

Acton Conservation Commission
Meeting Minutes
July 15, 2020
3:00 PM

Virtual Meeting:

Present: Terry Maitland, Amy Green, Jim Colman, Suzanne Flint, Carolyn Kiely, Zywia Chadzynska

Absent: Tim McKinnon

Natural Resources Director and recording secretary: Tom Tidman

Zoom host: Fran Portante

Regular Business

The meeting opened at 3:00 with Mr. Maitland reading the virtual meeting protocols.

3:05: Electronic Signatures for WPA documents

The Commission discussed the process for implementing electronic signing of Wetland Protection Act (WPA) decision documents. The Registry requires so-called “wet signatures” for recording purposes. They will, however, accept a duly authorized representative of the Commission, the Conservation Agent or the Natural Resources Director, similar to a “power of attorney,” designation, to sign for such Orders or Certificates, providing such authorization be properly recorded with the registry, and referenced in all transactions thereafter. In direct opposite, DEP requires Conservation Commissioners to sign such documents, and will accept electronic signatures. After discussing the requirements and the processes that each of these entails, Mr. Colman expressed his concern that the process be sun-setted once the Covid restrictions are no longer in effect.

Decision: Mr. Colman moved that the Acton Conservation Commission authorize their agent, Tom Tidman, Natural Resources Director, to sign such WPA documents on behalf of the Commission when such documents are required to be recorded with the Registry of Deeds. Once in-person Conservation Commission meetings resume, this authorization would cease. Ms. Green seconded the motion and the roll call vote was unanimous.

3:15 Notice of Intent: 75 Spruce & Elm Street (Twin Schools) continuation and Enforcement Order

Scott Morrison, with EcoTec, provided the Commission with an update on the project. He noted that all stock piled material has been removed from buffer and resource areas, with the exception of the screened loam pile. The pile has now been moved a minimum of 10’ from the limit-of-work construction fence and is to be hydro-seeded.

Scott mentioned that he has contacted the DEP Central Office to inquire about a DEP file number, which has not been issued yet. Scott also mentioned that he is expecting peer review comments from GCG this week.

Amy asked Scott to show the Commission that the Stream Crossing Standards are being met for the bridge replacement proposed for the boardwalk. Amy noted that it has been DEP’s position to require mitigation for boardwalk projects.

Scott stated that the project team plans to summarize and answer comments and questions from the Conservation Commission, GCG (peer review) and DEP, in one package, to be submitted to the Conservation Commission prior to the next hearing on August 5th.

Scott then asked the Commission for permission to proceed with three minor modifications reviewed during the Request for Determination meeting:

- (a) Approval to restore the driveway entrance from Arlington Street. This would involve repaving the driveway in the same location as pre-construction. Jim asked if this work would simply be to restore the driveway to pre-violation conditions. Scott responded, yes. Amy noted that the proposed driveway modifications requested during the RDA process were located within resource areas and not granted at that time. Commission asked if the re-paving could wait until after the August 5th NOI continuation. Scott responded, yes, re-paving could wait.
- (b) Allow the proposed modular classroom to be moved from 10' away from the existing structure to a distance of 27.5ft. This is required to meet Fire Code regulations.
- (c) Permission to remove (cut flush to the ground) 5 light poles located along the edge of lawn near wetlands on the Gates School side of the project.

Decision: Amy moved to allow repaving the existing driveway entrance within resource areas, thus restoring the driveway to its original condition, as part of the Enforcement Order. Moving the modular classroom and removing 5 light poles would be deemed insignificant modifications to the approved Determination of Applicability and are permitted. Jim seconded the motion and the roll-call vote was unanimous.

Mr. Maitland asked where we stand with the requirements set forth in the Enforcement Order. Scott responded that weekly inspections were now happening along with weekly reporting, the stock-piled loam has been hydro-seeded, and all other stock piled materials have been removed from resource areas.

Mr. Maitland continued the hearing to August 5th at 3:15 pm.

Special Business: None

Consent Items

Certificate of Compliance: 85-874: 126 Willow Street and 3 Sweeney Farm Lane

Jim moved to issue a Certificate of Compliance, Carolyn seconded the motion and the roll call vote was unanimous.

Minutes:

6/17/2020: reviewed by ZC, AG, CK

Amy moved to accept the minutes of June 17, 2020; Carolyn seconded the motion and the roll call vote was unanimous.

7/1/2020: reviewed by AG, CK, ZC

Amy moved to accept the minutes of July 1, 2020; Jim seconded the motion and the roll call vote was unanimous.

At 4:05 p.m., it was moved and seconded to adjourn the meeting. The motion was approved unanimously.

Documents and Exhibits Used During this Meeting

- Certificate of Vote (for Mass Registry of Deeds)
- Notice of Intent, WPA Form 3 and associated plans and descriptions for 75 Spruce Street

These documents may be found here: <http://doc.acton-ma.gov/dsweb/View/Collection-11848>


Terrance Maitland, Chair