

CONSERVATION COMMISSION
MINUTES FOR
JANUARY 16, 1991



MEMBERS PRESENT: Andrew Sheehan, Charlotte Timlege, Ann Shubert, John Chalmers, Peter Shanahan

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: Harry Donahue, Sandy and Forrest Bean, Louis and Ann Beauregard, Joe Picardi, Joe Parsons

7:38 Mr. Sheehan called the meeting to order.

CITIZEN'S CONCERNS - There were none presented.

PRESENTATION - Eagle Scout Project - Joe Parsons

Joe Parsons stated that he has completed his project at Pratt's Brook Conservation Area at the Parker Street entrance. His project involved constructing a new boardwalk, a woodchip trail, and cleaning the brook of debris. In cleaning out the brook Joe found 12 tires, car seats, and car parts. Joe used railroad ties and telephone poles for the bridge and boardwalk construction. Tar paper was wrapped around the telephone poles to help them keep longer. The woodchip path starts at the trail entrance from Parker Street.

The project took approximately 93 man hours, using a total amount of 20 scouts, and two adults.

The Commission congratulated and thanked Joe Parsons for a job well done.

7:46 **FRIENDS OF THE ACTON ARBORETUM (F.A.A.)**

The Administrator reported that he and Harry Donahue, Chairman of the F.A.A., met with the Town Manager regarding the State Conflict of Interest Law and the working relationship between the F.A.A. and the Town.

Mr. Donahue reported that the F.A.A. is now a non-profit corporation, and no longer has committee status. The Commission or town staff must initiate proposals, and the F.A.A. may suggest ideas, make donations, but are considered a consultant. All gifts donated by or through the F.A.A. must be accepted by the Board of Selectmen to be legal.

The Administrator reported that the F.A.A. have gifted funds for him to attend a symposium.

STONEYMEADE DEVELOPMENT

The Administrator reported that new owners of Stoneymeade have agreed to the requirements made by the Commission, and will file a

Notice of Intent to remove the existing cart path and restore wetlands conditions, they feel that 4,500 s.f. of replication can be accomplished in this area.

8:00

NOTICE OF INTENT - Arboretum Pond

Mr. Sheehan opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the excavation of a small pond at the Acton Arboretum.

Tom Tidman, Conservation Administrator, presented plans for a "wildlife impoundment" at the Arboretum to create an enhanced environment for the benefit of the wildlife community as allowed under 310 CMR section 10.53 (3)(g). The proposed pond would be approximately 75' x 75' (3,400 s.f. of surface area), with a 3:1 slope, and about six feet deep. The proposed pond would be just beyond the new cork tree in the northwest area of the arboretum. The resource area is an isolated area subject to flooding from an intermittent stream. A test hole was dug six feet deep, which filled with ground water to a depth of 18", within ten minutes. There is an existing cart path through the area, and an excavating machine will be positioned on the path and work from there first then excavate the cartpath as it backs out of the pond. All excavated material will be immediately hauled off site. Siltation prevention is provided at the outlet of the proposed pond. If all approvals are given, the job will be done in the winter, to create the least amount of disturbance to the resource area. Work proposed within the buffer zone consists of the planting of indigenous wetland species, to create an improved habitat and learning center. There is also a proposed bridge, and handicapped accessible trail with a bench and turn-around.

An abutter feared that this pond would be an attractive nuisance. The Commission noted this concern.

Mr. Sheehan reported that he spoke with D.E.P. regarding this matter, and learned that a wet meadow such as this, is the one of the least valuable habitat resources, and a wildlife impoundment may be an acceptable alteration of a wetland.

The Administrator concluded that this proposed pond will create diversity to the Arboretum, and agrees that there could be liabilities involved, but that fear should not impede progress.

8:42

Hearing no further questions, or comments Mr. Sheehan closed the hearing.

8:44

NOTICE OF INTENT - 647 Massachusetts Avenue

Mr. Sheehan opened the hearing under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of a common drive and drainage structure within 100' of a wetland. Bruce Ringwall, of Joseph R. Henry Associates, representing Scott Green, presented plans for four house lots on 9.97 acres; 4.14 acres will be left as open space. This site historically was a chicken farm. There will be grading and drainage structure

s within the 100' buffer zone, but outside of the 25' setback. The drainage system provides a detention basin that will catch the first flush of runoff from the site, with an overland overflow area towards the wetlands. The utilities will be underground within the driveway layout. There was no evidence of underground tanks or debris found during the tests for septic. The driveway at the entrance area is approximately 42 feet from the edge of wetland. The proposed driveway will follow the profile of the topography to prevent major excavation for the driveway. There is no direct discharge of runoff to the wetland.

9:07

Hearing no questions, Mr. Sheehan closed the hearing.

BUSINESS

The Administrator reported that a Scout group camped out at Grassy Pond on January 12 & 13, 1991 for a survival badge.

The Administrator also reported that the Sisson land walk should be done soon, regarding the request for land lease from David Von Jess.

Mr. Tidman also reminded the commissioners of their "term paper" on their assigned conservation lands.

Cellular One

Mr. Sheehan reported that he has been contacted by Ann Fanton, asking the Conservation Commission to oppose the proposed Cellular One tower off Nagog Hill Road on the Water District Land, abutting the Nagog Hill Conservation Area.

The Commission discussed the issue, and had no hard evidence that the tower would impact the abutting conservation land, therefore they could not legitimately oppose the placement of the tower.

Mr. Chalmers moved to take no action regarding the proposed Cellular One tower, because it is not within their jurisdiction. Mr. Shanahan seconded the motion. The motion passed unanimously.

DECISION - NOTICE OF INTENT - Arboretum Pond

Mr. Shanahan moved to issue a standard Order of Conditions under the Wetlands Protection Act, Section 10.53 (3)(g) for the construction a wildlife impoundment at the Acton Arboretum; with the following special conditions: 1.) Waiving Acton Wetlands Bylaw General Conditions 30 and 31; 2.) Allowing the upgrading of an existing trail to make it handicapped accessible within the 25' buffer; 3.) Stamped plans will be provided to the Conservation Commission prior to start of construction.

Ms. Shubert seconded the motion. The motions passed 4:1; four aye, one abstained.

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DECISION - 647 Massachusetts Avenue (Gregory Lane)

Mr. Chalmers moved to issue a standard Order of Conditions for the plans as presented for the proposed Gregory Lane. Ms. Timlege seconded the motion. The motion passed unanimously.

9:32 Meeting Adjourned.



Andrew Sheehan, Chairman

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