

**CONSERVATION COMMISSION  
AGENDA  
JULY 20, 2005**

- 7:15 Request for Determination - 39 High Street - Steve Coughlan  
ABC Cesspool: for the replacement of an existing septic system within 100' of a wetland.
- 7:30 Request for Determination - 61 Homestead St - Walter Faccenda  
Acton Survey & Engineering: construction of an addition to an existing single family home within 100' of a wetland.
- 7:45 Notice of Intent - 33 Flint Road – Ying Li  
Additions to an existing single family home within 100' of a wetland.
- 8:00 Notice of Intent - 12 Elm Street – Ryan Bettez  
Stamski & McNary: razing and replacement of the existing garage, widening of the existing driveway and addition to the existing house and replacement of the existing septic system within 100' of a wetland.
- 8:15 Preliminary Review – 355 Arlington Street
- Request for Extension – 461 Mass Avenue 85-792
- Certificate of Compliance – 1 Brookside Circle (formerly 62 Parker Street) 85-793
- Community Preservation Committee - reappoint Andrew Magee as Conservation representative to the CPC.
- Board of Selectmen Oversight Meeting September 12, 2005
- Next Meeting – August 17 (no quorum on 8/3)

MINUTES

June 1	comments rec'd by	ADM, ME, TM	SIGNATURE
June 15	" " "	ME, TM, ADM	
June 22	" " "	JM, ADM, ME, JA	



**CONSERVATION COMMISSION  
MINUTES  
JULY 20, 2005**

**MEMBERS PRESENT:** Terry Maitland, Andrew Magee, Mike Eder, Jeff Rogers

**ASSOCIATE MEMBER:** Janet Adachi

**CONSERVATION ADMINISTRATOR:** Tom Tidman

**RECORDING SECRETARY:** Andrea Ristine

**VISITORS:** Ryan & Erin Bettez, Timothy McGivern, Karen Lindsay, Mark Donohoe, Walter Faccenda, Ying Li

7:29 Mr. Rogers called the meeting to order.

7:15 Request for Determination - 39 High Street - Steve Coughlan

ABC Cesspool: for the replacement of an existing septic system within 100' of a wetland.

No representative was present, the Commission rescheduled the meeting for August 17 at 7:15 PM.

7:30 Request for Determination - 61 Homestead St - Walter Faccenda

Mark Donohoe from Acton Survey & Engineering presented plans for the construction of an addition to an existing single family home within 100' of a wetland. There is an existing ditch and kettle hole on the property. Wetland vegetation exists in the center of the ditch. They propose to remove the existing porch and construct an addition and new deck. The project will involve less than 5000 s.f. of disturbance within existing lawn.

Upon query by Mr. Magee, Mr. Donohoe stated that no activity is proposed closer to wetlands than existing. They will be removing the existing concrete porch which will decrease runoff from the site. The doorway to the existing porch will be removed to facilitate the proposed kitchen addition.

Mr. Magee noted that the proposal involves resource area protected under the bylaw but the impact will be minimal.

Mr. Magee moved that the Commission issue a negative two determination under the state and a negative three under the bylaw. Mr. Maitland 2<sup>nd</sup>; unanimous.

7:45 Notice of Intent - 33 Flint Road – Ying Li

Ying Li presented plans for the proposed additions to an existing single family home within 100' of a wetland.

Mr. Magee reported that he, Mr. Maitland, Ms. Adachi and Mr. Tidman were on site on this date. The proposed addition is farther away from wetlands than the existing structure and the proposal does meet the provisions under the bylaw.

7:48 Hearing no comments or questions, Mr. Rogers closed the hearing.

DECISION – 33 Flint Road

Mr. Magee moved that the Commission issue a standard Order of Conditions. Mr. Maitland 2<sup>nd</sup>; unanimous.

Request for Extension – 461 Mass Avenue 85-792

The Commission reviewed the letter received June 21, 2005 stating the reasons that construction has not commenced.

Mr. Magee recommended that the Commission issue a three year extension as requested but no further extension of this Order will be granted and work has to be substantially completed with this extension period.

- 7:55 Mr. Maitland moved that the Commission one three-year extension for the existing Order of Conditions. Mr. Magee 2<sup>nd</sup>; unanimous.

Certificate of Compliance – 1 Brookside Circle (formerly 62 Parker Street) 85-793

Mr. Maitland moved that the Commission issue a Certificate of Compliance as recommended by the Administrator. Mr. Magee 2<sup>nd</sup>; unanimous.

Community Preservation Committee - reappoint Andrew Magee as Conservation representative to the CPC.

Mr. Eder moved that the Commission recommend that Mr. Magee be reappointed as the Commission's representative to the Community Preservation Committee. Mr. Rogers 2<sup>nd</sup>; unanimous.

Board of Selectmen Oversight Meeting - September 12, 2005

- 8:00 Notice of Intent - 12 Elm Street – Ryan Bettez

Tim McGivern from Stamski & McNary presented plans for the proposed razing and replacement of the existing garage, widening of the existing driveway and addition to the existing house and replacement of the existing septic system within 100' of a wetland.

The site is adjacent to a tributary to Fort Pond Brook; USGS shows this as a perennial stream and he has designed the plans to meet the Rivers Protection Regulations. The expansion of the existing driveway will facilitate the proposed two-car garage. The proposal is an overall improvement to the site as the existing septic system is presently in groundwater. The proposed total increase of impervious surface is approximately 700 s.f. below the Rivers Protection Regulations threshold.

Mr. Magee reported that he, Mr. Maitland, Ms. Adachi and Mr. Tidman were on site on this date. They did walk down to observe the stream; it did have standing water but was not flowing. In his opinion he does not feel that this project would need a written decision as it meets the requirements of the Act and Bylaw. The proposed septic replacement meets the 75' minimum setback from wetlands. This is a pre-existing nonconforming lot and the proposed garage is within the setback but meets the provisions of the bylaw.

Upon query by Mr. Magee, Mr. McGivern stated that siltation prevention is proposed. Mr. Magee noted that the site is flat and a silt fence is all that would be needed.

Upon query by Mr. Tidman, Mr. McGivern reported that there are no plans at this time to remove the existing old shed. Mr. Tidman expressed concern on its condition if there is gasoline, fertilizers or pesticides stored within the old shed. Owner, Erin Bettez stated that the shed is currently falling apart but has no immediate plans.

Mr. Magee noted that if the shed is replaced in the future it should be located farther away from the edge of wetlands. Ms. Bettez agreed with the Commissions wishes.

Upon query by Mr. Maitland, Ms. Bettez reported that the house additions will remain within the existing foundation. The house addition will be of garrison style with the exception of the porch, garage and driveway.

8:11 Hearing no further comments or questions, Mr. Rogers closed the hearing.

DECISION – 12 Elm Street

Mr. Maitland moved that the Commission issue a standard Order of Conditions.

Discussion. Mr. Magee suggested amending the motion to include the special condition that:

At such time as the existing shed is removed, a replacement shed shall be installed no closer than 25' from the edge of wetlands. Prior to the installation, the new shed locations must be approved by the Conservation Administrator.

Mr. Maitland moved that the Commission move to issue an Order of Conditions with the suggested special condition stated by Mr. Magee.

Mr. Magee 2<sup>nd</sup>; unanimous.

8:15 Preliminary Review – 355 Arlington Street – Karen Lindsay

Ms. Lindsay explained to the Commission her proposal to raze her existing house and place the new one farther away from wetlands. Mr. Tidman delineated edge of wetlands and a small stream. Her existing house is 39' from the edge of wetlands. They will have changes to the existing septic system; it will facilitate the new home and she has had it recently inspected. The existing house slab will be removed from the site. The new foundation will provide a four-foot crawl space as required by law for the new home.

The Commission considered the proposal to be permissible under the Bylaw noting that the house is pre-existing non-conforming and the new proposed home will be farther from wetlands.

Mr. Tidman noted that the Commission could also ask for more of a vegetative buffer along the stream since currently it is maintained lawn up to the edge of the stream. Ms. Lindsay expressed willingness to do as Mr. Tidman suggested.

Next Meeting – August 17 (no quorum on 8/3)

MINUTES

Mr. Magee moved that the Commission accept the minutes for June 1, 15 and 22, 2005.

Mr. Eder 2<sup>nd</sup>; unanimous.

8:45 Meeting adjourned.



Jeffrey Rogers,  
Chair

