

**TOWN OF ACTON  
CONSERVATION COMMISSION  
Minutes  
September 6, 2017  
7:15 PM  
TOWN HALL - 472 MAIN STREET  
ROOM 204**

**COMMISSIONERS PRESENT:** Terry Maitland, William Froberg, Amy Green, Jim Colman, , Tim McKinnon, Jennifer Stoltz, Paula Goodwin

**NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY:** Tom Tidman

**VISITORS:** Dick Dolan, William Hall, Paul Kohout, Joy Kohout, Helen Wolfman, Greg Poppe, Ted Atkinson

**7:10 Request for Determination of Applicability 78 Central Street**

*Michael Barros-Smith for the replacement of a septic system at 78 Central Street (town atlas plate G-2, parcel 186). A portion of the work will occur within 100 feet of wetlands.*

Richard Dolan of ABC Cesspool Company presented the project to the Commission. He said that the existing location of the system was 52 feet from wetlands. There was no other location on the lot to install a replacement system. Therefore, the plan is to remove the old system and install the new system in the same location. The system has been approved by the Board of Health.

**Decision:** Mr. Froberg moved to issue a negative 3 determination, that is, the work described in the request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent.

Mr. McKinnon seconded the motion and the vote was unanimous.

**7:15 Notice of Intent:** Continuance, 64 & 68 Robbins Street, "Garden Lane  
Originally continued from July 19, the hearing was again continued to October 4, 2017.

**7:30 Notice of Intent 9 Silver Hill Road**

*Paul Kohout for a project at 9 Silver Hill Road, town atlas plate I-3, parcel 64-11. The proposed project is to grade and add fill to the back yard to raise the level and reduce the slope. Work will occur within 100 feet of wetlands.*

Mr. Kohout presented the project to the Commission. This project is underway, not yet completed. The intent is to shape the unfinished area and raise the level of the yard to

make it more accessible. The slope will be remediated and, if required, wattles will be installed around the remainder of the fill.

Ms. Green asked if he had surveyed the work already done and the silt that had gotten into the wetlands? Mr. Kohout responded that he wasn't aware any silt had gotten into the wetlands. Mr. Colman asked what the slope would look like when it was finished. Would it be less steep? Mr. Kohout answered that they would be grading the slope and pitching it back towards the wetlands.

Mr. Colman said he would be unable to approve the Request without a design plan. Mr. Froberg agreed, saying there was insufficient information for the Commission to make a decision. Ms. Green added that the Commission needs to know what the site looked like before construction began. She also stated that a restoration plan and removal of the silt from the pond was also a requirement.

Mr. Froberg stated that he would like to see a restoration plan now that ensures there is no further silting. Mr. McKinnon noted that the remediation work should be very specific. Mr. Maitland was not comfortable with work proceeding any further without an approved plan. Helen Wolfman of 11 Silver Hill Road expressed her preference to have the work completed as soon as possible.

Mr. Atkinson of 7 Silver Hill Road asked if the Commission would determine the slope and design. Mr. Maitland responded that the engineer would do the design. Mr. Kahout said he would like to submit the remediation plan now, at this meeting. Mr. Colman said he would like to have the plan at the next meeting after it was determined that mediation would be allowed.

Ms. Green suggested that an Enforcement Order could be issued allowing work to occur. A Remediation Plan would have to include: 1. a way to stop further erosion and 2. removal of silt that had already eroded.

**Decision: An Enforcement Order would be issued for this site.**

The hearing was continued to October 18 at 7:30 PM.

**8:25 Notice of Intent: 424-428 Great Road: Continued from August 16, 2017**

Bill Hall of Stamski and McNary presented for the applicant, Thomas Schaejbe of Meadowbrook Condo Association. He reviewed changes to the plan design in accordance with the prior meeting as follows:

1. Sixty percent of the runoff from the pavement will go into the rain garden.
2. A swale was added and treated water will be directed through the swale before entering the wetlands.

3. A sidewalk or a gift to the sidewalk fund is being required by the Planning Department.

Mr. McKinnon asked for an explanation of the raised areas at the rear of the lawn. Mr. Hall said they had had a water storage area and a swimming pool there. The remainder of the lawn outside the bio-retention area will remain lawn. The dumpster pad will be graded to have water flow to the bio-retention area.

Mr. McKinnon asked that a condition or reassurance be included that no snow will be pushed into the wetlands. Mr. Schaeibe noted that there was little room on the site to push snow.

**Decision:** Mr. McKinnon moved to issue a standard Order of Condition with the following Special Conditions:

1. Snow will not be pushed or stored within 20 feet of Wills Hole Brook.
2. Conditions 18 and 19 are waived.

Mr. Froberg seconded the motion and it passed unanimously.

**Minutes:**

August 2, 2017: Reviewed by TM, PG, TMc

Mr. McKinnon moved to approve the minutes of August 2, Ms. Goodwin seconded and the motion passed unanimously.

August 16, 2017: Reviewed by TMc, PG

Ms. Green moved to approve the minutes of August 16, Mr. McKinnon seconded and the motion passed unanimously.

**Meeting adjourned at 8:50 PM.**



Terry Maitland  
Chairperson

**CONSERVATION COMMISSION  
AGENDA  
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**7:45 Notice of Intent Continuance, 424-428 Great Road**

Continued from August 16, 2017

**Citizens Concerns**

**Commission Business**

**Minutes:**

August 2, 2017: Reviewed by TM, PG, TMc

August 16, 2017: Reviewed by TMc, PG

09-06-2017

| Type | Title                             | Owner      | Modified Date | Size   | Actions |
|------|-----------------------------------|------------|---------------|--------|---------|
| PDF  | 001 - Agenda - 09-06-2017         | naturalres | 08/30/17      | 57 KB  | ☰ ⭐ ... |
| PDF  | 78 Central St RDA Septic          | naturalres | 08/30/17      | 206 KB | ☰ ⭐ ... |
| PDF  | 78 Central St RDA Septic Plan     | naturalres | 08/30/17      | 3 MB   | ☰ ⭐ ... |
| PDF  | 85-1220 - 64-68 Robbins St RC NOI | naturalres | 08/30/17      | 8 MB   | ☰ ⭐ ... |
| PDF  | 85-1224 - 424-428 Great Rd NOI    | naturalres | 08/30/17      | 3 MB   | ☰ ⭐ ... |
| PDF  | 9 Silver Hill NOI                 | naturalres | 08/30/17      | 2 MB   | ☰ ⭐ ... |
| PDF  | 9 Silver Hill Plan                | naturalres | 08/30/17      | 61 KB  | ☰ ⭐ ... |

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12:06 PM  
10/2/2017