



CONSERVATION COMMISSION

P.O. BOX 236

ACTON, MASSACHUSETTS 01720

MINUTES
CONSERVATION COMMISSION MEETING
DECEMBER 15, 1982

CALL TO ORDER: 8:00 p.m.

COMMISSIONERS PRESENT: Chairman Saskia Huising, Brewster Conant, Mary Donovan, and Judy Clark.

COMMISSIONERS ABSENT: Vice Chairman Cynthia Torkelsen and Dana Sawyer.

OTHERS PRESENT: Julie Lipton, Conservation Assistant; for the Public Hearing scheduled for 8:30 - T.C. Williams, A.W. Williams, Guy Donell and Texell Donell.

ITEM 1: Heather Hill Estates (85-86) Request for Certificate of Compliance for Lot 2.

The Commission reviewed the plot plan for Lot 2 Heather Hill Road. The assistant told the Commission that Lot 2 was not conditioned in the original Order, and that no Certificate is required. The assistant added that Frank Dentino applied for a Determination and that the Commission voted on October 2, 1982 that a Notice of Intent was not required because the work would not significantly harm any of the interests protected by the act.

On the motion of Judy Clark, seconded by Saskia Huising, it was unanimously voted to inform Kevin Sweeney that no Certificate of Compliance is required for Lot 2, that no Notice of Intent is required by previous vote and that any future work within 100' of a wetland will require a Determination of Applicability Request.

ITEM 2: Groundwater Coordination Committee

Saskia Huising told the Commission that Mary Donovan was selected to represent the Commission on the Goundwater Coordination Committee.

ITEM 3: Acton Center Conservation Land

Judy Clark mentioned that because we have a trail map on Acton Center and a report produced by a consultant the property should be added to the list of conservation trail maps to be updated by the Engineering Department. She added that boundry markers should be put in on the border of Dr. Boyd's land.

ITEM 4: Freedom Farme Subdivision - Lot 11

The assistant told the Commission that she inspected subject site and that filling within 100' of the mapped wetland was still occuring. The assistant added that she had walked the site and she did not find more than 50% of the vegetation to be wetland vegetation as defined by the State Act. There was no evidence to indicate that the mapped area was wetlands at all. Based on this information, the assistant suggested that it would be very difficult legally to require the owner to stop filling activity.

ITEM 5: Boy Scouts Camporee

On the motion of Judy Clark seconded by Saskia Huising it was unanimously voted to grant permission to the Scouts to use the Quinn Land for the Scout Camporee on May 20, 21, and 22 1983.

ITEM 6: Lot 8, Olde Barn Way - Notice of Intent for construction of a bridge.

The plan was assigned to Mary Donovan and the Public Hearing was set for January 5, 1983.

ITEM 7: Public Hearing - Lot 42 Horseshoe Drive

Chairman Saskia Huising began the hearing held under Chapter 131, of the State Wetland Protection Act and the town of Acton Bylaw on a Notice of Intent filed by Guy Donell for construction of a single family house and leaching field. Mr. Donell explained that most of the drive was already in place and that the proposal was primarily for the house and septic system. Mr. Donell said that fill would be brought in from off the site, and that the house would be passive solar. He added that town water will be brought in through the driveway. The Commission raised concern over the haybales shown on the plan that cross the parking lot and the inceptor trench which outlets in the wetlands. Mr. Donell was asked to amend the plans to address these concerns.

ITEM 8: Conservation Assistant hours and re-classification

After some discussion, it was moved by Judy Clark, seconded by Saskia Huising to proceed with the effort to extend the Conservation Assistant's hours from 30 to 40 hours, and retain the minimum of 10 hours of clerical staff. All ayes.

On the subject of re-classification, Brewster Conant raised concern that re-classification effort should come from the Conservation Commission not Nancy Banks. The assistant told the Commission that she had mentioned to Nancy Banks several months ago that she is classified in the clerical schedule but she is often expected to function in the capacity of a department head. Brewster Conant was concerned that re-classification should not be based on the person occupying the position, but on the actual position. He suggested that the assistant obtain a job description before filling out the re-classification survey form.

ITEM 9: 156 Central Street

The assistant advised the Commission that she received a complaint from the Department of Buildings and Grounds about Willow trees dropped in Fort Pond Brook. Upon inspection the assistant found large Willow trees in the Brook. It was pointed out that the trees might act as an eventual dam by blocking debris as it floats down the brook.

The Commission asked the assistant to call the owners of the site to remove the trees.

ITEM 10: Disposal method for removing shrub material from Conservation Lands

Julie Lipton told the Commission that shrubby material has accumulated from the work done by the Department of Buildings and Grounds on Conservation Land. She said that the material could be burned or stored in piles.

The Commission decided that the best method of disposal would be to store it on the side of the land in low piles.

ITEM 11: Acton Condo - Bond

The assistant told the Commission that Legal Counsel advised that the Commission determine a specific date in which to release said bond.

The Commission indicated that the time frame should be cued into the time in which the Commission feels the system might fail.

The assistant added that the drainage system should be inspected and certified by the owners' Engineer, not the Town Engineer.

ITEM 12: Nagog Park

The assistant told the Commission that the owner of the site had constructed at Nagog Park without filing a Notice of Intent as required by the Commission. She added that the proposed manhole shown on the plan was located 80' from the brook but was constructed more than 100' from the brook. It was added that it would be

difficult to prove, in a court of law, that the proposal would have a significant impact on the wetland. She said that she consulted with the Engineering Department who reviewed the initial drainage calculations. The Engineering Department told her that the drainage from the site would not cause any flooding. Additionally, the oil filtration traps, approved by the Commission, would address the possibility of polluting the stream. As noted already, flooding and pollution would be the only possible interests of the Act that would be effected by the proposal. However, these interests would not be significantly harmed by the development.

MEETING ADJOURNED: 11:00 p.m.

Respectfully submitted,


Cynthia Torkelsen,
Vice Chairman