

# MINUTES

## Millbury Conservation Commission

Date: April 20, 2011

Time: 7:00 PM

Present: Donald Flynn, Dave Palleiko, Jim Boucher, Dave Boudreau

Absent: Ron Stead

MINUTES Jim Boucher motioned to accept the minutes of the February 16, 2011 meeting; seconded by Dave Boudreau; voted unanimously.

Dave Palleiko motioned to accept the minutes of the March 16, 2011 meeting; seconded by Dave Boudreau; voted unanimously.

7:15 P.M. Bruce Fischer  
FISCHER Abbreviated Notice of Resource Area Delineation  
PUBLIC HEARING 163 Main Street  
Chairman Donald Flynn read legal ad.

*Document used:*

- *Plan of Land in Millbury, MA owned by Bruce Fischer*

John Fagerstrom was present on behalf of the applicant's representative, Seth Lajoie, who was unable to attend this evening. Upon checking proof of abutter notification, Dave Palleiko noticed that the proponent had no return receipt or proof of notice for an abutter listed on the certified list of abutters and thus suggested a continuance of the hearing. All agreed to a continuance.

Jim Boucher motioned for continuance of the Notice of Intent to 7:40 P.M., May 4, 2011; seconded by Dave Boudreau; voted unanimously.

7:40 P.M Daniel Jones  
JONES Request for a Determination of Applicability  
PUBLIC MEETING 18 Shore Terrace  
Chairman Donald Flynn read legal ad.

Dan Jones was present to explain proposal to construct an addition to existing house in the buffer zone (BZ) to Dorothy Pond. He explained he's proposing to add a second floor onto existing house, so he will not be changing the footprint, but is proposing an overhang over an existing deck which will require sonatube supports. Digging, 44' from the pond, proposed for one new support – 2 ft. diameter, 48" below grade and one existing support will be enlarged. Row of hay bales proposed as mitigation. Excavated material will be taken off site or used in front of house.

Board discussed proposal. Members voiced concern regarding roof runoff due to additional 160 sq. ft. of impervious surface being proposed, suggesting roof drains. Proponent said he would have down spouts at each end of roof. The board concurred that an entire row of hay bales is not necessary and said proponent can simply hay bale around sonatube excavations during the duration of work.

The board discussed and agreed a filing of a Notice of Intent (NOI) is not required. A Negative Determination will be issued.

**MINUTES**

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256 MILLBURY AVE. CEASE & DESIST      The board unanimously agreed to issue an Enforcement Order to the current owner of 256 Millbury Ave. for failure to remove sedimentation fencing upon issuance of the Certificate of Compliance.

INFORMATIONAL ITEMS      The Conservation Commission received the following publications:  
- MassWildlife News – 3/30/11 issue #4  
-MACC – March/April 2011

The Planning Board submitted Waskie Way Preliminary Subdivision Plan, McCracken Road, for the Commission’s review & comment.

The Conservation Commission received a letter from Donald Rajotte of 36 Lincoln Ave. Extension regarding the pond behind Cordis Mills.

Dave Palleiko motioned to adjourn the meeting at 9:30 p.m.; seconded by Jim Boucher; voted unanimously.

Respectfully submitted,

Andrea Paquette  
Secretary

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Donald Flynn

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Jim Boucher

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Dave Palleiko

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Dave Boudreau