



## Acton Conservation Commission

Meeting Minutes

September 4<sup>th</sup>, 2024

7:15 PM

Hybrid Meeting (Room 204 & Zoom)

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

**Absent:** Kate Warwick

**Conservation Agent:** Olivia Barksdale

**7:17** The Chair, Terry Maitland opened the meeting with a roll call vote at 7:17pm.

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

**7:17 Notice of Intent-Continued Public Hearing:** 358 Great Road DEP # 085-1368

Aidan Schlotman from Stamski and McNary, Inc. represented 358 Great Road. He asked for a continuance to November 20<sup>th</sup> at 7:30pm. During the November 20<sup>th</sup> meeting they will address DEP comments.

**8:28 Request for Determination of Applicability-Public Meeting:** Pratt's Book

Ian Bergemann and Nathaniel Stanley (Eagle Scout) presented the trail bridge project. It is estimated to take several days over a month. The new telephone poles will not be on the ground, they will sit on pressure treated wood. The new bridge will be 8 inches higher than the exiting bridge. Caution tape will be placed near the bridge. Two weeks prior to construction signs stating "bridge closed" will be placed at trail junctions, kiosks and posted on the website. Amy Green moved to issue a negative 3 determination with no special conditions and Peter Hocknell seconded, all voted yes.

**7:35 Notice of Intent- Public Hearing:** Parcel E5-46 Bellows Farm

Bruce Ringwall from Goldsmith, Prest & Ringwall, Inc (GPR) gave an overview of the project. He met with Beaver Solutions to talk about the beaver deceiver. It is okay to let material build up next to the fence of the device. Beaver Solutions also recommend repairing the hole the beavers created in the weir. GPR measured the high-water mark at 153 feet +/- . The current weir board is 152.33 feet. It is suggested that they do not lower the water more than 152.33 feet and that a licensed applicator be used for the invasive species control. Elizabeth Kidawski from Alpine Property Management is concerned that the mud in front of the weir boards will build up and cause flooding again. It was suggested that if the water level gets above the mean high or mud builds up around the weir, management can step in to address the issues and notify the Commission. At the time of the meeting the project does not have a DEP number. The Commission drafted the order of conditions. Work within 50 feet can be taken out. The following specials



include; Alpine Management can address the following issues; if the beaver deceiver is damaged or clogged, and or debris gets between the weir and the fence and or the weir cannot be lowered more than 152.33 feet unless to specifically draw down the pond to prevent potential overflow. Alpine Management has to send before/after photos of the work and notify the Commission. The plantings will be monitored 2-3 years and the monitoring visits will include the weir and the beaver deceiver. The hearing was continued to September 18.

**7:22 Request for Determination of Applicability-Public Meeting:** 31 Conant Street

Nick Townley, landowner gave an overview of the deck reconstruction and minor expansion project. The current deck is cantilevered with grass growing under the structure. The wetland line is an accurate estimate. Amy Green moved to issue a negative determination 3 with no special conditions and Peter Hocknell seconded. Mr. Chair called for a vote and all voted yes.

**8:04 Notice of Intent-Public Hearing:** 127 Concord Road

Andrew Thomas from Beals and Thomas, Ryan McComber from Natural Stonewall Solutions (Zoom) and Troy Ginther from Natural Stonewall Solutions (in person) represented the landowner. The retaining wall is 6-8 feet tall and will be cantilevered. The footings are 2 feet below the existing grade and will have to be poured in. Majority of the excavated earthwork will be taken off site, some will be kept to even out the grade. There is no need to temporary reinforce the wall, the slope should maintain the material. The pond should naturally dewater. A deployable boom or turbidity curtain will be staged on site to prevent erosion and sedimentation. Details of locations for staging and Oak tree protection was requested. The landowners control the water levels of the pond, and will lower in the case of a large rain event. The plantings can change, just need prior approval. Waiting on DEP number. A potential special order would be to notify the Conservation Agent a week prior to work to see that it is properly set up. The hearing is continued to September 18<sup>th</sup> 2024 at 7:40pm.

**8:45 Notice of Intent-Public Hearing:** 182-184 Great Road

Aidan Schlotman from Stamski and McNary, Inc. represented 182-184 Great Road. Soil will be stocked piled outside of the resource area. Waiting for the DEP number. Hearing continued to September 18<sup>th</sup> at 7:35pm.

**8:49 Request for Certificate of Compliance:** 155 Summer Street

Bruce Ringwall (GPR) represented the landowner. Olivia Barksdale confirmed that all of the special conditions were met. Peter Hocknell moved to issue the Certificate of Compliance and Jillian Peters seconded, all voted yes.



## Administrative Updates

### Review and Approve Meetings Minutes

Amy Green moved to approve the 4.24.24 and 8.21.24 minutes with edits as noted and Peter Hocknell seconded, all voted yes. Amy Green moved to approve the 5.15.24 minutes and Jillian Peters seconded, all voted yes.

### 7 Old Meadow Lane

Olivia Barksdale presented the new arborist letter, she can send an approved notice to the landowner.

### Kinsley Road Enforcement Request

Olivia Barksdale presented a new Enforcement Order, and cover letter to the Commission. Olivia will meet with Town Council on September 10<sup>th</sup> to review the letter and discuss how to send a fine. The letter summarizes the history and that the topic will be addressed at the October 16<sup>th</sup> meeting. Amy Green suggested putting a date to send in a restoration plan, stating that the Enforcement Order is under the bylaw. The day the letter goes out is the day the fine starts. The letter will state the following timeline: letter sent September 11, fine starts on date he receives it, restoration plan submitted on October 11, has to appear at October 16 meeting. A police officer or constable will deliver the letter. The fine will be start at 150.00 dollars a week and sent via certified mail and will be reassessed on October 16. A copy of the enforcement packet will be sent to all of the landowners and trustees.

9:38 **The meeting closed at 9:24PM**

### Documents and exhibits used at this meeting:



09-04-2024 Meeting Information



Type	Title	Owner	Modified Date	Size	Actions
 <a href="#">43 Kinsley Road</a>		naturalres	08/30/24	5	 
 <a href="#">09-04-2024.pdf</a>		naturalres	08/30/24	267 KB	 
 <a href="#">4.1-narrative - rev 1.pdf</a>		naturalres	08/30/24	104 KB	 
 <a href="#">BS Fence and Pipe Info Sheet.pdf</a>		naturalres	08/30/24	254 KB	 
 <a href="#">Lorraine-s_Letter_Mon_Aug_26_2024_11-45-25.pdf</a>		naturalres	08/28/24	37 KB	 
 <a href="#">Minutes 4_24_24 DRAFT - Copy.docx</a>		naturalres	08/27/24	276 KB	 
 <a href="#">Minutes 5_15_24 DRAFT - Copy.docx</a>		naturalres	08/27/24	276 KB	 
 <a href="#">Minutes 8.21.24 DRAFT.docx</a>		naturalres	08/27/24	337 KB	 
 <a href="#">127 Concord Rd, NOI</a>		naturalres	08/27/24	0	 
 <a href="#">155 Summer, RCOC</a>		naturalres	08/27/24	0	 
 <a href="#">182-184 Great Rd, NOI</a>		naturalres	08/27/24	0	 
 <a href="#">31 Conant St, RDA</a>		naturalres	08/27/24	0	 
 <a href="#">358 Great Road, NOI</a>		aburak	08/14/24	0	 
 <a href="#">Bellows Farm- NOI</a>		naturalres	08/27/24	0	 
 <a href="#">Pratt's Brook, RDA</a>		naturalres	08/27/24	0	 

**All Documents can be found at:**

<https://doc.actonma.gov/dsweb/View/Collection-18468>