

MINUTES

Millbury Conservation Commission

Date: January 20, 2016

Time: 7:00 PM

Present: Donald Flynn, Ron Stead, Anthony Cameron, Paul DiCicco
Absent:

Chairman Flynn called the meeting to order at 7:00 p.m. [times of public hearings are advertised times]

NEW BUSINESS:

LELAND LAW ASSOC.
REQUEST FOR EXTENSION

The Commission received a Request for Extension Permit for Orders of Conditions from Roger Leland, Leland Law Associates, P.C., on behalf of Paine Realty Trust
Re: OOC#224-569 at 287 West Main Street (Longwood Farm Estates Subdivision)

Attorney, Jeff Leland spoke on behalf of the applicant requesting a three year extension. Vice-Chairman, Ron Stead made a motion to issue a three year Extension from 2014 to expire on January 4, 2017; seconded by Anthony Cameron; voted unanimously

An Extension Permit for Orders of Conditions was approved and issued.

MAIL:

Commission received email notice from Page Czepiga, Environmental Analyst for MEPA for an upcoming meeting to be held at the large conference room at the Town Hall on February 22, 2016 at 10AM. An Expanded Environmental Notification Form has been submitted to the Massachusetts Environmental Policy Act (MEPA) office. The purpose of the meeting is to discuss a proposed processing facility for handling approximately 1,000 tons per day of construction and demolition materials.

VOUCHER:

Commissioners approved a voucher for Ann Swanson to attend upcoming training conducted by Massachusetts Association for Conservation Commissions (MACC).

OTHER:

Chairman Flynn attended a workshop about the Emerald Ash Borer, an invasive beetle, that can do damage to ash trees. Chairman Flynn said solutions are limited and that chemical treatment will be needed in order to preserve the trees. General information was provided to the Commissioners.

7:15 P.M.
WIDE WORLD OF
SPORTS
CONTINUANCE

Wide World of Indoor Sports
Notice of Intent - Continuance
124 Worcester Providence Turnpike

Document Used:

"Wide World Place, Definitive Subdivision & Proposed Site Plan" dated January 20, 2016 prepared by CLA Engineers, Inc., 217 Main Street, Norwich, CT 06360.

Chairman Flynn opened the public hearing.

RECEIVED
TOWN CLERK
MILLBURY, MASS.
APR - 8 PM 3:50

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Bob Russo, wetland scientist with CLA engineers and Rodney Galton, project engineer with CLA Engineers were present to provide details of the proposed project. The project is an indoor sports center on two parcels of land including construction of a roadway, utilities and stormwater treatment system. There will also be wetland replacement for impacts proposed. The parcel is fifteen acres consisting of mature wooded growth, mostly hardwoods. The resources present include bank, land under water, bordering vegetated wetland, and a seasonal stream that dries out. There are no vernal pools, critical area or negative impact to species. The area was delineated in 2015 per the Army Corps of Engineers and MA DEP as shown on sheet 1. There were soil test pits throughout the area as well as three deep test pits. An infiltration basin will support stormwater application.

Chairman Flynn inquired if survey markers were identified on the plan. Mr. Russo stated they are in the field. Chairman Flynn would require that the flagging be depicted on the plan.

Mr. Russo stated that the sports facility will require grading, removal of vegetation, establishing new grading, stormwater and utility upgrades. Best management practices will be utilized.

The area where the proposed new Town road from Route 146 was identified on the plan. Where a crossing is proposed, there is a narrow wetland (channel) including 844 square feet of resource area, 60 feet of land under water and 260 feet of bank. MA DEP wanted the channel spanned. The area has been redesigned to accommodate MA DEP's request now providing a three sided structure which will span the resource. Some filling will be required around it. Sequencing on the wetland page is indicated outlining the entire process in detail.

After receiving MA DEP comments on the Notice of Intent filing, CLA engineers responded to MA DEP and provided comments to the Commission. The MA DEP comments were discussed and CLA explained how the issues were addressed/resolved. CLA engineers believe they have properly satisfied MA DEP issues.

Utilities will be within the pavement on Fink Road and silt barrier will be installed for erosion control. Paul DiCicco inquired if there would be any improvements to Fink Road and how long residents would be impacted during construction.

Rodney Galton of CLA stated that Fink Road is a gravel roadway. Utilities will be installed, however he did not have a specific time frame for completion. They will propose a smooth surface when the roadway is completed. Mr. Galton could not predict timeframe due to potential unknowns such as if dewatering is needed or if ledge was present.

Chairman Flynn asked about what utilities were proposed. Mr. Galton indicated water, sewer and electric. Electric would be coming in off Route 146 and water and sewer would be coming in from Fink Road.

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Anthony Cameron did not see a dewatering plan proposal of where the basins will be on the plan. Anthony Cameron would also like to see wetland flagging on the plan. Mr. Galton stated that dewatering is done on an as needed basis and is a field decision rather than automatically delineated on a plan. Anthony Cameron asked if there would be any blasting involved for footings. Mr. Galton said no.

Wayne Wunschel of 3 Fink Road provided some of his concerns with the proposed project. Mr. Wunschel stated the area was under MA DEP protection before and he doesn't understand how work can begin now. He further stated that water runs all the time on Fink Road which empties into Singletary Brook. Mr. Wunschel stated there is various wildlife in the area such as fisher cats, turkey and fox. Chairman Flynn stated he is concerned about the stream that runs down the hill.

Mr. Galton discussed the water issue associated with Fink Road. Mr. Wunschel was at the previous planning board meeting, and the Town Planner wanted additional analysis done on Fink Road, analyzing where the two water courses come together. Mr. Galton stated the initial drainage analysis indicated that runoff was increasing for the two year and ten year storms but decreasing for the one hundred year storms. Mr. Galton stated that drainage calculations were adjusted and the design was also adjusted to reflect the correction.

Discussion followed with regard to utilities. There is no hydrant proposed on Fink Road Vice-Chairman Stead wanted to address some of Mr. Wunschel's concerns and inquired who would maintain sewer and water lines on Fink Road. Mr. Galton stated the Department of Public Works would own the sewer and Aquarion Water could own the water lines.

There was a concern about abutter notification, however Vice-Chairman Stead stated that had been resolved. Vice-Chairman Stead further stated that many of Mr. Wunschel's concerns are why DEP reviews and provides comments on projects. It is a proactive approach to protecting that resource. Vice-Chairman Stead was confident that Mr. Wunschel's concerns have been addressed.

Discussion followed with regard to blasting. Mr. Galton did not anticipate blasting on the building site, however did not know about Fink Road. Vice-Chairman Stead noted that if blasting was to occur, they are required to let the neighbors know.

Ian Copeland of 116 Worcester Providence Turnpike stated his concern about the spring that runs most of the year and ponds up near his house. He inquired if there would be a change in the water table as this could be a potential flood risk to his property.

Mr. Russo noted that the plan is to preserve the channel in place. Stormwater from the site and the road are not going to that brook and no impervious runoff will go to the watershed. Mr. Russo stated the hydrology in that channel is not expected to change. He does not expect any change in flows including groundwater. Chairman Flynn noted that some of the problem may actually go away.

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Richard Parella of Mitchell Road inquired as to where the stormwater runoff is going to go on the road they are putting in on the Route 146 side. There is an infiltration basin that will be installed. Mr. Galton indicated that the Town Planner asked him to do a drainage analysis coming out of Route 146. The last two hundred feet of runoff will go to Route 146 towards Sycamore Street. Mr. Parella is concerned about flow to his property.

Mr. Galton stated there will be an increase to the two year and ten year storm flows. During field observation they noticed that the majority of the catch basins had not been maintained and were full of debris. Wide World of Indoor Sports will offer to clean and maintain those catch basins in order to improve downstream conditions. Chairman Flynn asked if the basins were cleaned and maintained as proposed, did Mr. Galton see any other deficiencies that could cause impacts to Mr. Parella. Mr. Galton stated if the Route 146 system was maintained, they should see improvement.

Anthony Cameron inquired if there was a letter of agreement from MA DOT (Department of Transportation) for connection. There is no letter at this time. Further discussion ensued on where water is coming from the roadways. Mr. Parella stated that he does not get water in his cellar but he is seeing more runoff in his backyard. Vice-Chairman Stead inquired if there would be additional runoff due to impervious surfaces proposed. Mr. Galton stated that water will still run where it is currently flowing. Mr. Galton said there will be an increase of flow to one cubic foot per second. (currently at .4 cubic feet per second) Vice-Chairman Stead asked if there was anything engineering wise that can be done to the stretch of road that will affect the doubling of water. Mr. Galton stated there is nothing they can currently do in the MA DOT or Millbury right of way to reduce that number. That does not mean, however that MA DOT will not require them to do improvements within the right of way. Vice-Chairman Stead questioned if MA DOT does not allow connection to the drainage system if anything else can be done to control flows. Mr. Galton said they would have to get creative to control the last two hundred feet of flow. Wide World will also ask MA DOT if they can maintain the pipes.

The Commission would like to see flags called out on the plan/buffer zones. Anthony Cameron would like signage installed by the wetland replication area. Vice-Chairman Stead would also like the applicant to think about ways to assist the neighbors.

Anthony Cameron made a motion to continue the public hearing to February 3, 2016 at 7:15 PM; seconded by Ron Stead; voted unanimously.

7:30 P.M.
KEVIN LOBISSER
CONTINUANCE

Kevin Lobisser, New Generation Development, Inc.
Notice of Intent - Continuance
442 Greenwood Street

Chairman Flynn opened the public hearing for installation of a solar facility with access on Greenwood Street.

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The Commission received a request for a continuance to February 3, 2016 from Mark Allen, of Allen Engineering as they need additional time to finalize a new set of drawings based on peer review comments from the Planning Board.

Vice-Chairman Stead made a motion to continue the hearing to February 17, 2016 at 7:15 PM; seconded by Anthony Cameron; voted unanimously.

7:45 P.M. George Kowszik
GEORGE KOWSZIK Request for Determination of Applicability
PUBLIC MEETING 231 West Main Street

Chairman Flynn opened the public meeting for repair of a dock.

George Kowszik provided an overview of the work done to a dock on Singletary Lake. Mr. Kowszik described an existing wall that steps down to a stand-alone dock. Water shifts the dock and moves the piers and he needed to repair the dock to strengthen the piers. Vice-Chairman, Ron Stead conducted a site visit and saw the dock more as a deck and considered it a minor repair to the piers.

Anthony Cameron made a motion to issue a negative determination; seconded by Ron Stead; voted unanimously.

A Negative Determination will be issued.

8:00 P.M. Ron Knapik
RON KNAPIK Notice of Intent
PUBLIC HEARING 392 Greenwood Street

Document Used:
"On-Site Sewage Disposal System" dated November 15, 2015, prepared by Norman Hill, Land Planning Inc., 214 Worcester Street, Grafton, MA 01536.

Chairman Flynn opened the public hearing for construction of a single family home with driveway, utilities and septic system.

Norman Hill of Land Planning, Inc. provided an overview of the project representing the applicant, Ron Knapik. The property is at the intersection of Greenwood Street and McCracken Road. There is wetland on the edge of McCracken Road. The driveway is proposed to the right side of the property as far away from the wetland as possible. The house is a walkout in the back. No fill is proposed behind the house or to the left of the house.

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Chairman Flynn noted that the septic system is proposed in front of the house. Silt fence and straw wattles are proposed for erosion control. Mr. Hill stated that grading will only be near the septic system and that no material will be leaving the property.

Anthony Cameron inquired about a dewatering plan. Mr. Hill stated the cellar floor is six inches above existing grade. Chairman Flynn inquired when construction will begin. General discussion followed. The Commissioners agreed that they would include a Condition that no excavation can take place unless work is conducted during the dry season or a dewatering plan is provided to the Commission.

Vice-Chairman Stead mad a motion to close the hearing; seconded by Anthony Cameron; voted unanimously.

An Order of Conditions will be issued and conditioned accordingly.

NEW BUSINESS:

G.F. REALTY, LLC CERTIFICATE OF COMPLIANCE

The Commission received a Request for a Certificate of Compliance from G.F. Realty, LLC Re: OOC#224-740 at 242 Riverlin Street. Vice-Chairman Stead conducted a site visit recommending that the Commission issue a Certificate of Compliance.

Chairman Flynn made a motion to issue a Certificate of Compliance; seconded by Vice-Chairman Stead; voted unanimously.

A Certificate of Compliance was approved and issued.

G.F. REALTY, LLC CERTIFICATE OF COMPLIANCE

The Commission received a Request for a Certificate of Compliance from G.F. Realty, LLC Re: OOC#224-741 at 240 Riverlin Street. Vice-Chairman Stead conducted a site visit recommending that the Commission issue a Certificate of Compliance.

Chairman Flynn made a motion to issue a Certificate of Compliance; seconded by Vice-Chairman Stead; voted unanimously.

A Certificate of Compliance was approved and issued.

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ROBERT MEYERS
CERTIFICATE OF
COMPLIANCE

The Commission received a Request for a Certificate of Compliance from Robert Meyers Re: OOC#224-527 at 28 MacArthur Drive. The original Certificate of Compliance was issued June 14, 2006, however was lost and never recorded. Mr. Meyers is requesting a new Certificate of Compliance on behalf of Jeffrey Comolli.

Vice-Chairman Stead made a motion to issue a Certificate of Compliance; seconded by Anthony Cameron; voted unanimously

A Certificate of Compliance was approved and issued.

MA DEPT. OF TRANSPORTATION (DOT)
REQUEST FOR EXTENSION

The Commission received a Request for Extension Permit for Orders of Conditions from William Clougherty of MA DOT Re: OOC#224-699 at 316 Millbury Avenue for Dorothy Pond Improvement Project. The Order of Conditions is to be expire on February 26, 2016 thus requesting an extension as the project is not yet completed.

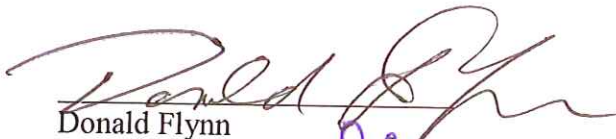
Chairman Flynn made a motion to issue a three year extension; seconded by Anthony Cameron; voted unanimously.

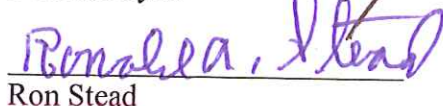
An Extension Permit for Orders of Conditions was approved and issued.

Vice-Chairman Stead made a motion to adjourn the meeting; seconded by Anthony Cameron; voted unanimously. Meeting adjourned at 9:30PM.

Respectfully submitted,

Michelle Desorcy
Secretary


Donald Flynn


Ron Stead


Anthony Cameron


Paul DiCicco