

**CONSERVATION COMMISSION
 AMENDED AGENDA
 NOVEMBER 16, 2011
 7:15 PM
 TOWN HALL - 472 MAIN STREET - ROOM 204**

- 7:15 Continuation - Request for Determination - Mass DOT Highway Division - Route 2 Resurfacing (010)
 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.)
- 7:30 Abbreviated Notice of Resource Area Delineation - 366 Pope - Mike Paratore (020)
 Delineation for approximately 531 linear feet of Bordering Vegetated Wetland and 157 linear feet of Riverfront Area located (town atlas plate E-6, parcel 4).
 Site walk conducted 11/10/11.
- 7:45 Notice of Intent - Concord Public Works, Water and Sewer Division - DEP File No. 85-1074 (030)
 Proposed reconnection of a 16-inch suction main within 100' of Bordering Vegetated Wetlands and Bordering Land Subject to Flooding located at 339 Nagog Hill Road and 354 Great Road, from Nagog Pond to booster-pump station; in the vicinity of Route 27 (Main Street) on Route 2A (Great Road) [Town atlas plate C-4, parcel 14 and D-4, parcels 2 and 4]. Special DEP 1994 abutters notice policy.

Certificate of Compliance

- 85-275 – Kennedy Estates (040)
- 85-661 – 77 Powdermill Road – no paperwork submitted

MINUTES

October 19	comments rec'd by	TT, AG, FP, ADM - signature
November 2	“ “ “	TT, ADM, AG, FP
November 9 OSRP	pending	

**CONSERVATION COMMISSION
MINUTES
NOVEMBER 16, 2011
7:15 PM
TOWN HALL - 472 MAIN STREET - ROOM 204**

COMMISSIONERS PRESENT: Terry Maitland, Andrew Magee, Fran Portante, Amy Green, Jim Colman, Tom Arnold, Bill Froberg

CONSERVATION ADMINISTRATOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Alex Murray, Rich Harrington, Dave Crossman, Chris Olbrot, Hardik Raval

7:15 Continuation - Request for Determination - Mass DOT Highway Division - Route 2 Resurfacing (010)

Alex Murray from Mass DOT presented 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.) This filing is submitted on behalf of Mass Highway, District III; the proposed project involves ten miles of resurfacing; stormwater improvements are proposed with required infiltration, swales and basins with the National Pollution Discharge Elimination System (NPDES) as part of Mass DOT's Impaired Water Program.

Mr. Murray asked the Commission continue this meeting as the basins are still under design.

Mr. Maitland noted that this meeting has been continued several times noting that this is a large project and inquired as to why this project has not been filed as a Notice of Intent (NOI).

Mr. Murray stated that he understands the concern and stated that is very likely that Mass DOT will withdraw this Request for Determination (RDA) and file a NOI within a month.

Upon request of the applicant's representative, Mr. Maitland continued the meeting until December 21, 2011 at 7:30PM.

[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2011 Meetings 11-16-2011 - 010 - Request for Determination - Route 2 Resurfacing Project.]

Mr. Magee arrived.

7:35 Abbreviated Notice of Resource Area Delineation (ANRAD) - 366 Pope - Mike Paratore (020)

Delineation for approximately 531 linear feet of Bordering Vegetated Wetland and 157 linear feet of Riverfront Area located (town atlas plate E-6, parcel 4).

Site walk conducted 11/10/11.

Rich Harrington from Stamski & McNary provided three pieces of additional information all dated November 16, 2011:

- Stamski & McNary letter - Resource Area Delineation Plan Revisions
- Revised Resource Area Delineation Plan
- B & C Associates letter

Additional wetland flags have been added to the revised delineation plan.

There are foundation drains that exit into the ditch planting area between the existing house and barn along with two pipes fed from the isolated wetlands.

Dave Crossman from B & C Associates reported that the property contains an isolated wetland to the north and Bordering Vegetated Wetlands (BVW) in the southwest corner of the property. The existing drainage system receives water flow from the isolated wetlands but does not visibly connect to the BVW. There is no definitive stream channel in the lower paddock (southwest corner of the property). There is no evidence of scouring, thus no regulatory connection.

Mr. Magee stated that he is comfortable with the flagging. However, there is a hydraulic connection between the two wetlands. The pipe system was designed to control water crossing the property; piping was installed to address a drainage issue. Historically, it appears that the lower pasture was filled. There is a defined stream channel and a stream flowing within the upper wetlands (northwest corner of the property), and this channel flows out of these wetlands as an apparent intermittent stream.

Ms. Green asked if the Commission felt that the small streams where exposed in the lawn are intermittent streams. The Commission discussed the existing pipe and water channeled through the pipe system.

Mr. Maitland asked what the ramifications were if it is an intermittent stream over the entire length. The Commission may wish to have a third party review the delineation. The Commission needs to determine if the isolated wetland is regulated under the Wetlands Protection Act or just under the Acton's local Bylaw. The Commission is satisfied with the flagging but there will be a finding that the stream sections are not included as presented in the ANRAD submittal.

Mr. Harrington stated that he would prefer to find the answers to the Commission's questions and continue the hearing.

Questions noted:

- 1) Is the upper "isolated" wetland actually BVW? Does it have a channel within it?
- 2) How will the stream sections be dealt with in the middle of the property? Are these sections intermittent streams?
- 3) Conduct further review/investigation of soil composition in the lower paddock.

Mr. Colman noted that the Commission will need to conduct an additional site walk to review the new information once provided.

Mr. Maitland continued the hearing until December 7, 2011 at 7:30 PM.

[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2011 Meetings 11-16-2011 - 020 - Abbreviated Notice of Resource Area Delineation - 366 Pope Road - 85-1075.]

8:40 Notice of Intent - Concord Public Works, Water and Sewer Division - DEP File No. 85-1074 (030)

Proposed reconnection of a 16-inch suction main (approximately 1,821 feet) within 100' of Bordering Vegetated Wetlands and Bordering Land Subject to Flooding located at 339 Nagog Hill Road and 354 Great Road, from Nagog Pond to the booster-pump station; in the vicinity of Route 27 (Main Street) on Route 2A (Great Road) [Town atlas plate C-4, parcel 14 and D-4, parcels 2 and 4]. Special DEP 1994 abutters notice policy.

Chris Olbrot from the Town of Concord Public Works reported that the Town of Concord wishes to reconnect a 16" suction-main near Nagog Pond that was previously disconnected. Reconnecting the suction-main will help with the State's required flushing activities.

Area A - work will occur within 10' of the BVW. The existing pipe is approximately four to five feet below grade; some dewatering will be necessary, water will be pumped into a three-foot square haybale framed dewatering basin.

Area B - a second connection to the 16" suction-main will be made near the existing access road from Acorn Park, off Hazelnut Drive, using similar construction methods.

Mr. Olbrot noted that abutters from Breezy Point Road were concerned with the condition of the existing maintenance path from Breezy Point; the Town of Concord will address the issue.

Hearing no comments or questions, Mr. Maitland closed the hearing.

[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2011 Meetings 11-16-2011 - 030 - Notice of Intent - Nagog Pond - Concord Public Works - 85-1074.]

Decision - Nagog Pond - Concord Public Works - DEP File No. 85-1074

Mr. Magee moved that the Commission issue a standard Order of Conditions for the plans as presented, Mr. Colman 2nd; motion passed unanimously.

Certificate of Compliance - Kennedy Estates (110-126 Arlington Street) - 85-275 - (040)

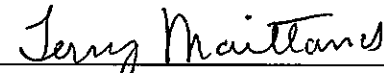
Mr. Magee moved that the Commission issue a Certificate as recommended by Mr. Tidman, Ms. Green 2nd; motion passed unanimously.

[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2011 Meetings 11-16-2011 - 040 - Request for Certificate of Compliance - Kennedy Estates (110-126 Arlington Street) 85-275 (040).]

MINUTES

Ms. Portante moved that the Commission approve the minutes of October 19 and November 2, 2011, Ms. Green 2nd; motion passed unanimously.

9:05 Meeting adjourned.

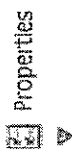


Terry Maitland,
Chair

TT:ahr
ahr.concom.minutes.2011.11-16-2011

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11-16-2011



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	00001 - November 16 Amended Agenda	naturales	11/15/11	26 KB	▾
	0001 - November 16 Agenda	naturales	11/10/11	52 KB	▾
	010 - Request for Determination - Route 2 Resurfacing Project	naturales	11/08/11	729 KB	▾
	020 - Abbreviated Notice of Resource Area Delineation - 366 Pope Road - 85-1075	naturales	11/23/11	3 MB	▾
	030 - Notice of Intent - Nagog Pond - Concord Public Works - 85-1074	naturales	11/08/11	9 MB	▾
	040 - Request for Certificate of Compliance - Kennedy Estates - DEP File 85-275	naturales	11/10/11	2 MB	▾

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