



## Acton Conservation Commission

Meeting Minutes

August 7<sup>th</sup>, 2024

7:15 PM

Hybrid Meeting (Room 204 & Zoom)

**Present:** James Colman (Vice-Chair), Amy Green, Kate Warwick, Peter Hocknell (Zoom), Jillian Peters (Zoom), Zywia Chadzynska (Zoom)

**Absent:** Terry Maitland (Chair),

**Conservation Agent:** Olivia Barksdale

**7:16** James Colman opened the meeting with a roll call vote at 7:16pm.

### **Public Concerns and Regular Business**

**7:17 Notice of Intent-Continued Public Hearing:** 200 Pope Road DEP #85-1366;

Aidan Schlotman from Stamski and McNary, Inc. represented 200 Pope Road. No changes after the first filing, waiting for DEP #. Schlotman has to calculate the area impacted by invasive species removal, currently estimated around 20,000 square feet. Although this may include upland areas, he needs to provide an explanation for how the project meets MAWPA standards as per the MADEP comments and provide a sketch of the total wetland area. Hearing continued to August 21<sup>st</sup> at 7:20pm.

**7:36 Notice of Intent-Continued Public Hearing:** 9 West Road:

James Colman stated that the applicant has withdrawn their NOI DEP# 85-1365. Applicant is not ready to appear in front of the Commission but appears to be working on restoration. Amy Green moved and Peter Hocknell seconded to issue an Enforcement Order with the condition that a new NOI has to be filed by September 18th 2024 to address wetland clearing and rehabilitation. The applicant can either come in on September 18th 2024 with a restoration plan or they can come in September 18th 2024 to describe what they have done so far to move forward and their intentions. James Colman called for a roll call vote and all voted yes closing the hearing.

**7:45 Request for Determination of Applicability-Public Meeting:** Powder Mill Road

Seth Taylor represented the landowner and gave an overview of the sewer expansion project. Majority of the work will be on the roadway. The wetland buffer impacts include a tree that will be cut near a pump station on Adams Street, a new pipe that will be strung on a bridge and the bridge will be painted. There was question from the public, Mike Coats President of the Acton Hydro Company. Coats asked "Are there any other new sewer connections other than within the Powder Mill Apartments?" Taylor responded that there are a couple of new connections and that Old High Street was not considered. Amy Green moved to issue a Negative 3 Determination with two conditions, first, any



trees cut at the Adams Street station be replaced 1:1 with native species. The species will be approved by the agent. Second condition, the office be notified five (5) days before construction starts and 48hours before the bridge work. A site walk will be conducted at the bridge to see if erosion controls are needed. Peter Hocknell seconded, James Colman called for a roll call vote and all voted yes. Meeting closed.

**7:58 Notice of Intent- Continued Public Hearing: 85 Taylor Road**

At 7:58 Olivia Barksdale stated that no one was present, that she did reach out earlier in the day to see if someone would attend. Topic was tabled to the end; just in case anyone shows up. At 9:37 the Commission came back to the project and continued it to August 21<sup>st</sup>. This will be their last continuance unless they ask.

**7:59 Notice of Intent-Amendment: 308 Old High Street**

Applicant asked for a continuance to August 21<sup>st</sup>. It was scheduled for 7:25pm.

**8:02 Request for Certificate of Compliance: 9 Partridge Pond Road DEP #85-1349**

James Colman stated that a site visit was conducted to ensure that the Orders of Conditions were met and that he did not have any concerns with the work. Amy Green moved to issue the Certificate of Compliance and Kate Warwick seconded, James Colman called for a roll call vote and all voted yes.

**8:02 Enforcement Updates: E5-46 (Bellows Farm)**

Olivia Barksdale read a statement from the contractor representing the property "Please inform the Acton Conservation Commission (ACC) that Goldsmith, Prest & Ringwall, Inc. (GPR) has been retained to prepare a NOI to address the Enforcement Order issued July 18, 2024. While GPR is in the process of preparing said NOI we are doing what we can to meet the Commission's August 16, 2024 submission date. We look forward to working with the ACC toward resolving the disturbance to the site, proposing restoration and establishing a maintenance program of the Beaver Deceiver and surrounding area. Neither GPR or Alpine Properties will be in attendance this evening, but please pass this information onto the ACC". James Colman scheduled the next hearing for August 21<sup>st</sup> at 7:30pm

**8:03 Enforcement Updates: 78 Arlington Street**

Olivia Barksdale stated that she reached out to the landowner and had no response, assuming work to find the wetland line has not been completed. Hearing continued to August 21<sup>st</sup>.

**Administrative Updates**



## **Vote to Authorize Olivia Barksdale to sign as Conservation Agent**

Peter Hocknell moved to authorize Olivia Barksdale to sign as our Conservation Agent and Kate Warwick seconded. James Colman called for a roll call vote and everyone voted yes.

## **Review and Approve Meetings Minutes**

The commission didn't have a chance to review the 7.17.24 minutes. Olivia Barksdale will have them prepared for the August 21<sup>st</sup> 2024 meeting.

## **Central Mass Mosquito Project**

The Select Board voted to allow the Town Manager to sign. It's routine maintenance behind 325 Arlington Street. The work is exempt under the Wetlands Protection Act. James Colman and Amy Green asked for Town Counsel to weigh in if the project is exempt under Town Bylaw.

## **198 Arlington – Hazardous Tree**

Olivia Barksdale and Kristen Guichard did a site visit and were not comfortable to make the judgment call because the roots of the tree were in the water. There's a consensus that this is a good example of a hazard tree and okay for administrative approval by the Conservation Agent.

## **7 Old Meadow Lane**

Landowner was not present; his priorities are for the removal of tree one (1) and two (2) but still requested for all four (4) trees to be removed. Amy Green is uncomfortable calling them hazard trees, they are in good health but agree they are shading the house and lawn. Zywia Chadzynska stated that the interim policy is in place for imminent danger, and that she doesn't see a case being made here. The Commission would like to put the decision on hold so that Barksdale can follow up with Town Counsel about the liability of rejecting a certified arborist letter. The Commission would like for the landowner to reach out to another arborist and for the third party be pre-approved by the Conservation Agent.

## **Red Hawk Trail**

Mark Gallagher from Seal Harbor explained the proposed trails, offered to build both natural four (4) foot wide trails and add signs. There was a consensus to accept Mark's offer.

## **Request for amendment NOI- DEP #85-1286 (Boardwalk School)**



Sean Evaul and Bill McManus from W.L. French presented their proposed redline change to the accepted June 10<sup>th</sup> 2020 plan. With consensus the Commission approved the redline change for extending a small section at the current compensatory storage perimeter west of the parking lot and abandoning the compensatory storage at the driveway. The minor modification red line change on plan titled “As Built Compensatory Storage Volume Calculation”, “Proposed Correction Grades 8.2.24 to Planning Board”. No further permitting is required and Barksdale will send a memo to W.L French informing them of the approval.

9:38 The meeting closed at 9:38pm

#### Documents and exhibits used at this meeting:

Type	Title	Owner	Modified Date	Size	Actions
File	9 Partridge Pond Rd CoC	obarksdale	08/06/24	6	...
File	Bellows Farm EO	obarksdale	07/23/24	1	...
File	Hazardous Trees	kguichard	07/31/24	2	...
File	8-7-2024.pdf	naturalres	08/01/24	302 KB	...
File	Central MA Mosquito Control Project_07152024161036.PDF	obarksdale	08/06/24	934 KB	...
File	Minutes 7.17.24 DRAFT.docx	naturalres	08/01/24	273 KB	...
File	Proposed Correction Grades 8.2.24 to Planning Board.pdf	obarksdale	08/06/24	3 MB	...
File	Red Hawk Trail Proposal_Site Visit Photos 7_17.pdf	obarksdale	08/06/24	4 MB	...
File	308 Old High Street- OOC Amendment	naturalres	07/30/24	0	...
File	78 Arlington Street EO	obarksdale	07/11/24	0	...
File	85 Taylor Road NOI	obarksdale	07/11/24	0	...
File	9 West Road, NOI	naturalres	07/30/24	0	...
File	Powder Mill Rd- RDA	naturalres	07/30/24	0	...

All Documents can be found at:

<https://doc.actonma.gov/dsweb/View/Collection-18312>