

**ACTON CONSERVATION COMMISSION
MINUTES
February 1, 2017
7:15 PM
TOWN HALL - 472 MAIN STREET
ROOM 204**

COMMISSIONERS PRESENT: Terry Maitland, William Froberg, Amy Green, Jim Colman, Paula Goodwin, Tim McKinnon, Jennifer Pearson

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Jerry Eaton, Jim Snyder-Grant

7:15 Notice of intent: 70 Hayward Road Rear, Lower Fields

Acton-Boxboro Regional School District for a project at 70 Hayward Road Rear (town atlas plate F3, parcel 15), the "lower fields" turf field. The project entails the construction of a 40 by 15 foot structural wall to be used as a Bounce Back Wall for athletic practice and activities. A portion of the supporting apron is within 50 feet of wetlands.

Jerry Eaton, representing the Lacrosse Boosters, presented the project. He had initially filed an RDA which was withdrawn. The current plan, as outlined in this NOI filing, was to relocate the apron of the wall away from wetlands. He noted the limited space available to locate the wall outside the 75 foot buffer zone because of its impact on the existing soccer field.

Ms. Green asked, being there is an existing swale there now, how will you deal with the water? Mr. Eaton said they will address the drainage but was not certain how they would address the drainage around the perimeter.

Mr. Colman said he needed to know more about the drainage design for this very expensive project.

Ms. Green again pointed out that there was an existing swale. It appears that the structure would be placed in the middle of the swale.

Mr. Froberg said his impression was that the swale was not designed to convey water over the surface, only through a sub-surface pipe.

Mr. McKinnon has questions about the existing design of the drain pipe.

Mr. Froberg observed that things might not be fully understood until the project starts. He didn't foresee anything that could greatly impact the wetlands.

Mr. McKinnon raised the question, "Could they be at risk for calling the field a structure?"

Mr. Eaton noted that the existing lower-fields synthetic surface is similar in use and much closer to wetlands than the proposed bounce back wall concrete pads.

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

- 1) The Natural Resources agent must be notified at least two business days prior to the commencement of work.

- 2) The project must not have any adverse impact on the existing drainage structure.
- 3) Any repair, replacement or relocation of existing sub-surface drainage structure more than five feet off the concrete pad will require notification of the Natural Resources agent who in his sole judgment and discretion shall determine how the project may proceed.
- 4) Any materials to be stockpiled must be outside the 100-foot buffer zone
- 5) If de-watering proves necessary, the discharge must be more than 100 feet from the wetlands and must be established in a manner so as not to cause any adverse impacts.
- 6) Erosion control measures must be put in place in a manner satisfactory to the Natural Resources agent.
- 7) Standard orders 18 and 19 are hereby waived.

Ms. Green seconded the motion and it was passed with 5 yays, 1 nay (Ms. Goodwin) and one abstention (Mr. Colman).

8:15 Discussion: Implementing "Like Structures" language in the Bylaws and Regulations

The discussion of the draft "Guidance for Implementing the Terms "like activities" and "like structures" in the Acton Wetland By-law" (dated January 12, 2017) included the following suggestions:

- a. *Delete the word "feasible" where used as in "no feasible alternative."*
- b. *In general, the impact of a structure on a resource area is likely to be bigger than the impact of an activity, so a proposed structure is more important to examine than the proposed activity.(what does this replace? Fpp)*
- c. *Use the phrase " the Commission will not permit....unless..." rather than the phrase "the Commission may permit....provided that..";*
- d. *Revise example #5 to say an in-ground pool will not be permitted at all;*
- e. *Add an example wherein there is a building within 40' of a wetland and a new building is proposed on the same site. Ms. Goodwin asked if it would be possible for new proposed buildings on such a site to be subject to the 75 foot setback.*

Jim Colman will make the suggested revisions and further discussion of the document will be scheduled for a future meeting.

Certificate of Compliance Requests:

85-1154: 123 Hayward Road (Lot A)

85-1183: 296 Nagog Hill Road

(Mr. McKinnon recused himself from this decision)

Ms. Green moved to issue a Certificate of Compliance, Mr. Colman seconded and the motion passed unanimously.

85-0882: 182 Arlington St.

Ms. Green moved to issue a Certificate of Compliance, Mr. Colman seconded, and the motion passed unanimously.

Request for Extensions: Town of Acton Department of Engineering for two Order of Condition permits:

85-1156, Main Street Drainage Improvements

Ms. Green moved to issue a three year extension for this project, Mr. Colman seconded and the motion passed unanimously.

85-1157, Great Road Sidewalk

Mr. Colman moved to issue a three year extension for this project, Ms. Green seconded and the motion passed unanimously.

Minutes:

January 18, 2017: pending

Meeting was adjourned at 9:10 PM.



Terry Maitland
Chairperson

**CONSERVATION COMMISSION
Amended AGENDA
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Certificates of Compliance:

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January 18, 2017: pending

02-01-2017

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<input type="checkbox"/>	011 - 70 Hayward Rd - Lower Fields Plan 1 ↗	naturalres	01/27/17	1 MB	
<input type="checkbox"/>	012 - 66 Hayward Road - Lower Fields Plan 2 ↗	naturalres	01/27/17	1 MB	
<input type="checkbox"/>	02 - LIKE STRUCTURES draft ↗	naturalres	01/25/17	138 KB	
<input type="checkbox"/>	85-1154 - 123 Hayward Rd RCoC ↗	naturalres	01/25/17	143 KB	
<input type="checkbox"/>	85-1156 - North Main St Drainage OoC Req Ext.pdf ↗	naturalres	01/27/17	46 KB	
<input type="checkbox"/>	85-1157 - Great Road Sidewalk (Main to Davis Road)OoC Req Ext ↗	naturalres	01/27/17	44 KB	
<input type="checkbox"/>	85-1183 - 296 Nagog Hill Rd email RCoC ↗	naturalres	01/27/17	122 KB	
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