

**TOWN OF ACTON
CONSERVATION COMMISSION**

Minutes

November 1, 2017

7:15 PM

**TOWN HALL - 472 MAIN STREET
ROOM 204**

COMMISSIONERS PRESENT: William Froberg, Amy Green, Jim Colman, Tim McKinnon, Paula Goodwin

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Jim Snyder-Grant, Kyle Cormier

Jim Colman presided over the meeting in Terry Maitland's absence.

7:15 Easement Request: Jim Snyder-Grant

Mr. Snyder-Grant presented background material to support the request to move the trail easement at Half Moon Hill. (see attachments) Such action requires approval by the Conservation Commission. There were three main reasons for the request: 1. The new Central Street sidewalk has created a dangerously steep embankment leading up to the trail. 2. The old path goes through a wet drainage area. 3. Considering Wright Hill is now owned by the town, the terminus of the path is unnecessarily distant from the Wright Hill entrance.

The proposed easement location is quite level, and both the Land Stewards and the New View Association have agreed to the new location. This is a public easement over private property. The Commission asked that a sign be installed to direct people to the trail.

Decision: Ms. Green moved to accept the proposed movement of the trail easement, with the addition of a small sign to direct hikers. Mr. Froberg seconded the motion and it passed unanimously.

7:25 Determination of Applicability: 258 Parker Street continuance

The applicant, Mr. Zhang, presented four specific actions: 1. The species and locations of the trees they would be planting; 2. Three tree stumps will be removed; 3. Eight shrubs will be planted along the edge of disturbance; 4. Twenty to thirty cubic yards of topsoil will be introduced.

Ms. Goodwin asked if the sub-soil will be used on-site and Mr. Zhang responded it would. Mr. Froberg asked where the 20 cubic yards of loam would be used and Mr. Zhang said it would be spread over the entire backyard. Mr. Froberg asked if there was any constraint regarding the topsoil to be used? Would the contractor assure that the loam is clean. It must meet DEP's standard Order of Condition requirement for fill. Mr. McKinnon remarked that this was a lot of work

for an RDA, and they wouldn't want to be setting a precedent. He also asked that Mr. Tidman verify the hay wattle line and meet with the contractor.

Decision: Mr. Froberg 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. He also added the following special conditions:

1. Any fill used must meet DEP requirements as stated in General Condition #7: *"Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing."*
2. Shrubs to be planted along the wetland border must be 3 to 4 feet in height at the time of planting.
3. The applicant will notify the Natural Resource office after the hay wattle has been installed.

Mr. McKinnon seconded the motion and it passed unanimously.

7:30 Notice of Intent: 9 Silver Hill continuance

Applicant did not appear for the continuation of the hearing. Mr. Colman continued the hearing again until November 15, 2017, at 7:20 PM.

7:45 Abbreviated Notice of Resource Area Delineation: 146 Prospect Street *Applicant Joseph Levine, Northeast Site Development LLC, for a site located at 146 Prospect Street, (town atlas plate F2, parcel 125). The applicant requests confirmation of greatest limit of jurisdictional wetland located at the site.*

Kyle Cormier from Oxbow Associates presented for the applicant. He reviewed the flagging and mentioned modification to the plan. Ms. Green asked to confirm that there was no floodplain and no riverfront associated with the site. Mr. Cormier affirmed there was not.

There was no further discussion and the hearing was closed at 8:15.

Decision: Ms. Green move to approve the ORAD as of October 30. Mr. Froberg seconded the motion and it passed unanimously.

Certificate of Compliance

321 Main Street DEP File #85-185

Decision: Ms. Green moved to issue the Certificate, Mr. McKinnon seconded the motion and it passed unanimously.

161 Newtown Road Lot 1 DEP File #1212

Decision: Mr. McKinnon moved to issue the Certificate, Ms. Green seconded the motion and it passed unanimously

161 Newtown Road, Lot 3 DEP File #1213

Decision: Mr. McKinnon moved to issue the Certificate, Ms. Green seconded the motion and it passed unanimously

Minutes:

September 20, 2017: Reviewed by TM, AG

Decision: Ms. Green moved to accept the Minutes of Sept. 20, Mr. McKinnon seconded the motion and it passed unanimously.

October 18, 2017: Reviewed by TM, AG

Decision: Ms. Green moved to accept the Minutes of October 18, Mr. McKinnon seconded the motion and it passed unanimously

Meeting adjourned: 8:30 PM


Terry Maitland
Chairperson

**CONSERVATION COMMISSION
AGENDA
November 1, 2017
7:15 PM
ACTON TOWN HALL
472 MAIN STREET
Room 204**

- 7:15 Presentation by Jim Snyder-Grant**
Central Street to Guggins Brook Easement Adjustment
- 7:25 Determination of Applicability:** 258 Parker Street continuance
- 7:30 Notice of Intent:** 9 Silver Hill continuance
- 7:40 Discussion:** 60 Conant Street, placement of shed
- 7:45 Abbreviated Notice of Resource Area Delineation:** 146 Prospect Street
Applicant Joseph Levine, Northeast Site Development LLC, for a site located at 146 Prospect Street, (town atlas plate F2 , parcel 125). The applicant requests confirmation of greatest limit of jurisdictional wetland located at the site.

Certificate of Compliance

321 Main Street DEP File #85-185
161 Newtown Road Lot 1 DEP File #1212
161 Newtown Road, Lot 3 DEP File #1213

Minutes:

September 20, 2017: Reviewed by TM
October 18, 2017: Reviewed by TM, AG

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OC1 - Agenda 11-01-2017	public/res	13/20/17	8 KB	⋮ ☆ ...
OC2 - Easement Agreement Central to Giggins	public/res	13/26/17	262 KB	⋮ ☆ ...
OC2 - Email exchange Easement Central to Giggins	public/res	13/26/17	83 KB	⋮ ☆ ...
OC2 - New View Site Plan	public/res	13/26/17	141 KB	⋮ ☆ ...
OC2 - NewViewCentralStreetTraIEasementAsPfd	public/res	13/26/17	7 MB	⋮ ☆ ...
OC2 - TC Re Central Street Easement	public/res	13/26/17	54 KB	⋮ ☆ ...
OC3 - 258 Parker St RDA Plan mod	public/res	13/29/17	48 KB	⋮ ☆ ...
OC3 - 258 Parker Street RDA	public/res	13/26/17	481 KB	⋮ ☆ ...
OC4 - 85-1225 - 9 Silver Hill HOI	public/res	13/26/17	2 MB	⋮ ☆ ...
OC4 - 85-1225 - 9 Silver Hill Plan	public/res	13/26/17	91 KB	⋮ ☆ ...
OC4 - 9 Silver Hill Enforcement Order	public/res	13/26/17	154 KB	⋮ ☆ ...
OC6 - 65-4185 - 321 Main St RCOC	public/res	13/26/17	555 KB	⋮ ☆ ...
85-1228 - 148 Prospect St ANRAD Binder Final	public/res	11/01/17	1 MB	⋮ ☆ ...
85-1228 - MassDEP NOI File Number	public/res	11/01/17	14 KB	⋮ ☆ ...
85-1228 148 Prospect St ANRAD Exist Cord	public/res	11/01/17	636 KB	⋮ ☆ ...

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