



## Acton Conservation Commission

Meeting Minutes

January 3<sup>rd</sup>, 2024

7:15 PM

Hybrid Meeting (Room 204 & Zoom)

**Present:** Terry Maitland (Chair), Jim Colman (Vice-Chair), Peter Hocknell, Kate Warwick, Jillian Peters,

**Absent:** Zywia Chadzynska

**Conservation Agent:** Mike Gendron

7:15 The Chair, Terry Maitland, opened the meeting and read virtual meeting guidelines. Terry stated that the following hearings have been continued to the January 17<sup>th</sup> meeting: 323 Great Road (RDA), 123 Quarry Road (NOI), 9 West Road (NOI)

### Regular Business

7:18 **Notice of Intent:** 308 Old High Street; DEP 85-1359 (continued)

Representing the applicant was Shawn McCormick and George Dimakarakos. Shawn explained the updates to the plan since the last hearing including moving one row of containers from inside the 75 setback and moving them to the other side leaving only a portion of one row inside the setback. Shawn also discussed that since the previous hearing they had submitted a restoration plan including invasive removal and a native planting schedule.

Jim Colman explained that despite the changes, there is still a structure inside of the 75-foot setback, which is unacceptable. Shawn responded that the Bylaw allows the Commission to approve projects inside of the setback as long as they are not having a greater impact to the wetland.

Peter Hocknell pointed out that the site has been hard used and is historically an industrial site. Due to the unique nature of the site, he explained that the restoration proposed could be considered in the public benefit due to the positive impact it would have on the natural environment. Jim stated that this approach could set a precedent for future projects.

The applicant agreed to come back with a formal waiver request outlining why this project should be considered in the public benefit. Additionally, they would provide an alternatives analysis.

Hearing no further comments/questions the Chair announced that the hearing would be continued to the January 17<sup>th</sup> meeting.



8:05 **Public Concerns**

***Bill Mustoe – 33 Kinsley Road***

Bill explained that he is concerned about runoff to his property from a berm that was created on his neighbors property. He explained that he has brought this up a number of times and he hasn't seen any action.

Mike explained that an enforcement order was issued by the Commission in 2021. Since then, there has been a long history of failed attempts to get the applicant to comply. The Commission directed Mike to coordinate with the State to get direction.

8:42 Meeting adjourned