

Acton Conservation Commission
Meeting Minutes
May 21st, 2025
7:15 PM
Hybrid Meeting (Room 9 & Zoom)

Present: Terry Maitland (Chair), Peter Hocknell, Amy Green, and Zywia Chadzynska

Absent: Jillian Peters, Kate Warwick, Jim Colman

Conservation Agent: Olivia Barksdale

Public Concerns and Regular Business

7:15PM Public Concerns

There were no public concerns discussed during this portion of the meeting.

7:15PM Notice of Intent- Public Hearing – 91 Newtown Road

The Notice of Intent for 91 Newtown Road was continued to June 4th at 7:20PM. It was noted that the applicant had submitted information, but it did not meet the 48-hour notice requirement.

7:15PM Notice of Intent- Public Hearing – 820 Main Street

The Notice of Intent for 820 Main Street was also continued to June 4th at 7:25 PM. The Commission noted that the applicant was able to get materials in on time for review at the next meeting.

Commissioner Terry mentioned that it appeared the wetland impacts had been reduced to 5 square feet from a previously larger amount. He suggested asking the applicant how they achieved this reduction when they present at the next meeting.

7:15PM Notice of Intent- Public Hearing – 60 Powder Mill Road

The Notice of Intent for 60 Powder Mill Road was continued to June 4th at 7:30PM.

7:18PM Authorization for Execution of Documents Related to Wetherbee Conservation Restriction (CR) Closing.

At a duly called public meeting of the Town of Acton Conservation Commission on May 21, 2025, the Commission voted as follows regarding the parcels of land in Acton, Massachusetts commonly known as 19 Wetherbee Street and 35 Wetherbee Street (together, the "Property"), as more particularly described in that certain Quitclaim Deed recorded with the Middlesex South Registry of Deeds in Book 83955, Page 287 and filed with said Middlesex South Registry

District of the Land Court as Document No. 1974823 and noted on Certificate of Title No. 286719, Registration Book 1626, Page 41.

- (a) To approve that certain Conservation Restriction (the "Conservation Restriction") on the Property being granted by the Town of Acton, acting by and through its Select Board, to the Sudbury Valley Trustees, Inc., in the form presented to the Commission at its May 21, 2025 meeting; and
- (b) To authorize the Commission to execute and accept the Conservation Restriction; and
- (c) To authorize the Commission to accept and execute the acceptance of that certain Quitclaim Deed (the "Deed") for the Property given by the Town of Acton, acting by and through its Select Board, conveying the care, custody and control of the Property to the Commission.
- (d) To authorize the Commission to accept and execute the Project Agreement with the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs Division of Conservation Services, Local Acquisitions for National Diversity (Land) Program for the Property

Terry introduced the motion as presented. This motion was duly seconded by Amy Green. The motion carried with unanimous approval.

7:30PM Request for Determination of Applicability – 9 West Rd.

The public hearing concerning the property at 9 West Road was formally initiated. Mr. Piers introduced the project proposal, entailing the replacement of the current deck on the premises. The core details addressed included:

- The deck is located at the rear of the residence, approximately 50 feet from the wetland boundary.
- The existing deck is in a state of severe deterioration, posing safety risks.
- The renovation plan includes the use of Trex composite decking, safety glass railings, and polycomposite stairs.
- The deck's total footprint will remain consistent; however, to adhere to code mandates for closed risers, the stairs will be extended by two feet, resulting in a proximity of one foot closer to the wetland boundary.
- The construction will necessitate three 4-foot deep concrete piers to support the posts.
- To minimize environmental impact, erosion control measures, such as straw wattles, will be utilized during construction.

The Commission sought clarification on the construction methods and materials proposed, with specific inquiries about whether pier excavation would be conducted by hand or with machinery. The applicant agreed to have a qualified wetland scientist oversee the operations and confirmed the implementation of erosion control strategies. The Commission further suggested evaluating alternative pier solutions like helical piers to possibly reduce excavation needs.

Following deliberations, the Commission decided to postpone the continuation of the hearing to allow for additional site evaluations by commissioners. The applicant is required to submit

additional documentation showing dimensions, location, and images of the shed on the property. This will be added to the current application. The hearing is slated to resume on June 4th at 7:30 PM.

7:54PM Enforcement Order – 78 Arlington Street

Leah Stucke from Oxbow Associates presented a restoration plan concerning 78 Arlington Street on behalf of the property owners. The main elements of the plan are as follows:

- Removal of approximately 1,500 square feet of crushed stone previously installed as a driveway extension within the buffer zone.
- Planting of 44 native shrubs within the designated restoration area.
- Application of a native seed mixture on exposed soil surfaces.
- Implementation of a two-year monitoring period to ensure successful re-vegetation efforts.

During deliberation, the Commission suggested the following modifications to the plan:

- The Conservation Division must be notified when erosion controls are installed and during excavation.
- Conduct an assessment of soil suitability for planting purposes following the removal of the crushed stone.
- Incorporate invasive species management strategies within the monitoring plan.
- Adjust the submission timeline for monitoring reports to coincide with the fall season.

After thorough review and consideration, Amy Green put forward a motion to approve the restoration plan with the aforementioned modifications. The conditions for approval include:

1) Submission of monitoring reports by October for the two growing seasons immediately following the installation. 2) Inclusion of observed invasive species notes within reports and provision of a remediation plan if necessary. 3) Assessment of material for planting suitability post-excavation. 4) Notification of the Conservation Office upon installation of erosion controls and commencement of excavation activities.

The motion was duly seconded by Zywia and carried unanimously.

8:17PM Enforcement Order – 43 Kinsley Rd.

The Commission discussed the enforcement order for 43 Kinsley Road. Armand Porrazzo, the property owner, was present to provide updates and discuss next steps. Key points included:

- Armand has been working on removing materials from the lower area of the property as previously discussed.

- There are still two large pieces of equipment on the property that need to be removed or relocated outside the buffer zone.
- The Commission and Armand discussed plans for removing an existing berm and invasive plants (Japanese knotweed) on the property.
- Armand agreed to provide a detailed written plan with 6-10 steps outlining how he will remove the berm and handle the invasive plants.
- There was discussion about structures on the property that may not have proper permitting. Armand agreed to file a Notice of Intent to retroactively permit these structures.
- The Commission emphasized the need for clear documentation of the property boundaries and existing conditions.

The Commission and Armand agreed on the following next steps:

1. Armand will submit a detailed plan for berm removal and invasive plant management by June 15th.
2. Armand will meet with the Conservation Agent on June 18th to begin work on the Notice of Intent application.
3. The full Notice of Intent application will be targeted for submission in early July.

The Commission agreed to hold off on issuing tickets for violations, acknowledging Armand's good faith efforts and progress.

8:07PM Administrative Updates

- **Approved Meeting Minutes for 4/2/25**
 - Commission moved to approve, and it was duly seconded. All in favor.
- **Enforcement updates:**

The Commission discussed the encroachment issue at 187 Main Street. Key points included:

- All vehicles have been removed from the area of concern.
- The site is now compacted dirt with some piles of brush and gravel remaining.
- There was discussion about whether to require removal of the remaining piles or allow them to remain.
- The Commission expressed interest in having the property boundaries clearly marked.
- There was uncertainty about the exact location of the property line relative to Great Hill conservation land.

The Commission decided to take the following actions:

1. Schedule another site visit for commissioners who have not yet seen the property.
2. Research options for accurately determining and marking the property boundaries.
3. Develop a plan for restoration planting in the affected area.

The Commission agreed to revisit this issue at the June meeting after gathering more information.

8:38PM **Certificate of Compliance – 106 Hosmer Street**

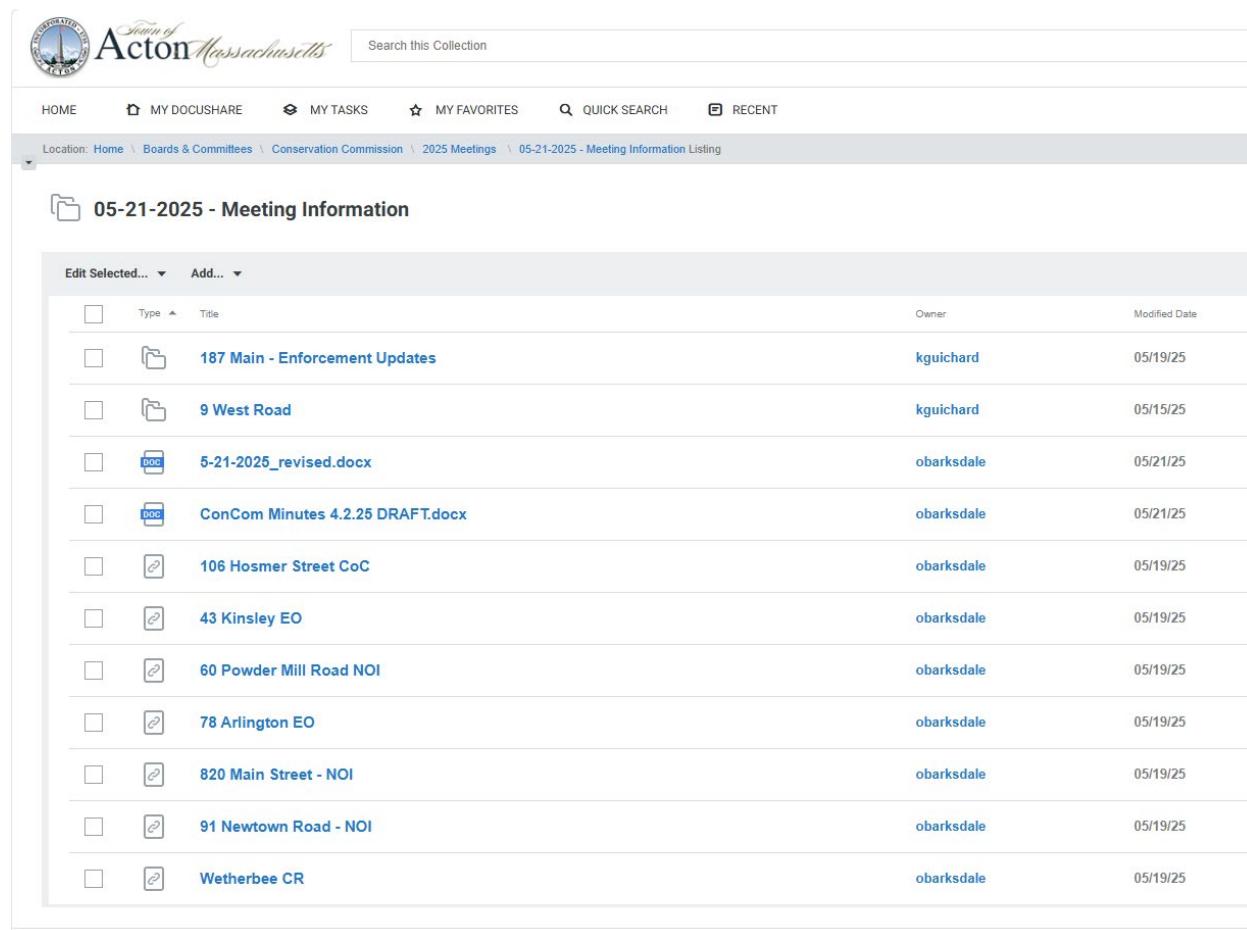
The Commission reviewed the request for a Certificate of Compliance for 106 Hosmer Street. The Conservation Agent reported that the site conditions had improved significantly, with wood chips removed and the area now properly vegetated.

After discussion, a motion was made:

Amy Green moved to issue a Certificate of Compliance for 106 Hosmer Street, contingent on the removal of remaining erosion controls. The motion was seconded by Zywia. All in favor.

8:55 Peter Hocknell motioned to adjourn and Terry seconded. All in favor.

Documents and exhibits used at this meeting:



The screenshot shows the Town of Acton DocuShare interface. At the top, there is a logo for the Town of Acton, Massachusetts, and a search bar labeled "Search this Collection". Below the header, there are navigation links for "HOME", "MY DOCUSHARE", "MY TASKS", "MY FAVORITES", "QUICK SEARCH", and "RECENT". A breadcrumb navigation bar indicates the current location: "Home \ Boards & Committees \ Conservation Commission \ 2025 Meetings \ 05-21-2025 - Meeting Information Listing". The main content area is titled "05-21-2025 - Meeting Information". It features a table with the following data:

<input type="checkbox"/>	Type	Title	Owner	Modified Date
<input type="checkbox"/>	Folder	187 Main - Enforcement Updates	kguichard	05/19/25
<input type="checkbox"/>	Folder	9 West Road	kguichard	05/15/25
<input type="checkbox"/>	Doc	5-21-2025_revised.docx	obarksdale	05/21/25
<input type="checkbox"/>	Doc	ConCom Minutes 4.2.25 DRAFT.docx	obarksdale	05/21/25
<input type="checkbox"/>	Image	106 Hosmer Street CoC	obarksdale	05/19/25
<input type="checkbox"/>	Image	43 Kinsley EO	obarksdale	05/19/25
<input type="checkbox"/>	Image	60 Powder Mill Road NOI	obarksdale	05/19/25
<input type="checkbox"/>	Image	78 Arlington EO	obarksdale	05/19/25
<input type="checkbox"/>	Image	820 Main Street - NOI	obarksdale	05/19/25
<input type="checkbox"/>	Image	91 Newtown Road - NOI	obarksdale	05/19/25
<input type="checkbox"/>	Image	Wetherbee CR	obarksdale	05/19/25

All Documents can be found at:
<https://doc.actonma.gov/dsweb/View/Collection-19230>