

Acton Conservation Commission

Meeting Minutes

October 01 2025

6:15 PM

Room 204 & Zoom

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

Absent:

Conservation Agent: Olivia Barksdale

Public Concerns and Regular Business

Hearing opened: 6:13pm

6:13PM Public Concerns

Eric Saia from 243 School Street addressed the Commission regarding his property. He explained that he was doing grading work at his house in April when someone called conservation about work being done within the buffer zone. Two Town staff members visited and asked him to stop work, which he did. About a month ago, Olivia called regarding another complaint about work being done.

Mr. Saia explained that he has an open building permit for an addition that is currently paused. In June 2016, he had filed a Notice of Intent for tree removal and grading of the back lawn area. A silt fence was installed, and areas along the wetlands were left undisturbed. Mr. Saia noted he had recently installed a new silt fence for the area he was considering redoing, but needed the Commission's permission to proceed. He acknowledged he had not filed a Certificate of Compliance for the original work.

Mr. Saia indicated he had hired Stamski and McNary to conduct a wetland survey and create a new plot plan for the property. He planned to file a new Notice of Intent for the November meeting.

Commissioner Colman advised Mr. Saia to be comprehensive in his new application, including all work he might want to do in the future. He also informed him that Orders of Conditions can be renewed for an additional three years if requested before expiration. Commissioners clarified that mowing existing lawn, picking up fallen branches, and raking leaves are allowed, but digging, pushing soil, taking out trees, or clearing understory would require permits.

6:27PM Hazard Tree- 8 Arborwood Road

Continued to November 5th

6:27PM Request for Determination of Applicability –Public Hearing-86 Martin Road

Matt Marro presented a RDA for a septic system replacement at 86 Martin Road. The existing leach field would remain in place while the new leach field and tanks would be located outside the buffer zone. The only work proposed within the buffer zone was the removal of the existing septic tank and placement of a force main. Erosion protection would be installed in the form hay wattles staked into the ground.

Mr. Marro confirmed the Board of Health had approved the system. The work would occur no closer than 95 feet from the nearest wetland boundary.

Motion: Peter Hocknell moved to issue a negative 3 determination for 86 Martin Road; seconded by Amy Green Vote: Approved unanimously

6:31PM Hazard Tree- 25 Birch Ridge

Jared Rice, co-owner of 25 Birch Ridge Road with his wife Laura, introduced Jeff Hall of Aurelia Arbor Services who had conducted a tree risk assessment. Mr. Hall identified 11 trees that needed removal due to risk factors that couldn't be mitigated through pruning. He proposed planting 15 new plants as mitigation.

During discussion, the Commission reviewed the map showing tree locations, with particular attention to trees near the buffer zone. Mr. Hall noted that some trees were completely dead, and those could be cut down to a 15-20-foot height and left for wildlife habitat. The Commission discussed which trees were to be removed versus pruned, with particular attention to a sugar maple (tree #62) that needed pruning rather than removal.

Motion: James C Colman moved to approve the removal of 8 live red maples, cutting dead trees down to a 15-20-foot height, pruning the sugar maple, and planting 15 trees/shrubs as proposed; Seconded by Amy Green Vote: Approved unanimously. The Commission requested that the homeowner report back in one year on the status of the plantings.

6:45PM Request for Determination of Applicability –Public Hearing-9 Charter Road

Dean Gustafson, senior wetland scientist with All Points, presented on behalf of Tariff Co. for a proposed wireless telecommunications facility. Following the Commission's request from the September 17th hearing, they had staked the limited disturbance line and the hundred-foot buffer zone in the field, which Conservation Agent Olivia Barksdale had reviewed.

Mr. Gustafson explained that the project included a silt fence and compost or filter sock erosion line just outside the wetland buffer. They had surveyed all trees in the area to ensure none would be disturbed within the hundred-foot buffer zone. He noted that approximately 100 square feet of the buffer zone would be temporarily disturbed for proper installation of the silt fence.

Motion: Amy Green moved issue a negative 3 determination; Seconded by Peter Hocknell Vote: Approved unanimously

6:50PM Notice of Intent–Public Hearing-86 Hayward Road

This hearing was continued to October 15, 2025, at 6:15 PM.

6:51PM Tree Removal with out a permit – 58 Brucewood Road E

Wellington Dornevil explained that he had moved into the property in July 2025 and recently had several trees removed from his property. He acknowledged that he had not gone through proper protocols despite knowing there was a wetland on the property. A tree had fallen and damaged his truck, and after getting frustrated, he had additional trees removed that he believed were hazardous.

Mr. Dornevil stated he had already purchased 14 replacement plants (10 shrubs and 5 oaks) based on the approved species list from Conservation Agent Olivia Barksdale. He explained that he had consulted with three tree companies, two of which told him he needed permits, but he proceeded with the third company that was willing to do the work when he insisted it was his property.

The Commission had extensive discussion about whether to issue fines to the tree company, the property owner, or both. No consensus was reached on issuing fines.

The Commission instructed Mr. Dornevil to submit a formal application including:

1. A plan showing which trees were removed
2. Which additional trees he wanted to remove
3. A letter from a certified arborist for any additional trees
4. A mitigation plan showing where new plantings would be located

The Commission advised Mr. Dornevil he could stake or temporarily place his purchased plants in the ground to prevent them from falling over until formal approval was granted at the next meeting.

7:55PM Emergency Certification- Cherokee Road

Evan White, the Town Engineer, presented information about an emergency situation on Cherokee Lane. A drainage basin at the end of the cul-de-sac was causing erosion and flooding issues for the resident at 22 Cherokee Lane. When DPW attempted to address the problem, they discovered the drainage pipe from the basin had never been daylighted.

Mr. White explained that they had extended about 40 feet of pipe from the existing buried pipe, installed temporary erosion controls including silt fence and silt sock, and planned to stabilize the area with slope seed and straw. The area had been seeded, and straw had been placed.

Commissioner Colman noted that the emergency certification process had not been properly followed, as the Commission should have certified the emergency prior to the work being done. Amy Green expressed concerns about the stability of the slope below the pipe outlet and noted that the silt fence wasn't properly toed in and the waddles didn't have good ground contact.

The Commission requested that Mr. White work with Olivia to establish a proper protocol for emergency situations in the future, and several Commissioners volunteered to conduct a site visit to determine if additional stabilization measures were needed.

8: 10 PM Administrative Updates

Amy Green requested that Commissioners review the standard conditions document she had prepared and send comments to Olivia.

Additional discussion included concerns raised by Amy Green about erosion control issues at the Kelly's Corner project, particularly near Roach Brothers. She requested that the Chair contact the Town Manager to arrange a site visit with the contractor and possibly the state to address concerns about materials going over erosion controls and potential stream impacts.

Review and Approve Meeting Minutes

Motion: James C Colman moved to approve the meeting minutes from September 3 and September 17, 2025; Seconded by: Peter Hocknell Vote: Approved unanimously

Review Standard Conditions

Item was not discussed

8:18 Close Hearing

Motion: To adjourn the meeting. Moved by: Amy Green Seconded by: Zywia Chadzynska
Vote: Approved unanimously

Documents and exhibits used at this meeting: <https://doc.actonma.gov/dsweb/View/Collection-19625>

All Documents can be found at:

10-01-2025 Meeting Information

<input type="checkbox"/>	Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	PDF	10-01-2025.pdf	obarksdale	09/29/25	232 KB	📄 ☆ ...
<input type="checkbox"/>	DOCX	ConCom Minutes 9.17.25 DRAFT.docx	obarksdale	09/29/25	96 KB	📄 ☆ ...
<input type="checkbox"/>	DOCX	Minutes for ConCom 09_03_25.docx	obarksdale	09/29/25	70 KB	📄 ☆ ...
<input type="checkbox"/>	PDF	88 Brucewood Road E Tree Removal without Permit	obarksdale	09/29/25	0	📄 ☆ ...
<input type="checkbox"/>	PDF	25 Birch Ridge Haz Tree 11 trees	obarksdale	09/29/25	0	📄 ☆ ...
<input type="checkbox"/>	PDF	8 Arborwood Road Haz Tree 10 Trees	obarksdale	09/29/25	0	📄 ☆ ...
<input type="checkbox"/>	PDF	86 Hayward Road Septic system/ deck replacement/trees	obarksdale	09/29/25	0	📄 ☆ ...
<input type="checkbox"/>	PDF	85 Martin Street RDA Septic replacement	obarksdale	09/29/25	0	📄 ☆ ...
<input type="checkbox"/>	PDF	9 Charter Road RDA Cell Tower infrastructure	obarksdale	09/29/25	0	📄 ☆ ...
<input type="checkbox"/>	PDF	DPW Emergency Certification 24 Cherokee Road Flooding	obarksdale	09/29/25	0	📄 ☆ ...