

**ACTON CONSERVATION COMMISSION
MINUTES
March 16, 2016
7:15 PM
TOWN HALL - 472 MAIN STREET
ROOM 204**

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

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Mark Saganich, Daniel Carr, John C. Durkin, Kathy Sferra, Bruce E. Fletcher, David Albrecht, George Mosley, George Dimakarakos

7:15 Request for Determination: 2016 Routine Road Maintenance, multiple roads

The Highway Department has compiled a list of streets, approximately 20 segments throughout the town, in need of routine maintenance. The work entails milling, leveling and resurfacing. There are no plans to alter the existing road conditions such as widening.

Paul Campbell, Town of Acton Engineering Department, presented the project. He reported that no roads were to be widened, that the work only involved milling and overlay. All work was to take place within existing roadway. He pointed out that roads are repaved once every thirty years. This year's list, includes approximately 20 street segments in need of resurfacing, some of which are not likely to be completed this year. Work will have to continue into the next year.

Decision: Mr. Magee moved to issue a Negative 3 determination: 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. Ms. Green seconded and the vote was unanimous.

7:40 Notice of Intent: 18 Wetherbee St.

John Durkin, Onyx Corporation, for a project at 18 Wetherbee St., Plate no. G5, parcel 82. Proposed project is to construct a building trade shop with associated driveway and parking, sewage disposal and associated appurtenances. Work will occur within the 100 foot Buffer Zone of Bordering Vegetated Wetland and the 200 foot Riverfront Area.

Dan Carr, from Stamski & McNary Inc., presented on behalf of the applicant, John Durkin of Onyx Corp. The site is entirely within 200 feet of the riverfront area of Nashoba Brook. It is within the Zone 3 district, requiring stormwater treatment and infiltration systems.

Ms. Goodwin asked the applicant to explain where and how floor drains will be constructed. Mr. Dimakarakos explained that floor drains go into a "tight tank", a double walled tank that has alarms that signal when it needs to be pumped. The Commission asked about the pipe through the stone wall, with proposed riprap as shown on the plan. Mr. Durkin explained that the pipe allows water to flow back into the brook under flood conditions.

The new building will house all lubricants and motorized equipment. The area between the old building and the river will be seeded. No equipment will be stored and no equipment repair will be done in the old trade shop near the brook. All areas cleared of stored equipment shall be loamed and seeded. These restored areas will be demarcated with a row of boulders 3 feet to 4 feet in diameter, buried to half their depth 8 feet to 9 feet on center.

Mr. Arnold stated that more information was needed about the tight tank and the Operation and Maintenance (O&M) plan, perhaps adding language to such effect in the Order of Conditions. Mr. Colman made three recommendations, 1. That the area shown as "landscaped" should have some specific landscape plans; 2. No storage of equipment or lubricants are allowed in landscaped areas; 3. The proposed mini-basin should be added to the O&M plan. Mr. Arnold commented that he would like to see the tight tank added to the O&M plan. The Commission discussed the topic of "tight tanks" and the regulatory process. Mr. Dimakarakos suggested that the Commission require that the tight tank be installed outside the floodplain.

Hearing closed at 8:10.

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

1. Include routine maintenance of the riprap basin in the property Operation & Management Plan.
2. Provide specification of grass mix to be planted in (i) the area around the proposed riprap basin, (ii) loam and seed specifications area at rear (east side) of the existing "trade shop," and (iii) loam and seed specification and other plantings proposed for the area to be cleared of debris south and east of the existing paved parking area.
3. All areas cleared of stored equipment shall be loamed and seeded. These restored areas will be demarcated with a row of boulders 3 feet to 4 feet in diameter, buried to half their depth 8 feet to 10 feet on center.
4. No storage of petroleum products or other hazardous materials shall be allowed in any floodplain areas of the property, including the existing trade shop. This does not include temporary parking of vehicles to the rear of the existing building on approved parking areas.

Mr. Arnold seconded the motion and it passed unanimously.

8:20 Amended Notice of Intent: 117 Arlington Street

Mark Saganich for the construction of a single-family home addition, new in-ground swimming pool, and subsurface sewage disposal system at 117 Arlington Street, (*town atlas plate E2, parcel 233*). Portions of the work will occur within the 200 foot Riverfront Area and the 100 foot buffer zone to Bordering Vegetated Wetlands.

David Cowell of Hancock Associates presented for the applicant, Mark Saganich. This is an amended Order of Conditions (DEP # 85-1169). Mr. Cowell reviewed and compared the original plan submitted with the NOI filed December 1, 2014. The septic system will remain as originally permitted. The 10 foot by 10 foot concrete slab located in the buffer zone will be removed. Sediment control will be extended to include the area where the slab would have been.

Hearing closed at 8:40 PM.

Decision: Mr. Colman moved to issue an amended Order of Conditions, accepting the new plans of 2/16/2016 as plans of record. He also included the following special conditions:

1. All silt prevention (waddles) shall be staked.
2. Gravel construction apron will have appropriately sized riprap material in place during construction.

Mr. Arnold seconded the motion and the vote was unanimous.

Notice of Intent continuance: 176 Central Street

No discussion; hearing continued to April 20, 2016, after Town Meeting.

Notice of Intent withdrawal: 34 Robbins St. discussion

No discussion.

8:45 Notice of Intent: 127 Stow St.

David Albrecht of Borrego Solar Systems Inc. representing Bruce Fletcher, presented plans for the installation of a solar field on land in both Acton and Stow. The Acton portion is at 127 Stow Street, town atlas plate H1, parcel 6. Portions of the project are location within the Buffer Zone to Bordering Vegetative Wetlands and within Bordering Vegetated Wetlands.

Mr. Albrecht outlined the steps necessary to install the solar field and transmission line. Tom Tidman mentioned that additional filing fees would be required, specifically for 2(e): clearing, site prep.; 3(c): road improvement/gates/fence and 2(g): point source discharge.

George Mosely asked if they would be replacing the crushed culverts. Mr. Albrecht responded that they would not. Mr. Mosely responded that this could throw the project into land court.

Mr. Magee asked if this area is considered "land-fill" by DEP. Mr. Albrecht responded that it was not, and the land-fill site was in Stow. Mr. Magee asked if Mr. Albrecht has checked with DEP about the landfill. And Mr. Albrecht responded that phase I and phase II were done.

Additional Commissioners would like to visit the site.

The hearing was continued to April 20 at 7:15PM.

License Agreement: Massachusetts Department of Corrections

Commission signatures were obtained to complete the execution of the license agreement for the use of Wetherbee fields by Mass. DOC. Town Council will send a copy of the signed agreement to DOC.

Certificate of Compliance: 95 Newtown Road

Mr. Arnold moved to issue a certificate of compliance, Mr. Magee seconded and the vote was unanimous.

Minutes:

January 6, 2016, reviewed by AM, AG, TM

Mr. Magee moved to accept the minutes, Mr. Froberg seconded, vote was unanimous.

February 3, 2016, reviewed by PG, Am

Mr. Magee moved to accept the minutes, Ms. Green seconded, vote was unanimous.

Meeting adjourned: 10:00 PM


Terry Maitland
Chairperson

Minutes 03-16-2016 Tom.doc [Compatibility Mode] - Microsoft Word

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Type	Title	Owner	Edited	Size	Actions
<input type="checkbox"/>	001 - Agenda 03-16-2016	naturalres	03/09/16	10 KB	
<input type="checkbox"/>	010 2016 Road Repaving RDA	naturalres	03/09/16	140 KB	
<input type="checkbox"/>	011 2016 Road Repaving RDA Maps	naturalres	03/09/16	2 MB	
<input type="checkbox"/>	012 - 2016 Road Repaving RDA STORMWATER REPORT	naturalres	03/09/16	34 KB	
<input type="checkbox"/>	020 - 18 Wetherbee St NOI	naturalres	02/25/16	10 MB	
<input type="checkbox"/>	021 - 18 Wetherbee St DRAINAGE REPORT REDUCED	naturalres	02/25/16	7 MB	
<input type="checkbox"/>	022 - 18 Wetherbee St SHEETS 4-5	naturalres	02/25/16	875 KB	
<input type="checkbox"/>	030 - 117 Arlington Street Acton FINAL Amended NOI	naturalres	03/09/16	11 MB	
<input type="checkbox"/>	031 - 117 Arlington Landscape Plan 3-5-16-Floor Plan	naturalres	03/09/16	124 KB	
<input type="checkbox"/>	032 - 117 Arlington St BASE2-NOI DRAFT 3-1-16	naturalres	03/09/16	366 KB	
<input type="checkbox"/>	050 - 34 Robbins St EO Amended	naturalres	03/09/16	211 KB	
<input type="checkbox"/>	051 - 34 Robbins St NOI 85-1184	naturalres	03/09/16	10 MB	

3:03 PM 3/28/2016

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Signatures

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