

**ACTON CONSERVATION COMMISSION  
MINUTES  
August 5, 2015  
7:15 PM  
TOWN HALL - 472 MAIN STREET  
ROOM 204**

**COMMISSIONERS PRESENT:** Terry Maitland, William Froberg, Andrew Magee, Amy Green, Jim Colman, Paula Goodwin

**RECORDING SECRETARY:** Bettina Abe

**VISITORS:** Dick Dolan, ABC Cesspool; Betty Pichette, 76 Robbins St; Maurice Pichette, 76 Robbins St; Scott Hayes, Foresite Engineering; Jude Gauvin, GPR Inc.; Garry McCarthy, 17 Billings St.

**7:15 Notice of Intent: 19 Billings Street**

Assabet Properties, Inc. for a project located at 19 Billings Street, (*town atlas plate H-2, parcel 13*). The project is for the demolition of an existing single family dwelling and construction of a new dwelling, associated grading and utilities within 100 feet of an area subject to protection under the Wetlands Protection Act & Acton Wetland Bylaw.

Scott Hayes of Foresite Engineering presented for the applicant, Andrea Gonsalves of Assabet Properties, Inc. He explained the plan to demolish an existing home and construct a new dwelling. Haybales will be used to protect adjacent resource areas during the razing of the existing house. Ms. Green inquired about the replacement of lawn. Mr. Hayes explained that it would be all turf, and the area was not steep, just a gentle slope. He pointed out that the BoH had approved the plan and issued a permit already. A revised plan, dated 7/28/2015, had been submitted that included a few notes from the Health Department. Mr. Magee noted that the house was outside the buffer zone and that no trees were being removed.

**Decision:** Mr. Froberg moved to issue a standard Order of Conditions for the project as presented. Mr. Magee seconded; unanimous vote.

**7:30 Notice of Intent: 4 Phalen Drive**

William Ahern for the replacement of a failed septic system at 4 Phalen Street, town atlas plate G4, parcel 132. Some work will occur within the 100 buffer and 50 foot no-disturb buffer zones.

Jude Gauvin, representing Goldsmith, Prest & Ringwall, Inc., presented for applicant, William Ahern of 4 Phalen Drive. He described the process being proposed for the replacement of the failed septic system. The existing system is within the 100 foot buffer zone. The system will be completely removed from the buffer zone. Two trees on the property line and two additional trees in the property area must be removed. The new system will be relocated towards the front of the property, outside the buffer zone. In addition to the septic installation, the applicant is planning to install a walkway, using stone pavers, to connect the back door to an existing patio. Ms. Goodwin asked about the reference on page 1 of the SDS, "consult general note 16 regarding preservation of vegetation", and she was referred to page 2; she read it with no further comment. It had already been noted that 4 trees were to be removed, but note 16 states: "Coordinate with owner/engineer regarding removal of trees and other vegetation not requiring removal by regulation and codes". No further comments from the ConCom

seemed to confirm that any additional removal of vegetation during this project would not violate the interests of the WAC.

Mr. Froberg asked when the property was flagged. Mr. Gauvin said it was on 4/30/15 . Mr. Froberg asked about the plan to abandon the existing field and it was explained that the existing D-box will be removed. Ms. Green asked if there would be any mitigation and Mr. Gauvin responded there would be no mitigation but the system would be capped.

Mr. Maitland asked about drip infiltration. Mr. Gauvin explained that the technology has been around for about 10 years, though it requires a particularly favorable site to be used. A pump chamber is required, and the gray water is dispersed not unlike regular trenching, though the lines are thinner. Mr. Maitland then asked if GPR had experience with this kind of system and Mr. Gauvin responded that, yes, they had. Ms. Green pointed out that the sidewalk was within 50 feet of wetlands and asked why it was considered allowable. Mr. Gauvin responded it was in an area that was already disturbed. Ms. Green asked about the composition of the walkway and Mr. Gauvin said pavers would be used. Mr. Magee observed that it was an extension of the patio. Mr. Froberg commented that it was a like structure, but benign, and asked if it fell under the bylaw. Ms. Green said it did.

Mr. Froberg asked about the removal of the old tank and Mr. Gauvin explained that the new tank was being installed in the same place as the old tank. Mr. Magee asked if there was a concern about frost, but was told that gravity continually drains the lines. Mr. Maitland asked if GPR had to prove to the Board of Health that the system works as designed. Mr. Gauvin responded that the system has its place in certain applications and meets Title 5 requirements. The Commissioners discussed the need to have their approval contingent on approval of the BoH.

Hearing closed at 7:49.

**Decision:** Mr. Magee moved to issue a standard Order of Conditions with the following 2 special conditions:

1. Work on this project is not considered approved and may not be initiated until it is approved by the Acton Board of Health under the Town of Acton By-law.
2. If the applicant changes the design of the septic system or the walkway, the applicant must return before the Commission for further review.

Mr. Froberg seconded, unanimous vote.

#### 7:52 **Request for Determination of Applicability: 28 Newtown Road**

ABC Cesspool for Howard and Judith Clark for the repair of a septic system at 28 Newtown Road (Town atlas plate F3A, parcel 11). Work will occur within the 100 foot buffer zone.

Dick Dolan of ABC Cesspool presented the project for the applicants, Judith and Howard Clark. He clarified the project description as being a Title 5 failure, not a septic failure. This is the original system and is as old as the house. The tank is 90 feet from wetland. They already have BoH approval. Tom Tidman had flagged the wetlands. They will be replacing the existing 900 gallon tank with a 2 compartment, 1,500 gallon tank with a 1,000 gallon pump chamber.

**Decision:** Mr. Magee moved to issue a negative 3 determination, that is, the work will have no major impact on the resource area and no Notice of Intent filing was required. Mr. Froberg seconded and the vote was unanimous.

**8:00 Request for Determination of Applicability: 95 Summer Street**

ABC Cesspool for West Hill Ventures for the replacement of a failed septic system at 95 Summer Street, Town atlas plate F-1, parcel 88-3. Work will occur within the 100 foot buffer zone.

Dick Dolan, ABC Cesspool, presented for the clients, West Hill Ventures. This project entailed emptying a pool and filling it with sand and gravel. The rebar is encased in concrete. Removal of a pool does not require BoH approval.

Ms. Goodman asked if the house is on a slab foundation and Mr. Dolan responded that the house was a split level with a walk-out basement. Mr. Maitland asked where removed fill would be stored and it was explained that it was not considered hazardous and would be returned in place. Mr. Froberg asked if the description of work specified the filling in of the pool. Mr. Dolan said it did not, only just mentioning gravel and sand on the bottom and loaming and seeding.

**Decision:** Mr. Magee moved to issue a negative 3 determination, that is, the work will have no major impact on the resource area and no Notice of Intent filing was required. Ms. Green seconded, vote was unanimous.

**Certificate of Compliance, Acton by-law only: 24 Conant Street, DEP #85-933**

Ms. Green moved to issue, Mr. Froberg seconded, unanimous vote.

**Certificate of Compliance: 151 Pope Rd.k DEP #85-642m invalid CoC**

Mr. Froberg moved to issue, Mr. Colman seconded, unanimous vote.

**MINUTES:**

**June 17, 2015:** Reviewed by AM, TM, TA  
Ms. Goodmin moved to accept, Ms. Green seconded, vote unanimous

**July 1, 2015:** Reviewed by AM, AG  
Ms. Green moved to accept, Mr. Magee seconded, vote unanimous

**July 15, 2015:** Reviewed by TA, PG  
Mr. Froberg moved to accept, Ms. Green seconded, unanimous vote.

**Meeting adjourned at 8:29.**



Terry Maitland  
Chairperson

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AGENDA  
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**8:15 Conservation Restriction: Quail Ridge; discussion of proposed language**

**Certificate of Compliance, Acton by-law only: 24 Conant Street, DEP #85-933**

**Certificate of Compliance: 151 Pope Road, DEP #85-642**

**Certificate of Compliance: Septic, 137-155 Pope Rd., #85-378**

**MINUTES:**

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July 15, 2015: Reviewed by TA, PG

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