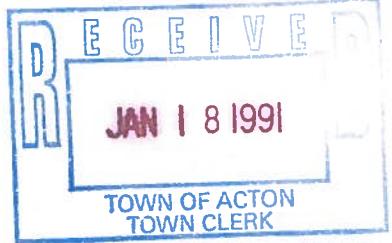


CONSERVATION COMMISSION  
MINUTES FOR  
SEPTEMBER 19, 1990



**MEMBERS PRESENT:** Andrew Sheehan, Pam Resor, Peter Shanahan, Charlotte Timlege, Ann Shubert

**CONSERVATION ADMINISTRATOR:** Tom Tidman

**RECORDING SECRETARY:** Andrea MacKenzie

**VISITORS:** Kevin B. Sweeney, Charles Ross, Allen Nelson, Bob Pine, John Swallow

7:36 Mr. Sheehan called the meeting to order.

7:41 Eagle Scout Presentation - Carlos Cummings - Troop 1 Acton

Carlos Cummings reported to the Commission that he has completed his project, which was to construct handicap accessible ramps in the Arboretum. He constructed ramps with crushed stone at both ends of the bridge that crosses the drainage ditch, and a brick ramp leading into the herb garden.

Carlos estimates that 100 man hours was expended for this project. He will be sending his formal report and pictures of the project once it is complete.

7:48 The Conservation Commission thanked Carlos for his time and effort on a job well done.

7:50 Eagle Scout Presentation - Oliver Will - Troop 32 Acton

Oliver Will reported that he has completed his project that consisted of making a handicap accessible trail. This trail extended from the parking lot along the drainage ditch and connected to the ramps that Carlos Cummings had completed. The trail is of crushed stone four feet wide, 152 feet long, and four inches deep. The stone was tamped and rolled by hand, and took approximately 80 man hours.

The Conservation Commission congratulated Oliver on a very nice job.

The Commission recognized that much of what has been done on all conservation lands would not have been possible if it weren't for Eagle Scouts, as the all of the projects are so time consuming.

8:02 NOTICE OF INTENT - 77 Hosmer Street - Concord Auto Auction

Mr. Sheehan opened the hearing under MGL Chapter 131, Section 40 of the Wetland Protection Act, and the Town of Acton Bylaw for the removal of contaminated soils.

Bob Pine and John Swallow, of Pine & Swallow, stated that there is an outfall stream east of Clearview Pond that joins Coles Brook. Over the years there has been a release of waste oil through the drainage system. This waste oil has seeped laterally along the drainage ditch into the soils, according to testing results. They propose to remove the soils, take it to another area on site, and remediate it if possible. If they cannot remove the contamination from the soils they will remove it from the site entirely, and dispose of it according to state law, and stabilize the disturbed soils on the site consist mostly of gravel and sand. There is erosion and deposition through the ditch (outfall stream) to the point of Coles Brook.

Mr. Pine stated that they would first divert the drainage from the parking lot through the diversion box, previously approved by the Conservation Commission, to Clearview Pond. This would stop the stream runoff and make it easier to excavate with a back-hoe until the oil contamination is removed. Runoff from the adjacent hill will be stunted by the proposed placement of a strip of haybales and a crushed stone dike, so there would be minimal floating material reaching Coles Brook during the activity. Temporary storage of the excavated materials will be out of the wetlands buffer and floodplain west of Clearview. This temporary storage area will be the remediation area. The remediation pad will be one and a quarter acre in size, self contained, and covered to prevent any storm water from overflowing its capacity. The excavated mound of material is estimated to be 1,000-2,000 cubic yards. The pad will be lined so as not to let the contamination leach out during remediation. The actual excavation activity is estimated to take about two to four weeks. All disturbed areas will be loamed and seeded except the bottom of the outfall stream. If remediation is possible, it may take one to two years.

8:40 Hearing no further comments or questions, Mr. Sheehan closed the meeting.

8:42 **NOTICE OF INTENT - Lots 3A, 4, 5, 6, and 7 Ayer Road**

Mr. Sheehan opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaw for the construction of a subdivision on Ayer Road. Each lot has a separate Notice of Intent filed.

Charles Ross, engineer, reported that this is the same area that had an Order of Conditions for a condominium complex which has expired. Prior to the condo complex, L & S Builders had an Order of Conditions in 1983 for this same project before the Commission now. The applicant is filing the same plans that were approved in 1983, and is aware of the new Rules and Regulations.

**Lot 3A:** has a small portion of the house within 85'-90' from the edge of wetland, haybales are proposed to prevent siltation. The 25' natural buffer now required under the Rules & Regs will not be a problem.

**Lot 4:** due to the lot configuration, the entire house is within the 100' buffer zone, and is 20+' at its closest point from the edge of wetland. Haybales are proposed along the edge 8-10' off the edge of the house. With the present lot configuration, the applicant cannot achieve the 40' no build restriction from the wetland.

**Lot 5:** this lot is a hammerhead lot. The only work within the buffer is for the septic system, which will be 90' from the edge of wetland. The driveway is on an easement on Lots 6 & 7 and will be 40' from the edge of wetland.

**Lot 6:** due to the lot configuration this house as proposed is 27-28' from the edge of wetland, the septic system is on the opposite side of the house from the wetland and is 75' from the wetland.

**Lot 7:** the work within the buffer zone is minimal at 90' from the edge of wetland.

9:12 Hearing no further comments or questions, Mr. Sheehan closed the hearing.

**DECISION** - Notice Of Intent - 77 Hosmer Street  
Concord Auto Auction

Ms. Resor moved to issue an Order of Conditions for the plans as presented with the additional condition that the applicant loam and seed the banks of the ditch.

Mr. Chalmers seconded the motion. The motion passed unanimously.

**DECISION** - Notice of Intent - Ayer Road

**Lot 3A:** Ms. Resor moved to issue a standard Order of Conditions for Lot 3A Ayer Road under the State Wetlands Protection Act and Town of Acton Bylaw for the plans as presented for Lot 3A Ayer Road. Mr. Shanahan seconded the motion. The motion passed 4:1.

**Lot 4:** Mr. Shanahan moved to deny the plans as presented for Lot 4 Ayer Road under the Town of Acton Bylaw, because there will be an impact to the wetlands due to the close placement of the house and it is within the no-build setback. Ms. Shubert seconded the motion. The motion passed unanimously.

The Commission tabled the decision under the State Act.

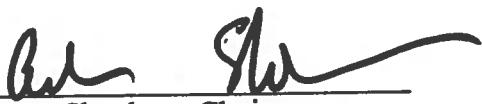
**Lot 5:** Ms. Resor moved to issue a standard Order of Conditions for the plans as presented for Lot 5 Ayer Road under the State Wetlands Protection Act, and the Town of Acton Bylaw. Ms. Timlege seconded the motion. The motion passed 1:4.

**Lot 6:** Mr. Chalmers moved to deny the plans as presented for Lot 6 Ayer Road under the Town of Acton Bylaw, because there will be an impact to the wetlands due to the close placement of the house, and it proposes work within the no-build setback. Ms. Shubert seconded the motion.

The motion passed unanimously.  
The Commission tabled the decision under the State Wetlands Protection Act.

Lot 7: Mr. Chalmers moved to issue a standard Order of Conditions for the plans as presented for Lot 7 Ayer Road under the State Wetlands Protection Act, and the Town of Acton Bylaw. Ms. Shubert seconded the motion. The motion passed unanimously.

10:04      Meeting Adjourned.

  
Andrew Sheehan

Andrew Sheehan, Chairman