split rail fence will be added around the entire drainage basin, which will be lined with a mesh fence. The Commission asked that the bottom of the mesh fencing be raised 6 inches above ground to allow for small wildlife passage. The Commission also discussed the use of a water fountain in the detention basin.

Decision: Mr. Colman moved to issue a standard Order of Conditions, with one special condition: The interior mesh fence will be installed a minimum of 6 inches above ground. Ms. Green seconded the motion and it passed unanimously.



7:45 Notices of Intent: 73-81 Piper Road Lot 1A, 75-285 (bylaw only): continued
73-81 Piper Road Lot 1B, 75-286 (bylaw only): continued

This hearing is continued to July 17, 2019 at 7:30PM

8:00 Request for Determination: Jones Field, 54 Martin Street

The Town of Acton will remove two existing playgrounds as well as benches, benches, brick walks and associated fencing. In addition a baseball diamond with raised infield backstop and dugouts will be removed to be replaced by a new accessible childrens playground, sidewalk, and 10 new parking spaces.

Tom Tidman, Natural Resources Director, presented the project to the Commission. He described this as Phase 1 of the project. The work described would be primarily along the Stow Street, eastern and northern side of the site. Martin Street parking is not affected. There will be a natural 25 foot wetland buffer around the perimeter of the site. The plan is to add a sidewalk along the Martin and Stow Street sides, and install an accessible playground where the current baseball diamond exists.

Some work will occur within Riverfront. The park is built on flood plain and has a history of flooding. Mr. Tidman explained that all existing structures would be removed, including fencing, play structures, poles, backstop and bleachers. A sidewalk with personalized bricks would be removed but bricks preserved to be reused at another time.

Ms. Green expressed her discomfort with such an extensive project being filed as an RDA. There was agreement among all parties and the RDA was withdrawn. A Notice of Intent (NOI) will be prepared with a target hearing date of Aug.7.

Special Business:

Open Meeting Law Complaint: discussion and delegation of response

Motion: Ms. Green moved to delegate the response to the June 17-19, 2019 complaint to the Town Manager. Mr. Colman seconded the motion and it passed unanimously.

Appointment of Conservation Commission by the Board of Selectmen as the “Special Town Forest Committee” for the purposes of considering the installation of a water main between Quarry Road and Nagog Park Drive by the Acton Water department.

Dean Charter provided some background to the Commission regarding the use of designated forest parcels in the Town. There are two Town Forests in Acton, Bulette and Quarry Road. In the early 1980’s, it was decided to eliminate the “Town Forest Committee” and assign their responsibilities to the Conservation Commission.



Mr. Tidman explained that this request is to accommodate a future proposal by the Acton Water District to install a water line from Quarry Road to Nagog Park.

Tom will invite the Water District to a ConCom meeting so they can present their proposal to the Commission directly.

Consent Items

Certificate of Compliance: Bruce Freeman Rail Trail Phase I: 85-1449: not ready

Acceptance of W.R. Grace Conservation Restriction: signature page

The Commission raised questions about the content of the CR. Ms. Green wanted to see a red line version of the document comparing it to the current CR template, ensuring that it met Energy and Environment Affairs' current standards. Mr. Colman has a question about the permitted uses and the reference to "subdivision" possibly implying development. He would be submitting his question in detail after the meeting. He also pointed out that the EOEEA Secretary had changed. It was agreed that these items would be addressed and revisited at the next meeting on July 17.

Minutes: June 19, 2019: reviewed by Terry Maitland and Tim Mckinnon.

Decision: Ms. Green moved to approve the minutes of June 19, 2019, Mr. Colman seconded the motion and it was voted unanimously (4 votes: yes, 0 votes: no).

Adjournment: the meeting was adjourned at 9:00PM.


Terry Maitland
Chairperson



Documents and Exhibits Used During this Meeting

Request for Determination filing for 33 Kinsley Road

Notice of Intent filing for 2 Kingman Road

Request for Determination filing for Jones Field, 54 Martin Street

Open Meeting Law complaint from Steve Ballard, for alleged violation of June-17-19, 2019

Copy of signed Conservation Restriction for W.R. Grace Property

Minutes of June 19, 2019 for signing by Commission Chair

Additional materials can be found here: <http://doc.acton-ma.gov/dsweb/View/Collection-10610/Document-68421>



CONSERVATION COMMISSION AGENDA: **AMENDED**

July 10, 2019

7:15 PM

ACTON TOWN HALL

472 MAIN STREET

Room 9

Regular Business

7:15 **Request for Determination:** 33 Kinsley Road
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73-81 Piper Road Lot 1B, 75-286 (bylaw only): continued
Under the Town of Acton Bylaws, the Conservation Commission will hold a public hearing on a Notice of Intent filed by Kirk Ware of Hawthorn Homes LLC for a project at 73-81 Piper Road, Acton, MA (town atlas plate G3, parcel 76), lots 1 and 1B. The project is the construction of two single family dwelling and associated grading within the 100 ft. buffer zone of an Isolated Wetland.

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Special Business:

- Open Meeting Law Complaint: discussion and delegation of response
- *Appointment of the Conservation Commission by the Board of Selectmen as the "Special Town Forest Committee" for the purposes of considering the installation of a water main between Quarry Road and Nagog Park Drive by the Acton Water Department.*

Consent Items



- Certificate of Compliance: 85-1149 Bruce Freeman Rail Trail, Phase 1A
- Acceptance of W.R. Grace Conservation Restriction
- Minutes: June 19, 2019, reviewed by TM, TMc

Additional materials can be found here: <http://doc.acton-ma.gov/dsweb/View/Collection-10610/Document-68421>

The listed agenda items are those reasonably anticipated by the Chair. Not all items may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need, including as much detail as you can and include a way we can contact you if we need more information. Please allow advance notice. Send an e-mail to manager@acton-ma.gov or call Town Manager's Office (978)929-6611

For more information about the Conservation Commission, contact nr@acton-ma.gov or call 978-929-6634.