

Acton Conservation Commission

Meeting Minutes

September 03 2025

6:15 PM

Room 204 & Zoom

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

Absent: Kate Warwick, Amy Green,

Conservation Agent: Olivia Barksdale

Public Concerns and Regular Business

Hearing opened: 6:21pm

Chair Terry Maitland announced that the hearing for 91 Newtown Road, which had been continued to today, would be further continued to September 17, 2025.

6:22PM Public Concerns

6:59PM Request for Determination of Applicability –14 Musket Drive

Maureen Leo presented a request to remove a large tree that is located 8 feet from their house and approximately 70 feet from the wetland. Leo explained that they had already removed three trees from their property to facilitate construction of the addition. The tree in question has always been a concern due to safety issues with branches overhanging their home. She described how they had previously attempted to remediate the risk by cutting portions of the tree that were directly over their daughter's bedroom.

Commissioner Zywia Chadzynska confirmed that the tree is very close to the house and described it as "gigantic," approximately 100 feet tall, but noted it did not appear to be a "vibrant tree." She mentioned seeing the fallen branch and acknowledged that while it wasn't enormous, it could have caused injury if it had hit someone. Vice-Chair James Colman proposed approving the request primarily based on the hazard the tree presents, rather than solely for solar installation purposes. Several Commissioners expressed that the applicants should return with a mitigation plan, and after further discussion about potential financial burden, the Commission determined the homeowners should consult with a nursery and return with a proposal.

James Colman moved to issue a negative 3 determination of applicability with the condition that the applicants return at the next Conservation Commission meeting with a mitigation plan. Jillian Peters seconded the motion. Vote: The motion passed unanimously.

6:22PM Notice of Intent- Public Hearing – 45 Nagog Park DEP # 85 - 1396

Brian Butler and Frank McPartland presented the Notice of Intent for construction of a tennis and pickleball facility with a redeveloped parking lot. They noted that the Select Board had already signed off on the project on August 25, 2025. The presenters explained that the

project had been submitted for peer review, and they had responded to initial comments from the reviewer (GCG). They were awaiting final comments from the peer reviewer, but did not anticipate any substantial changes that would affect areas within the Commission's jurisdiction.

James Colman moved to approve the project as proposed in the August 11 plan set with the condition that should the final comments from GCG require any changes within the Commission's jurisdiction, the applicant would return to the Commission for either a red-line change or an amended order as appropriate. Peter Hocknell seconded the motion. Vote: The motion passed unanimously.

James Colman moved to authorize the third-party stormwater review. Jillian Peters seconded the motion. Vote: The motion passed unanimously.

7:22PM Certificate of Compliance –18 Alcott Street

Conservation Agent Olivia Barksdale presented the Certificate of Compliance request for 18 Alcott Street. She explained that the property owners had replaced their septic system after appearing before the Commission in mid-summer. She noted that the grass had successfully established despite the lack of rain and recommended issuing the certificate of compliance.

Jillian Peters moved to approve the Certificate of Compliance for 18 Alcott Street. Peter Hocknell seconded. Vote: The motion passed unanimously.

7: 23PM Administrative Updates

Request for Tree removal

Conservation Agent Olivia Barksdale initiated a discussion about developing a policy for tree remediation, both for solar installation cases like the one discussed earlier and for situations where property owners remove trees without Commission approval.

Barksdale explained that she had received a letter from a homeowner who had removed three trees without approval. The homeowner had self-reported the violation, explaining that they had taken advantage of a last-minute opening with a tree company and removed what they believed were hazardous trees.

Commissioner Chadzynska noted that many residents are not aware of Conservation Commission policies, pointing out that many people don't understand what constitutes a wetland or buffer zone.

The Commission discussed various approaches to remediation requirements. They acknowledged that some towns have specific formulas, such as requiring one replacement tree per inch of diameter at breast height (DBH) of removed trees. However, they recognized that such requirements might be impractical depending on the specific property.

Commissioners agreed that the issue requires further discussion and that developing a formal policy would be beneficial. They determined that Barksdale should meet with the property owner who self-reported, assess the site, and develop a suggested remediation plan to bring

back to the Commission. This would help establish precedent for future cases while also addressing the current situation.

The Commission agreed to hold a separate meeting to further develop a comprehensive policy on tree remediation.

Review and Approve Meeting Minutes

Motion: Peter Hocknell moved to accept the minutes of August 6, 2025. James Colman seconded. Vote: The motion passed unanimously.































Motion: Peter Hocknell moved to accept the minutes of August 20, 2025. Zywia Chadzynska seconded. Vote: The motion passed unanimously.

Review Standard Conditions

Item was not discussed

Documents and exhibits used at this meeting:
<https://doc.actonma.gov/dsweb/View/Collection-19526>

All Documents can be found at:

Edit Selected... ▾		Add... ▾					   		
<input type="checkbox"/>	Type ▴	Title		Owner	Modified Date	Size	Actions		
<input type="checkbox"/>		9-03-2025.pdf 		obarksdale	08/28/25	275 KB			
<input type="checkbox"/>		Minutes for ConCom 08_06_25 DRAFT.docx		obarksdale	08/26/25	104 KB			
<input type="checkbox"/>		Minutes for ConCom 08_20_25 Draft.docx		obarksdale	08/29/25	109 KB			
<input type="checkbox"/>		14 Musket Drive RDA Tree Removal		obarksdale	08/26/25	0			
<input type="checkbox"/>		18 Alcott Street COC Septic replacement		obarksdale	08/26/25	0			
<input type="checkbox"/>		45 Nagog Park NOI Building infrastructure		obarksdale	08/26/25	0			
<input type="checkbox"/>		Policies Standard Conditions and Stormwater		obarksdale	08/26/25	0	