

**ACTON CONSERVATION COMMISSION  
MINUTES  
August 3, 2016  
7:15 PM  
TOWN HALL - 472 MAIN STREET  
ROOM 204**

**COMMISSIONERS PRESENT:** Jim Colman (Acting Chair), William Froberg, Amy Green, Paula Goodwin, Tim McKinnon, Jennifer Pearson

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

**VISITORS:** Bruce Ringwall (GPR), Janet Adachi, Dmitry Bykhovsky, Shailaja Golikeri, Robert Selch? Carolyn Kiely

**7:15 Notice of Intent: 178 Great Road**

Dmitry Bykhovsky for a project at 178 Great Road, Acton, (town atlas plate F4, parcel 10). The proposed project is to demolish the existing structures and parking area on the property and construct a car dealership, consisting of a new structure and open air display area all under a roofed structure.

Bruce Ringwall, principal of engineering firm Goldsmith, Prest and Ringwall, Inc., presented for the applicant, Dmitry Bykhovsky, owner of Alfa Cars in Boxborough. They have met with the Planning Department, the Design Review Board and the Zoning Board of Appeals (ZBA). The existing structures are non-conforming and will be removed. The proposed new building is being moved 2 feet further away from the wetland area. ZBA has approved the new construction. Solar panels will be installed on the roof. The entire site is a disturbed area of approximately 8,460 square feet of untreated impervious pavement and a total cover of approximately 10,650 square feet. The proposed project will reduce the paved area to approximately 3,770 square feet and the total impervious area to approximately 10,460 square feet. The wetlands were flagged by Dave Bay of GPR. The new paved surface will be channeled into a bio-retention area. All roof runoff will be directed to a basin spillway for recharge.

This project qualifies as "redevelopment" as indicated in the Notice of Intent filing. It also meets Stormwater Best Management Practices (BMPs). The existing septic system will be used. The business is strictly for the display and sale of cars. No work will occur within floodplain or 200 foot riverfront area. Most of the swale is on abutting property. They would like to remove invasives from the unmanaged swale and add native plants.

Ms. Green asked if there were to be any drains in the building. Mr. Ringwall responded that there were not and that any runoff from the car port would be captured in the catch basins. Mr. Colman asked about the block wall indicated on the plans and was told that this was to cause runoff to flow to the front of the site into the recharge catch basin.

Mr. Colman asked that DEP Comments be read into the record. These appear here: DEP No. 085-1203: A letter attached to the NOI implies that a swale on the property will be "cleaned up." If this clean-up work is within a jurisdictional resource area, it should be described in the NOI and reviewed by the Acton Conservation Commission. The 200-foot Riverfront Area limit depicted on the site plan is

approximate. If the Mean High Water line is not obvious in the field, it should be delineated by a wetland professional to provide an accurate representation of the Riverfront resource area on the site. It appears that a grove of large trees will be removed at the location of the bioretention area. Can the location of the bioretention area be moved to retain more mature vegetation on the site? A properly sized vegetative filter strip must be provided between the parking lot and the bioretention area in order to achieve the proposed 90% TSS removal rates. What are the soil characteristics, depth to groundwater and depth to bedrock at the location of the proposed bioretention area? Will the parking area in the northwest corner of the property (including the small portion within Riverfront Area) be restored to vegetation, and if so, the restoration process should be described in the NOI and the location should be depicted on plans. The O&M plan should be included the proposed stormwater basin.

Mr. Ringwall stated that they plan to remove invasives and will hold an on-site meeting with the administration prior to the start of work. They will then follow up with a meeting to discuss native plants to be introduced. Mr. Froberg asked is they knew how large the drainage area was and if there was standing water existing. Mr. Ringwall responded that they did not study the drainage area. Mr. Froberg asked how close the existing building was to wetland and was told that the existing structure was 13 feet away from wetlands and the new building will be 15 feet away at its closest point. He also pointed out that there would be 60 per cent less pavement. It also meets the requirement for a grass filter strip of a minimum of 5 feet in width for stormwater prior to entering the bio-retention area. Ms. Green expressed that she would like to see the rear of the site within riverfront area be allowed to naturalize, and Mr. Ringwall agreed.

The hearing closed at 8:00 PM.

Decision: Mr. Froberg moved to issue a standard order of conditions with the following special conditions:

1. A detailed planting plan for the swale shall be reviewed by the Conservation Agent and approved by the Conservation Commission prior to the commencement of site work. The swale planting plan will include a detailed narrative of methods proposed to control invasive species, including techniques for initial invasive species removal.
2. A detailed planting plan for the riverfront area will be included for review and approval. This plan will include an invasive species removal plan and riverfront restoration plan.
3. An environmentally friendly, non-salt based product will be used on paved surfaces.

Ms. Green seconded the motion and it passed unanimously.

### **8:15 Request for Determination of Applicability: 102 Main Street**

David Getsick for a project at 107 Main Street (town atlas plate H3A, parcel 72). The project is for disconnection from the existing septic system and reconnection to the town sewage system. Work will be within the 100 foot buffer zone of bordering vegetated wetlands.

David Getsick, applicant and owner, presented the project. He will be connecting to the Town of Acton sewer. His current septic tank is 75 feet from wetlands. The existing sewer

pipe will be disconnected and a new pipe installed from the house to the street where it will be tied in to the sewer line. The existing tank will be filled with sand and left in place.

Decision: Ms. Green moved to issue a negative 3 determination, that is, 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. Mr. Froberg seconded the motion and it passed unanimously.

### **8:20 Notice of Intent: 5 Anders Way**

Shailaja Golikeri for a project at 5 Anders Way, (town atlas plate G3, parcel 65-11). The project is to extend existing lawn area to the limit of the tree-line. Work will occur within 100 feet of wetlands.

Mr. Golikeri presented plans to extend the rear lawn of his property up to the 50 foot no-disturb setback. This necessitates the removal of trees and stump grinding. The area will be loamed and seeded.

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

1. Erosion control will be installed around the outer perimeter of the entire area to be cleared.
2. No heavy equipment, with the exception of the stump grinder, is allowed in the area to be cleared.

Mr. Froberg seconded and the motion passed unanimously.

### **8:30: Citizens Concerns**

Carolyn Kiely presented information related to the Concord Water Department's project to expand the water treatment facility at Nagog Pond. She reported that they are now proposing a co-generation system. The gas line does not appear to run to the generator pad. There also appears to be three generators which may require a larger pad than the original proposal indicated. Her question was, on the basis of these changes, would it require a reopening of the Order of Conditions? These may be minor changes but if Concord didn't address these changes, could that set a precedent for future changes? She also pointed out that an Environmental Impact Report is required.

The Commission agreed to discuss two questions at the next Commission meeting:

1. Does the outstanding Order (DEP #85-1188) need to come back before the ConCom before going to the Board of Selectman?
2. Tom will check with Concord Water Department to see if there are changes that require they come back to the ConCom.

**Certificate of Compliance:**

36 Mohegan Road, DEP # 85-1196

Decision: Mr. Froberg moved to issue a Certificate of Compliance, Ms. Green seconded the motion, and it passed unanimously.

531 Great Road, DEP # 85-1125

Decision: Mr. Froberg moved to issue a Certificate of Compliance, Ms. Green seconded the motion, and it passed unanimously.

**Minutes:**

July 6, 2016: reviewed by AG, TM

Ms. Green moved to accept the minutes of July 6, 2016. Ms. Goodwin seconded and the motion passed unanimously.

**Meeting adjourned: 8:55 PM**



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Terry Maitland  
Chairperson

**ACTON CONSERVATION COMMISSION**  
**Amended AGENDA**  
**August 3, 2016**  
**7:15 PM**  
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**ROOM 204**

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**7:45 Notice of Intent: 5 Anders Way**

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**7:50: Citizens' Concerns**

**Certificate of Compliance:**

36 Mohegan Road, DEP # 85-1196

531 Great Road, DEP # 85-1125

**Minutes:**

July 6, 2016: reviewed by AG, TM

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<input type="checkbox"/>	001 - Amended Agenda 08-03-2016	naturalres	08/03/16	44 KB	[Icons]
<input type="checkbox"/>	010 - 178 Great Rd NOI	naturalres	07/25/16	13 MB	[Icons]
<input type="checkbox"/>	011 - 178 Great Rd O&M	naturalres	07/25/16	499 KB	[Icons]
<input type="checkbox"/>	012 - 178 Great Rd Stormwater Report	naturalres	07/25/16	10 MB	[Icons]
<input type="checkbox"/>	013 - 178 Great Road NOI Plan	naturalres	07/25/16	15 MB	[Icons]
<input type="checkbox"/>	020 - 102 Main St RDA	naturalres	07/25/16	585 KB	[Icons]
<input type="checkbox"/>	030 - 5 Anders Way NOI lawn expansion	naturalres	07/28/16	13 MB	[Icons]
<input type="checkbox"/>	040 - 85-1196 - 36 Mohegan Road RCoC	naturalres	07/25/16	2 MB	[Icons]
<input type="checkbox"/>	050 - 531 Great Road RCoC 85-1125	naturalres	07/25/16	936 KB	[Icons]

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