

**CONSERVATION COMMISSION  
AGENDA  
FEBRUARY 3, 2010**

7:15 ANNOUNCE CONTINUATION - NOI - 152 Nagog Hill Road - 2/17/2010 at 7:15 PM

7:20 Request for Determination - 97 Newtown Road - D & M Farrant (010)

Acton Survey & Engineering: for the proposed installation of a force main to service a proposed septic system for Lot 3A (at #97) Newtown Road (town atlas plate E-3, parcels 17, 20 & 29).

7:30 Notice of Intent - 72, 76, 80 Harris Street & 6 Quarry Road - Bentley Building Corp. (020)

Stamski & McNary: for the proposed construction of three single family homes and associated site work within 100' of a wetland located at 72, 76, 80 Harris Street and 6 Quarry Road (town atlas plate C-5, parcels 90, 90-4, 90-5, 90-6, 90-7 & 90-8).

7:45 Notice of Intent - Arlington Street - b/w Freedom Farm & Hayward Rd - Water District (030)

Caron Environmental Consulting: for the proposed replacement of approximately 3,500 linear feet of water main along Arlington Street between Hayward and Charter Road; portions of work activity will occur within 100' of a wetland. All work will occur within the existing disturbed road right-of-way.

Partial Certificate of Compliance - 40 Sudbury Road - Old Mill Development Trust (040)

Grace Property - Conservation Restriction - Signature

MINUTES

January 6, 2010      comments rec'd by      JA2, TM, FP, TT      *signature*

**CONSERVATION COMMISSION  
MINUTES  
FEBRUARY 3, 2010**

**COMMISSIONERS PRESENT:** Terry Maitland, Janet Adachi, William Froberg, Fran Portante, Patty Lee, Toros Maksoudian, Tom Arnold

**CONSERVATION ADMINISTRATOR:** Tom Tidman

**ASSOCIATE MEMBER:** Toni Hershey

**RECORDING SECRETARY:** Tom Tidman

**VISITORS:** Mark Donohoe, Charles Caron, George Dimakarakos, Thomas Walsh, Robert Hirsch, Todd Brown, Mark Munson

7:20 ANNOUNCE CONTINUATION - NOI - 152 Nagog Hill Road - 2/17/2010 at 7:15 PM

Upon the request of the Applicant, Mr. Maitland stated that the hearing for 152 NHR has been continued until February 17, 2010.

7:25 Request for Determination - 97 Newtown Road - D & M Forrant (010)

Mark Donohoe from Acton Survey & Engineering presented plans for the proposed installation of a force main to service a proposed septic system for Lot 3A (at #97) Newtown Road (town atlas plate E-3, parcels 17, 20 & 29). Mr. Donohoe reported that additional wetlands were identified along the property boundary that will require changes in the proposed house location. Mr. Donohoe withdrew the RDA filing in order to redesign the project and will file a Notice of Intent in the future.

7:30 Notice of Intent - 72, 76, 80 Harris Street & 6 Quarry Road - Monument Place - Bentley Building Corp. (020)

George Dimakarakos from Stamski & McNary presented plans for the proposed construction of three single family homes and associated site work within 100' of a wetland located at 72, 76, 80 Harris Street and 6 Quarry Road (town atlas plate C-5, parcels 90, 90-4, 90-5, 90-6, 90-7 & 90-8). The Commission issued an Order of Resource Area Delineation (ORAD) in December 2009. There is a pond with associated Bordering Vegetated Wetlands (BVW) along the west side of the property within both state and local jurisdiction and an isolated wetland to the north subject to local jurisdiction under the Bylaw. Plans represent two proposed condominium projects, Lot A with eleven single-family units and Lot B with fourteen single-family units. Work activities within the buffer zone will involve only three single-family units in addition to the removal of the existing commercial building and associated parking lot. The removal of the existing building and parking lot will result in a net reduction of structures in the BVW buffer zone. All proposed new structures will comply with the 75-foot no structure setback under the Bylaw; the existing building was in pre-existing non-compliance. This design proposal has no point-source discharge to wetlands with the exception of the roof-runoff drywells associated with the three units within the buffer zone. All proposed paved surfaces will discharge stormwater to the proposed catchbasins and then to deep-sumps for infiltration outside of the 100' buffer zones; there will be no point-source discharge to wetlands resulting from the development.

Upon query by Ms. Adachi, Mr. Dimakarakos reported that there is a drainage area of approximately ten acres feeding into the existing pond. This proposal will divert a very small amount of water away from the pond; soils on site are very porous and there should be no noticeable post-construction impact on the level of water in the pond.

Upon query by Ms. Portante regarding the density of the proposed development, Mr. Dimakarakos stated that this design proposal is an allowed use within the zoning provisions of the North Acton Village District (NAVD); very little activity is proposed within the buffer zones.

Upon query by Ms. Portante pertaining to potential residential yard waste dumping within the resource areas, Mr. Dimakarakos reported that there is a very large pile of soil remaining from the pond's excavation.

Ms. Lee stated that there needs to be a visual restriction from the resource area as a deterrent to the dumping of yard waste in the resource areas. Mr. Dimakarakos stated that the split-rail fence could be extended along the 50-foot setback.

Upon query by Ms. Adachi, Mr. Dimakarakos reported that Lots A & B will be will be condominiums.

Robert Hirsch from 762 Main Street expressed concern regarding runoff onto his property and also inquired whether the proposed septic system would be more than 100' from his water supply well. Mr. Maitland noted that the both of the questions are important but outside of the Commission's jurisdiction.

Mr. Dimakarakos stated that the proposed development design will increase on-site groundwater infiltration with less surface stormwater runoff exiting the site. Mr. Dimakarakos clarified on the plans where Mr. Hirsch's well is located in relationship to the proposed leaching field.

Mark Munson inquired whether the Commission will impose a condition with respect to the proposed fence. Mr. Maitland said that the Commission would condition the fence where it falls within the Commission's jurisdiction.

Ms. Adachi proposed a special condition: A permanent fence shall be installed and maintained along the uplands side of the limit of work, as defined by the proposed temporary siltation barrier; no work shall occur within the 50-foot buffer of undisturbed natural vegetation. The condominium association shall maintain the fence in perpetuity.

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

#### DECISION - 72, 76, 80 Harris Street & 6 Quarry Road - Monument Place

Ms. Adachi moved that the Commission issue an Order of Conditions with the previously proposed additional special condition; Ms. Lee 2<sup>nd</sup>, unanimous.

#### 7:45 Notice of Intent - Arlington Street - b/w Freedom Farm & Hayward Rd - Water District (030)

Charles Caron from Caron Environmental Consulting presented plans for the proposed replacement of approximately 3,500 linear feet of eight-inch water main along Arlington Street between Hayward and Charter Road; portions of work activity will occur within 100' of a wetland. All work will occur within the existing disturbed road right-of-way; most work will occur within the paved surface of Arlington Street. Directional drilling will be used under the existing culverts and stream crossings. The project should take about six weeks, optimally starting in May 2010. The method of replacing the water main will be "cut and cover," each trench section will be opened will backfilled the same day. Most of the old water main is ductile iron and some asbestos cement will be abandoned in place and not removed. Trench water will be pumped into a haybale dike lined with a geo-fabric covered with stone; the clean, filtered water then will flow out of the containment device.

8:24 Hearing no comments or questions, Mr. Maitland closed the hearing.

DECISION - Arlington Street - b/w Freedom Farm & Hayward Rd - Water District

Ms. Lee moved that the Commission issue an Order of Conditions with the special condition that the Applicant shall have an engineer on site to oversee construction activities, including any dewatering; Mr. Arnold 2<sup>nd</sup>, unanimous.

Partial Certificate of Compliance - 40 Sudbury Road - Old Mill Development Trust (040)

Mr. Tidman reported that all silt has successfully been removed from the pond, the slope was reconstructed and stabilized and the replication area is complete but still needs to succeed through two growing seasons.

Ms. Portante moved that the Commission issue a partial Certificate as described by Mr. Tidman; Mr. Froberg 2<sup>nd</sup>, unanimous.

Grace Property - Conservation Restriction - Signature

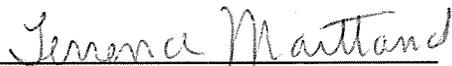
Mr. Tidman reported that the conservation restriction (CR) will be placed on 15 acres of land owned by the W.R. Grace Company as part of a settlement with the Town of Acton (as previously presented to the Commission by Selectperson Paulina Knibbe on May 6, 2009).

Ms. Adachi moved that the Commission approve and sign the CR as described by Mr. Tidman; Ms. Portante 2<sup>nd</sup>, unanimous.

MINUTES

Ms. Lee moved that the Commission accept the minutes of January 6, 2010; Mr. Arnold 2<sup>nd</sup>, unanimous.

8:35 Meeting adjourned.

  
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Terrence Maitland,  
Chair

TT:ahr  
ahr.concom.minutes.2010.02032010