

**CONSERVATION COMMISSION  
AGENDA  
OCTOBER 5, 2011  
7:15 PM  
TOWN HALL - 472 MAIN STREET - ROOM 204**

7:15 Notice of Intent - 146 Central Street - Glen Nichols (010)

Acton Survey & Engineering: proposed demolition of an existing home and construction of a new single-family home and associated grading within 100' of wetlands (town atlas plate G-2, Parcels 104, 112 & 113).

7:30 Request for Determination - Mass DOT Highway Division - Route 2 Resurfacing

*Advertised incorrectly in the Beacon; rescheduled to 10/19/11, 7:30PM – Applicant also asked to postpone the meeting.*

*Proposed improvements and resurfacing of Route 2 through Acton, from Littleton to the Concord town line. Some activity occurs within wetland buffer zones of natural water courses and bordering vegetated wetlands. (Exempt from Town Bylaw.)*

7:40 Request for Determination - 24 Conant Street - Brian Lanigan (030)

Proposed addition to an existing single-family home within 100' of wetlands and riverfront area located at 24 Conant Street (town atlas plate I-2, parcel 23).

7:45 Request for Determination - 6 Cross Street - Nicholas Gladyszak (040)

Proposed addition to an existing single family dwelling at 6 Cross Street, Acton; work will occur within 100' of bordering vegetated wetlands, (town atlas plate C- 6, parcel 9).

Certificates of Compliance

- > 77 Powdermill Road - 85-452
- > 77 Powdermill Road - 85-530

MINUTES

January 20 OSRP

March 3 OSRP

March 17 OSRP

\*\*March 23 CC & OSRP.....Mill Dam Extension was voted

April 7 OSRP

April 21 OSRP

May 11 OSRP

August 5

comments rec'd by

TT, FP, AG

August 17

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TT, TM, ADM

August 31

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TT, ADM

September 7

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TT, AG, ADM

September 21 OSRP

“ “ “

TT, ADM, AG, FP

September 21

“ “ “

TT, TA, FP, AG

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**CONSERVATION COMMISSION  
MINUTES  
OCTOBER 5, 2011  
7:15 PM  
TOWN HALL - 472 MAIN STREET - ROOM 204**

**COMMISSIONERS PRESENT:** Andrew Magee, Bill Froberg, Amy Green, Jim Colman

**CONSERVATION ADMINISTRATOR & RECORDING SECRETARY:** Tom Tidman

**VISITORS:** Joanne Smith, Karen Kuranda, Jean Lane, Joyce and Robert Hertz, Scott and Carole Feldhusen, Brian Lanigan, Nicholas Gladyszak

7:15 Notice of Intent - 146 Central Street - Glen Nichols - DEP File 85-1072 (010)

Mark Donohoe from Acton Survey & Engineering presented plans for the proposed demolition of an existing home and construction of a new single-family home and associated grading within 100' of wetlands (town atlas plate G-2, Parcels 104, 112 & 113). Mr. Donohoe reported that this area of wetlands/floodplain is presently flooded possibly from beaver activity. The applicant has received permission to raze the old house; much of the trash has been removed. Soils on the site are sand and gravel and are well suited for construction. The proposed sewage disposal system will be located in the front southwest corner of the property and outside of the 100 foot buffer zone.

Upon query by Ms. Green, Mr. Donohoe reported that he determined the mean high water line by Mass. GIS, this location rarely exceeds the normal bank elevation. The proposed house location is confirmed to be outside of the 200' Riparian Zone on sewer maps for West Acton. The proposed house is set back from Central Street due to heavy traffic. The existing house was razed last week.

Upon query by Mr. Magee, Mr. Donohoe stated that the applicant can install a row of boulders along the 50' setback if the Commission requires it.

Karen Kuranda from Nash Road expressed concern regarding potential damage to the existing drainage outfall pipe for Nash Road on this property. Mr. Donohoe stated that there is no proposed activity in this area and it is within the 50' no-disturb setback.

Joyce Hertz from Nash Road expressed concern regarding very high water due to beaver activity.

Upon query by Jean Lane from Nash Road, Mr. Donohoe stated that the applicant will not be storing his heavy equipment on this property, it is within a resident zone.

7:40 Hearing no further comments or questions, Mr. Magee closed the hearing.

*[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2011 Meetings 10-05-2011 - 010 - Notice of Intent - 146 Central Street].*

Decision - 146 Central Street - DEP File 85-1072

Mr. Froberg moved that the Commission issue an Order of Conditions for the plans as presented with the special condition that the applicant shall install a row of boulders, two to three feet in diameter, placed ten feet on center, along the 50-foot no-disturb setback from the north side of the property to the 15" maple located on the plan at the elevation 205.23. Ms. Green 2<sup>nd</sup>; the motion passed unanimously.

7:45 Request for Determination - Mass DOT Highway Division - Route 2 Resurfacing  
*Advertised incorrectly in the Beacon; rescheduled to 10/19/11, 7:30PM – Applicant also asked to postpone the meeting.*  
*Proposed improvements and resurfacing of Route 2 through Acton, from Littleton to the Concord town line. Some activity occurs within wetland buffer zones of natural water courses and bordering vegetated wetlands. (Exempt from Town Bylaw.)*

7:50 Request for Determination - 24 Conant Street - Brian Lanigan (030)  
Brian Lanigan presented plans for the proposed addition to an existing single-family home within 100' of wetlands and riverfront area located at 24 Conant Street (town atlas plate I-2, parcel 23). Mr. Lanigan reported that he would like to construct a wood working shop, extending 18' from the rear of the existing garage; the existing two- car garage was previously approved by the Commission in 2006.

The Commission discussed the proposed addition, determining that it should be filed as a Notice of Intent due to its nearness to a perennial stream.

8:11 Mr. Magee closed the meeting.

*[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2011 Meetings 10-05-2011 030 - Request for Determination - 24 Conant Street].*

#### Determination of Applicability - 24 Conant Street

Ms. Green moved that the Commission find that the work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent (positive #3). Mr. Froberg 2<sup>nd</sup>; motion passed unanimously.

8:15 Request for Determination - 6 Cross Street - Nicholas Gladyszak (040)

Nicholas Gladyszak presented plans for the proposed addition to an existing single family dwelling at 6 Cross Street, Acton. Work will occur within 100' of bordering vegetated wetlands, (town atlas plate C- 6, parcel 9). Mr. Gladyszak reported, under the Wetland Protection Bylaw, the existing house is pre-existing non-conforming; the proposed addition will not be in greater non-compliance than the existing. The proposed addition will require a new small foundation allowing him to add a second floor to the house and a deck to the rear of the house; the proposal also provides for a new porch in the front of the house.

Upon query by Mr. Magee, Mr. Gladyszak reported that there is a lawn area behind the existing porch; the proposed porch will be constructed on sono-tubes.

8:30 Hearing no further comments or questions, Mr. Magee closed the meeting.

*[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2011 Meetings 10-05-2011 - 040 - Request for Determination - 6 Cross Street].*

#### Determination of Applicability - 6 Cross Street

Mr. Froberg moved that the Commission find that 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 (negative #3). Ms. Green 2<sup>nd</sup>; the motion passed unanimously.

#### Certificates of Compliance

- 77 Powdermill Road - 85-452
- 77 Powdermill Road - 85-530 (remediation)

Mr. Froberg moved that the Commission issue Certificates for both Orders of Conditions (OOC) as recommended by Mr. Tidman, Mr. Colman 2<sup>nd</sup>; the motion passed unanimously. Letters from the engineer supporting compliance with the project have been received by the Conservation Office; issuance of Certificates of Compliance (Form 8B) paperwork is pending receipt of Form 8A for both OOC's.

#### MINUTES

Mr. Froberg moved that the Commission accept the minutes for August 5, 17, 31, and September 21, 2011 for the regular Conservation Commission meetings; Ms. Green 2<sup>nd</sup>. The motion passed unanimous.

8:30 Meeting adjourned.



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Terry Matland,  
Chair

TT:ahr  
ahr.concom.minutes.2011.10-05-2011

Location: Home » Public Meetings » Conservation Commission » 2011 Meetings » 10-05-2011 Listing

### 10-05-2011



Type	Title	Owner	Edited	Size	Actions
	<a href="#">0001 - October 5 Agenda</a>	naturalres	09/30/11	53 KB	
	<a href="#">010 - Notice of Intent - 146 Central Street - 85-1072</a>	naturalres	09/27/11	1 MB	
	<a href="#">030 - Request for Determination - 24 Conant Street</a>	naturalres	09/27/11	2 MB	
	<a href="#">040 - Request for Determination - 6 Cross Street</a>	naturalres	09/27/11	1 MB	

Refresh