



Acton Conservation Commission
Meeting Minutes
November 6, 2019
7:15 PM
Acton Town Hall, 472 Main Street
Acton, MA 01720
Room 204

Present: Terry Maitland, Amy Green, Jim Colman, Tim McKinnon, Suzanne Flint, Zywia Chadzynska

Absent: Carolyn Kiely

Natural Resources Director and recording secretary: Tom Tidman

REGULAR BUSINESS

Request for Determination: West Acton Sewer Project

Town of Acton Engineering Department for a project in West Acton. The project is the installation of approximately 5,000 linear feet of 6 inch sewer force main between the Gates School site and the existing sewer system on Mass Ave near Prospect Street. This is Phase 1 of a two phase project.

Jack Troidl of Woodard & Curren represented the Town of Acton Engineering Department. He described the proposed project as the installation of an extended sewer line for the forced main section along Mass. Ave. to the Gates School site on Spruce Street. All installation work is within previously disturbed areas. The project is expected to be completed by July of 2020, at an installation rate of 200 feet per day. The 6 inch diameter piping will be installed 4 to 6 feet below the surface.

There was some discussion from visitors. Terra Friedrichs asked who had appeal rights for this process. Ms. Green explained that an appeal could be made directly to DEP requesting a "Superseding Determination of Applicability." Ms. Friedrichs responded that she hoped the process would continue so that abutters could prepare more information to present since they were not notified of the RDA process. Ms. Green explained that this filing would meet the requirements of a "minor activity," as the installation of underground utilities. The applicant then explained that the project was contingent upon the approval of the new Twin School Project, to be determined at the December Special Town Meeting.

Decision: Ms. Green moved to issue a Negative 3 Determination, meaning 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. Colman seconded the motion and it passed unanimously.

Request for Determination: 19 Birch Ridge

Peter Binns for a project at 19 Birch Ridge Rd, Acton, MA. The proposed project is the replacement of an existing deck (9 x 15 feet) with a new deck (9 x 18 feet). Work will occur within the 50 foot wetland buffer zone.

Mike Millet, the contractor, presented the project for the applicant, Peter Binns. He explained that the new deck will be constructed in the same location as the existing deck, but will be 3 feet longer. It will be constructed on 5 sonotubes, and the plan is to build it this fall.

Decision: Mr. Colman moved to issue a Negative 3 determination meaning 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. Ms. Green seconded the motion and it passed unanimously.

Notice of Intent: Piper Lane Condominiums continued from 09/18/2019

Bruce Ringwall, from GPR, attended the meeting, participated in the discussion and answered questions as presented. Ms. Chadzynska began the conversation by asking the following questions:

1. ZC: Where will snow removal go? BR: Plans show locations for snow storage. SWMPP will be required for this project.
2. ZC: Is there a second means of egress to the development? BR: This is not a requirement. And this is a condominium association so the town will not be required to remove snow.
3. ZC: Was a traffic study done? BR: A traffic study was done for the completed development.
4. ZC: What LID methods will be used? BR: Catch basins are DEP approved 4 foot sumps. ...then to forebay before reaching the Constructed Wetlands.
5. ZC: Could impervious pavement be reduced? (Are 3 car spaces needed? Could the third space be pervious pavement?) BR: Experience indicates 3 spaces are needed in such developments.
6. ZC: How will you limit salt and sand at the entrance? BR: sodium chloride will not be used if it's written into the O&M. They could possibly use potassium chloride as a substitute.
7. ZC: What about arsenic in the soil? How will they be stockpiled and moved? BR: LSP has been retained. Some testing has been done. Lead arsenate is present on this site. Soils may be buried on site or removed if necessary.

Comments and questions from the Commission relating to the Peer Review RFP:

1. TM: What is the effect of tree clearing on the water quality?
2. JC: Suggested removing the word "considering" on bringing in a hydrologist, leaving no room for ambiguity.
3. SF: What is the peak rate and quality of the stormwater runoff?
4. Commission agreed that quotes should be submitted by Nov. 22.
5. Understand how much time peer reviewer will need to prepare responses.
6. Ask the prospective reviewers to note if there are any potential conflicts of interest.
7. Include the Patrick Garner letter in the peer review information.
8. Mention that Pb and As has been identified. A report on the As hot spot, 364ppb, is on Docushare.

Comments from Mr. Ringwall:

1. Water is now considered "ORW" under Massachusetts Surface Water Quality Standards, because of nearness to the vernal pool
2. Names to consider for Peer Review: Beals & Thomas; Graves Engineering; Waterman Design\
3. Be certain to include the As evaluation in the basin area
4. Don't really know if there is groundwater contamination on the site

Mr. Tidman would compile and compose the RFQ for peer review candidates and solicit bids. Deadline for requests for bids will be November 22.

Notice of Intent: 8 & 10 Post Office Square

Beran Peter for a project at 8 Post Office Square, plate numbers E4 and F4, parcels 59-2 and 2 respectively. The proposed project is the construction of an approximately 25,000 sq. ft. parking area expansion to include new lighting, landscaping and stormwater infrastructure. Some work will occur within the 100 foot wetland buffer zone.

The applicant requested the hearing be continued to the next meeting, November 20, 2019.

Request for Determination: 16 Woodbury Lane

Jane Post for a project at 16 Woodbury Lane (town atlas plate F3A, parcel 13). The project is the replacement of a failed sewage disposal system. Work will occur within 100 feet of wetlands.

The applicant explained that the house will be placed on the market soon but has failed a Title 5 inspection. A new system, already approved by the BoH, is being proposed. There will be a pretreatment tank which goes to a pump chamber which will go to a Geo-mat leaching area. This system provides enhanced treatment. The system will be installed 40 feet from wetlands.

Decision: Mr. Colman moved to issue a Negative 3 Determination, meaning 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. Ms. Green seconded the motion and it passed unanimously.

Notice of Intent: 96 Newtown Road, DEP No. 85-1273

Dylan Harris for a project at 96 Newtown Rd., Acton, MA 01720, (town atlas plate E3, parcel 27). The proposed project is for the construction of an additional single family dwelling and a sewage disposal system. The dwelling will be partially within the 100 foot wetland buffer zone.

Molly Obendorf, from Stamski & McNary, presented for the applicant. She explained that the proposed house is outside the 75 foot buffer zone. Mr. McKinnon asked if there was a planting plan for the Rain Garden. Ms. Obendorf said that it was included with the submitted plans. Mr. McKinnon noted that a rain garden is a tempting place to pile snow. Mr. Colman suggested that a stone wall around the rain garden could serve as a deterrent.

Decision: Mr. Colman moved to issue a standard Order of Conditions with one special condition: A rock wall, composed of 2 ft. to 3ft. diameter stones, shall be placed parallel to and outside of the stone diaphragm, in contact with each other and without any gaps. Ms. Green seconded the motion and it passed unanimously.

Request for Determination: 72 Seminole Road

Ron Koehler, for a project at 72 Seminole Road, Acton (town atlas plate E2, parcel 8). The project is the replacement of a failed sewage disposal system. Work will occur within the 100 foot wetland buffer zone.

Kevin Ritchie, with Civil Solutions, explained that the sewage disposal system is in failure. A Geomat system will be used with a pump chamber.

Decision: Mr. Colman moved to issue a Negative 3 Determination, meaning 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. Ms. Green seconded the motion and it passed unanimously.

Notice of Intent: 96 Newtown Road, DEP 85-1272, continued from 10/16/2019

Molly Obendorf, from Stamski & McNary Inc., presented for the applicant, Dylan Harris. She explained that this filing was for the construction of a private way. The plans were revised 11/6/2019, as a result of the site walk with the Conservation Commission on November 4 which found previously unidentified wetlands. Revised plans will include concrete retaining walls to narrow the buffer zone impact at the new wetlands location. Abutter Andy Platt mentioned he had attended the Planning Board hearing requesting that the width of the common drive pavement be reduced to 16 feet.

Decision: Mr. Colman moved to issue a standard Order of Conditions with the following special conditions:

1. The infiltration basin to which the catch-basin is connected shall be constructed at the same time as the construction of the driveway.
 2. A Building Permit must be issued for the dwelling prior to the commencement of the road construction.
- Ms. Green seconded the motion and it passed unanimously.

Request for Determination: 96 Newtown Road, septic

Dylan Harris for a project at 96 Newtown Road, (town atlas plate E3, parcel27). The project is the construction of a 5 bedroom capacity septic system to replace the existing 4 bedroom system. Placement of the tank and building sewer will be located partially within the 100 foot wetland buffer zone.

Ms. Obendorf presented this Request, explaining that the new septic system will be slightly larger than the existing system since the home will have 5 bedrooms rather than 4. Part of the tank pump chamber and the sewer line is within the 100 foot buffer zone.

Decision: Mr. Colman moved to issue a Negative 3 Determination, meaning 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. Ms. Green seconded the motion and it passed unanimously.

Notice of Intent: 54 Martin Street, continued to Nov. 20, 2019

SPECIAL BUSINESS

Hybrid Farm License Renewal: A site walk is scheduled for November 14 at 9:AM.

CONSENT ITEMS

Certificate of Compliance:

Ms. Green moved to issue a Certificate of Compliance for 21 Davis Road, DEP #85-1237. Mr. Colman seconded the motion and it passed 6 to 0.

Mr. Colman moved to issue a Certificate of Compliance for 85 Strawberry Hill Road, DEP No. 85-409. Ms. Green seconded the motion and it passed by a vote of 6 to 0.

Meeting Minutes – The meeting minutes from the Conservation Commission meeting of October 16, 2019 were reviewed by Mr. McKinnon, Ms. Green and Ms. Chadzyska. Mr. McKinnon moved to approve the minutes, Mr. Colman seconded the motion and it passed by a vote of 6 to 0.

At 9:45 p.m., it was moved and seconded to adjourn the meeting.
The motion was approved unanimously.



Terry Maitland
Chairperson

Documents and Exhibits Used During this Meeting

Filing documents for West Acton Sewer Project

Filing documents for 19 Birch Ridge Road

Notice of Intent documents for 8 & 10 Post Office Square

Request for Determination documents for 16 Woodbury Lane

Notice of Intent documents for 72 Seminole Road

Notice of Intent documents for 96 Newtown Road

Request for Determination filing for 96 Newtown Road

Notice of Intent documents for 54 Martin Street

These documents may be found here: <http://doc.acton-ma.gov/dsweb/View/Collection-10618>