



## Acton Conservation Commission

Meeting Minutes

September 22, 2021

7:15 PM

Virtual Meeting

Present: Terry Maitland, Amy Green, Jim Colman, Tim McKinnon

Absent: Carolyn Kiely, Zywia Chadzynska

Natural Resources Director and recording secretary: Tom Tidman

Zoom Host: Fran Portante

This meeting is rescheduled from September 15.

### Citizen Concerns

**7:15:** Scott Smyers, resident of Central Street, mentioned to the Commission that he was concerned about the amount of poison ivy growing along the trails at the Jenks Conservation property. Scott noted that he is a licensed pesticide applicator and would be willing to do some selective spraying of poison ivy along the trail at Jenks. Scott will selectively apply Triclopyr, an organic herbicide first registered in 1779. Triclopyr is a systemic, foliar herbicide. Pesticide application flags will be placed along the trail notifying walkers that an herbicide treatment has occurred. Commissioners asked that the areas selected for treatment be photographed before and after to document the work.

**Decision:** Amy moved to permit Scott to apply the organic herbicide Triclopyr to selected poison ivy infestations along the trail at the Jenks Conservation Land and that the work be coordinated with the Acton Conservation Agent. Jim seconded the motion and the roll call vote was unanimous.

**7:25:** Terry Maitland, Commission chair, read the virtual meeting protocol.

### Regular Business

**7:28 Notice of Intent:** 13 Arlington Street, Boardwalk, Town of Acton.

Tom Tidman presented plans for the installation of a 50 ft long by 4 ft wide boardwalk over Grassy Pond Brook, connecting 13 Arlington Street (Anderson land) to the newly gifted common land associated with the PCRC development at 180 Newtown Road. Grassy pond Brook is 15 ft wide, bank to bank, at the location of the proposed boardwalk. The boardwalk will cross at the location of an old cart path crossing over Grassy Pond Brook. Commissioners asked that the construction be done during a low water period and that the boardwalk be extended on the west side (180 Newtown Road side) long enough to get to dry ground.

Because a DEP file # has not yet been issued for this project, the hearing remained open and was continued to October 6 @ 7:15 pm.

**7:40 Request for Determination:** 81 Stow Street

Homeowner Ben Nock presented plans for the installation of a 26X24 foot attached garage with a room above added to the existing house. Ben noted that the existing paved driveway is wide enough at the front of the proposed addition to allow for a one or two door garage at the end of the



proposed addition. Ben noted that the driveway would need to be extended to provide an additional parking/turnaround space. The extended driveway would require the removal of a mature sugar maple tree. The proposed expansion to the existing driveway would be 72 feet from wetlands. The Commissioners asked that the extension be tapered to meet the 75 foot setback, and the owner agreed to the slightly narrower driveway. The Commissioners were concerned that the sugar maple in the buffer zone would be lost due to construction, and asked that the owner consider appropriate replacement tree(s) in the buffer zone. The Conservation Agent said he would give the owner advice on appropriate native tree species.

The meeting closed at 7:50 pm.

**Decision:** Jim moved to issue a “negative 3” Determination of Applicability, 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. The Commission added the following special conditions: (1) Conservation Agent will confirm the 75 foot wetlands setback line in the field prior to the commencement of construction: (2) No construction shall occur within the 75 foot wetlands setback, (2) a suitable replacement tree(s) will be selected and planted with advice (if needed) from the Conservation Agent.

Amy seconded the motion and the roll call vote was unanimous.

#### **7:55 Request for Determination: 9 Lilac Court**

Ben Osgood with Ranger Engineering presented for the owners. The existing two bedroom house will be removed and replaced with a four bedroom house. Both the proposed house and new leaching field will be located outside the 100 foot wetlands buffer, and the closest point of work to the wetlands will be 86 feet. Only the grading for the system breakout area will occur within the 100 foot buffer. Approximately 956 sqft of alteration will occur in the buffer zone. The area is currently lawn.

The meeting closed at 8:05 pm.

**Decision:** Tim moved a negative 3 Determination of Applicability (see above Decision for definition). Jim seconded the motion and the roll call vote was unanimous.

#### **Special Business:**

Tom apprised the Commission of the need to remove trees from the 53 River Street Dam site, which would include allowing a crane to access debris that has accumulated at the front of the dam. The Commission agreed that a Notice of Intent filing was needed since there would be work within a resource area.

#### **Consent Items**

**Minutes:** September 1, 2021, reviewed by TM, CK, TMC, AG  
No vote taken..



**Meeting adjourned at 8:35 PM.**

**Documents and Exhibits Used During this Meeting**

Notice of Intent filing for 13 Arlington St. Boardwalk

Request for Determination filing for 81 Stow Street

Request for Determination filing for 81 Stow street

Request for Determination filing for 9 Lilac Court

Additional materials can be found here: <http://doc.acton-ma.gov/dsweb/View/Collection-13009>

*Terry Maitland*

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*Terrence Maitland, Chair*