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**ACTON CONSERVATION COMMISSION**

**Minutes**

**June 4, 2014**

**7:15 PM**

**TOWN HALL - 472 MAIN STREET**

**ROOM 204**

**COMMISSIONERS PRESENT:** Terry Maitland, William Froberg, Tom Arnold, Andrew Magee, Theresa Portante-Lyle

**NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY:** Tom Tidman

**VISITORS:** Paul Malchodi, Adria Osborne, Janet Adachi, Tara Mitchell, Rebecca Williamson, David Shedd, Roland Bartl

7:15 Notice of Intent -114 River Street (continuation) 85-1144 (010)

*Continued to July 16, 7:15 PM, per Commission*

7:20 Notice of Intent - 12 Summer Street (continuation) 85-1148 (020)

*Continued to July 16, 7:20 PM, per Commission*

7:30 Notice of Intent - Bruce Freeman Rail Trail (continuation) 85-1149 (030)

Mr. Maitland recapped the deliberation process of the Commission thus far, including the number of special meetings convened to develop the list of special conditions.

7:40 Roland Bartl, Planning Director for the Town of Acton, gave a brief summary of the \$11 million project, urging the Commission to issue the Order of Conditions for this Notice of Intent so the project could move forward.

David Shedd, from MassDOT recapped the scope of the project: MassDOT's construction group met and reviewed the draft of the special conditions compiled by the commission. Jessica Kenney, an environmental specialist, also reviewed the draft. The main concern was the possibility of change orders that could significantly impact the cost of the project. Some of the conditions were deemed too vague as written and could allow for significant delays in the project.

Mr. Magee stated that he had considered recusing himself from the hearing. His company, Epsilon, may have worked with the company MassDOT is suggesting for the "Environmental Monitor" position in response to the Commission's special condition. But as no position currently exists he will continue with deliberations.

Paul Malchodi expressed his support of an extra person, an environmental monitor, adding that the Commission has been tasked with an immense job referring to the nearness of wetlands of more than 85 percent of the project in Phase II.

Tara Mitchell, MassDOT Land Design, said they used New England Environment for both erosion control review and wetlands monitoring and had found them to be an excellent company.

The contractor will be responsible for securing access and storage/staging areas. These will not be the responsibility of the town. Staging areas are not part of this filing.

**Decision:**

Mr. Magee moved to issue a standard order of conditions and include the special conditions as they were reviewed and amended at this meeting.

Mr. Arnold seconded, all in favor.

Hearing closed at 9:25 PM.

**Certificates of Compliance**

44 Great Road (040)

Mr. Magee moved to issue, Mr. Arnold seconded, vote unanimous.

97 Concord Road (050)

Mr. Magee moved to issue, Mr. Arnold seconded, vote unanimous.

244 – 248 Main St. (060)

Commission determined the project needed additional review before issuing the certificate.

**MINUTES**

May 7, 2014, reviewed by AM, TM, AG

Mr. Magee moved to approve, Ms. Portante-Lyle seconded, vote unanimous.

May 15, 2014, reviewed by AM, AG, TM

Mr. Magee moved to approve, Ms. Portante-Lyle seconded, vote unanimous.

Meeting adjourned at 9:30 PM.

  
\_\_\_\_\_  
Terry Maitland  
Chairperson

**ACTON CONSERVATION COMMISSION  
AGENDA  
June 4, 2014**

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TOWN HALL - 472 MAIN STREET  
ROOM 204**

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**Certificates of Compliance**

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**MINUTES**

May 7, 2014, reviewed by AM, TM, AG

May 15, 2014, reviewed by AM, AG, TM

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