

MINUTES FOR
MAY 17, 1989



MEMBERS PRESENT: Carol Place, Andrew Sheehan, Bob Young, John Chalmers
(8:15)

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: Robert Gabel, Jonathan Gabel, Yolanda Gamero, Melissa Jamieson, Marc Preo, Paul Preo, Norma Wu, Craig Gilbert, Dan Danke, Sara Brennan

8:06 Ms. Place opened the meeting while awaiting quorum.

EAGLE SCOUT PRESENTATION

John Gabel and Mark Preo reported to the Commission that they had completed their Eagle Scout Project, which was 220' of boardwalk, and took 70 total man hours.

8:20 The Commission thanked the two Eagle Scouts for their hard work, commended the scouts on a project that will greatly benefit the Arboretum.

CAMPOUT REQUEST

Yolanda Gamero and Melissa Jamieson from Girl Scout Troop 2035 asked the Commission for permission to have approximately 25 girlscouts campout at the Arboretum on Saturday, May 20.

The Commission stated that it is permissible, providing they notify the Acton Police Department, and get a fire permit from the Fire Department. The Commission also requested that the Girl Scouts write a letter stating their request, and intent of notifying the Police and Fire Departments.

Mr. Young moved to allow Girl Scout Troop 2035 to campout at the Arboretum. Mr. Chalmers seconded the motion. The motion passed unanimously.

8:25 PRELIMINARY REVIEW 145 Great Road Vincent DiDuca

Mr. DiDuca stated that he wishes to remove a man made wetland/pond that was excavated in 1962. The area is approximately one acre in size. In the 1970's Mr. DiDuca's brother was going to build a house, and conducted this work. The house was never built, and Mr. DiDuca wishes to fill this man made wetland in so he can use it for farming as he does with the surrounding land.

The Commission stated that they wish to conduct a site visit by May 26 and then the applicant may have to file a Notice of Intent.

8:34

REQUEST FOR DETERMINATION - Partridge Pond Committee D-89-10

Ms. Place opened the meeting under MGL Chapter 131, Section 40 of the Wetlands Protection Act, and the Town of Acton Bylaws for Partridge Pond's aquatic vegetation management program for 1989.

Ms. Ann Becklean stated that the Partridge Pond Committee is requesting the permission to treat the pond again with cutrine, and then diquat, as stated at the presentation in May 1988. The Partridge Pond Committee has not yet devised a long term plan for the vegetation control of their pond, as agreed upon last May 1988. It was noted that one abutter to the pond has not terminated their contract with the lawn service, which was also part of the agreement made with Conservation in granting the immediate use of chemical treatment in the pond. Ms. Becklean reported that she has distributed information to the Committee on other lawn fertilizing methods, and septic systems.

The Commission suggested to the abutters of the pond, that there should be no use of any fertilizers within 100' of the ponds, thus creating a nutrient buffer zone. If the application of fertilizers within the 100' buffer of the ponds continues, the Commission will not approve future chemical treatments. The Commission will send a letter of suggestion to the Partridge Pond Committee along with their decision.

9:14

Hearing no further comments or questions, Ms. Place closed the meeting.

REQUEST FOR DETERMINATION - 15 Patriots Road D-89-11

Applicant was not present.

PRELIMINARY REVIEW - Acton Water District

The Administrator stated that a representative from the Water District will be present at the June 7, 1989 meeting.

9:19

DECISION - Partridge Pond D-89-10

The Commission discussed issues of concern.

Mr. Young moved under the State Wetlands Protection Act to find the chemical treatment of the pond within the Commission's jurisdiction, and find that there will be no impact to the wetlands. Mr. Chalmers seconded the motion. The motion passed unanimously.

Mr. Young moved under the Town of Acton Bylaws, to find the chemical treatment of the pond to within the jurisdiction of the Commission, and find that it will not impact the wetland with the condition that all abutters agree to no longer fertilize their properties within the 100' buffer of the wetlands associated with Partridge Pond. Mr. Chalmers seconded the motion. The motion passed with 3 aye, and 1 nay.

DECISION - NOTICE OF INTENT - 1012 MAIN STREET - 75-194

Mr. Young moved to deny the Notice of Intent filed for 1012 (previously thought 1028) Main Street, S.W. Hamilton for the construction of a office/warehouse because the applicant has not demonstrated that the proposed subsurface detention basin will not impact the wetland. The applicant also has not proven that the routine maintenance of the subsurface structure is feasible.

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

MINUTES

Staff received comments for the minutes of April 19. The Commission approved and signed minutes for March 15.

9:55 The Administrator reported that the applicant for the 8:45 hearing, Request for Determination, 15 Patriots Road is present.

REQUEST FOR DETERMINATION - 15 Patriots Road D-89-11

Ms. Place 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 deck within 100' of a wetland.

Ms. Sara Brennan apologized for her tardiness due to personal reasons. Ms. Brennan stated that she is replacing an existing rotted deck that will be approximately 30' away from the edge of wetland. The proposed deck will be raised on sono tubes, and any excavated materials will be removed from the site during the construction process. Work will not occur closer than 15' from the edge of wetland. The area between the proposed deck and wetlands will remain in natural state.

10:01 Hearing no further comments or questions, Ms. Place closed the meeting.

Mr. Chalmers moved to find the proposed work as presented to be within the jurisdiction of the Conservation Commission but will not impact the wetlands. Mr. Young seconded the motion. The motion passed unanimously.

WILLIS HOLDEN DRIVE - LETTER TO MRS. WICK

The Administrator reported that he has received recommendation and approval on the letter to Mrs. Wick from Town Counsel regarding the common/conservation land, and the existing location of the utility pole on said land that services her residence.

Mr. Sheehan moved to accept Town Counsel's recommendations on the Conservation Commission's drafted letter to Mr. and Mrs Wick at 14 Willis Holden Drive dated May 17, 1989. Mr. Chalmers seconded the motion. The motion passed unanimously.

10:15 Meeting Adjourned.

Carol Place
Carol Place, Chairperson

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