



**Acton Conservation Commission**  
Meeting Minutes  
March 20<sup>h</sup>, 2024  
7:15 PM  
Hybrid Meeting (Room 204 & Zoom)

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

**Planning Director:** Kristen Guichard

At 7:15PM, the Chair, Terry Maitland, opened the meeting and read virtual meeting guidelines.

**Regular Business**

**7:15 Notice of Intent: Public Hearing- Main Street at Hayward Road**

George Mihov of Howard Stein Hudson presented the project on behalf of the Town of Acton for complete streets intersection improvement project. He explained the impacts within the buffer zones of the potential vernal pool. He noted the potential vernal pool is not registered, but their evaluation is based on the town regulations for vernal pool backs.

Refer to PPT.

Asking for waiver from rules and regulations, public benefit improving pedestrian and bicycle infrastructure

Terry – timing / schedule 2025 Peter Hocknell

Terry – why coming so soon if it's the 2025 date

George, usually you want permits in hand as they are good for 3 years, makes mobilizing easier

Terry – not our purview

Why widening for bike lane here where there is such a small space

Issues with ledge on the other side – it is constrained; going down to 10-foot lanes to stay as far away from vernal pool, when it comes to bike lane – town is working on an entire complete street along main street which is why we are adding the bike lanes here as they will continue down –

Jim – why not put bike lanes on the other side, already encroached on and shouldn't do more. Should have figured out without encroachment

Ledge is significant, and cost thought this was the best way to move forward due to the benefit to the public

Jim suggests site visit to take a look, with flags and new closets point to the wetland, what type of mitigation



**\*\* follow up with site visit\*\*** can they certify the vernal pool Qin will look to see if they can look at the budget and see if it could be accommodated.

Public hearing continued to April 3<sup>rd</sup>, 7:30 Town Hall

#### **7:54 Notice of Intent 68 Parker**

DEP filing number was received

Showed updated plan with modified dumpster location

Peter asked if they could be moved outside 75 for legal reasons

Jillian, anything along wetlands that could stop trash from ending up in the wetlands, move further way doe'n't really stop that

Attorney George hiler – discuss with manager to make sure dumpsters are properly maintained  
Could enclose the area with netting to keep things from flying out, maintenance rather than location can go back to client for an alterative, thought we met those needs and concerns , could discuss maintenance

Zywia – could dumpsters be in front of complex ?

Queuing wouldn't work

Darren grady 0 the proposed location will not impact parking and that was once concern of the property manager

Jim one option is to come bck with a specific maintenance plan, netting or fencing , to reference in the order on how to maintain the area

Continue to come back on this one item,

No problem with this , will provide it earlier

75 feet if we can do it

1. Maintenance plan and move it out if possible, and plan showing actual location of three dumpsters with netting or debris control

Continue to 7:15 April 3

#### **Notice of Intent public hearing 348 Main Street**

Chair of dog park committee -have mass DEP number , have print outs with the number

Jillian moved to issue a standard order of conditions. Kate warwick seconded the motion (roll call, all in favor – Amy Green not present

**123 Quarry road continued to April 3 7:20 PM**



## Public Hearing Notice of Intent - 9 West Road

[amy green entered the meeting]

Piers presented , main emphasis was the introduction of a shed and remediation of the area near the pond.

Showed map where shed could possibly be located and the remaining areas

Then explained the proposed remediated area near the pond, initial remediation would be to lay topsoil over gravel then put seeds on top; found company that provides seeds for wetlands in new England

New shed will allow them to removed the current small shed that sits on a concrete pad, will removed and fill with dirt and grass

And front porch addition, wants to put small porch on front door 6x4 , hallway between 50 foot and 75 foot , in front of the house

Refer to PPT

Invasive plant removal proposal

Treeline invested with bittersweet – proposed to till back yard to remove bitter sweet vines hanging from trees , and removal of other invasive species

Amy green – no issue with door, great to control invasive, normalize mowing to 1 time a year and replace natives that were taken down when you were controlling the other invasives

Terry – amy would you want to review the planting plan; would recommend the detention basis and moist sites bet hte selection on the right

Maybe you don't need to replant , some will come back on its own,

Memorialization of the wetland line so it doesn't get mowed again by accident

Piers what does memorialization mean

Amy – either some short or tall 4x4 posts , or 2 or 3 one at either end or one in the middle that wouldn't be an issue to you, in perpetuity ; but understand it would be in the middle of the law, a 4 foot height one on either end and then shorter in the middle-

Piers seems like a post would fall into the category of foreign objects

Jim – boulders are also an option , with a sign

Amy – frankly I would say in other situations we would ask for the boulders 50 feet from wetlands, which would almost be up to your house, but to make sure the next owner understands that fact

- Boulders
- -seed mix on right , for moist areas

Continued to 7:25PM on April 3



## **Continued Public Hearing 5 High Street Notice of Intent**

Micheal Moran

17 native trees and native shrubs

Nicole Ferrara LEC Environmental

Period of 3 years to install

Mitigation plan should offset tree removal, replacing Norway maples with all native species

Want to do planting on site with volunteer landscape architect to place correctly

Peter – where we were going to recommend , plant along through that area

Nicole though it was outside buffer zone, we should it would be better to plant within the same area, that was why we chose that

Jim coleman – when on the site , flags were moved to be closer to the well that was in the way, did that change , not made on the plan (Nicole) , it will be as close as possible,

Jim – plan should reflect that , as it will be the official record, 3 years until the order is done and come back for extension if needed

Zywia – trees to be removed along the gravel driveway , what type and why do they need to be removed ,

Nicole, gravel compacts root system on top, they need at least a foot of breathing room, gravel driveway will impact them at risk of failure in the future

Trees are mainly Norway maple, but three ash trees , sugar maple (taken down by the town), dead ash, red maples , zywia wants to know which trees are taken down

Zywia vote to only remove Norway maples, trees in the carriage trail what is historic about it and what requires removal of trees, not understanding what they are doing

Nicole – samplings , they want to preserve the historic trail , wants to preserve historic trail

Zywia they are within 50 foot buffer, seems excessive to remove trees , not sure what other commissioners think, not sure about what types within carriage trail , never send approval of remove within 50 feet unless danger to someone

Michela – trees they want to remove are Norway maple sapling, they want to remove because the vista from high street would be improved and show off the carriage trail vista. Hard to see the vista with all the trees in the way

Zywia, does not think all are Norway maples, wants to know the size and the types of trees

Jim - Rational for planting instead of 17 trees, to plant 30 trees , but over the years maybe you could plant more trees, if this satisfies her concern, it seems reasonable

Amy – was there an actual tree survey

Nicole – former colleague surveyed the trees and got the gps data the DBH was not included in the survey ,



Amy likes the viewshed, but going through a wetlands in portions of this , so it is a tough call on that , what is the long term maintenance of the view shed, mowed or cleared

Michela maybe mow once a year with a big mower if that is okay , could do hand clearing, that is what we have done in the past.

Terry – never knew the carriage path was there

Zyvia – it is a wetland, I stil firmly believe we are setting a precedent allowing the cutting down when a public benefit or safety reasons, not convince a view shed is the right way to go

Michela the development on top of the hill caused the wetlands below

Jim – the plan shows wetland boundary in the carriage road, would like to see it again, not sure that should even be mowed , maybe go tree by tree, if they are all Norway maple

Who an come to identify the trees

Continue for two week s to April 3 7:35 – schedule site walk

#### **524 Main Street RDA**

Culvert will not be disturbed

Jim – very benign allwithin drivwya

Not have impact on the resource area Jim moved, amy second neatavie 3 detemrnation fo applicability although impact on buffer can go forward with the project (all in favor roll call)

225 newtown - enforcement order ; owner asked to come in to discuss it, may not have a resolution \*\*

Discuss what restoration, hand dig out of wetland, and going forward what to do with infiltration basin prob all clogged and needs to cleaning out to makesure it works

Vted to issue enforcement order and direct staff to send it all in favor roll call

47 Conant Street COC ---

Amy was out on site and did an inspection

State superceeding order

Amy under wetland protection it goes away

The order said they had to submit the homeoners agreement prior to any people moving in , was that done?

Jim – only small signs an they don't seem adequate

Amy – agree but the order of conditions said approved by agent, but usually should be left in perpetuity , plastic gone in a year or two

Only see 2 left

Copy of maintenance agreement –

Not ready need to communicate with developer the concerns



Amy don't believe they are signs the conservation commission had in mind, no where near permanent

Do we hold off on coc until after the 2 years or issue it now, amy it should be 2 years but it was not clear in this case ;

Terry how does the state give its certificate of compliance  
Amy - separate action and application

5 signs solid , approved by the agent , at this point there are not 5 only saw 2

Set up a meeting with Terry and Jim \*\*\*

Minutes January 17 moved by peter and second kate warwick (roll call, all in favor)  
and march 6, 2024 (post poned to the next meeting)

moved to adjourn 9:40pm