

MINUTES

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Millbury Conservation Commission

Date: May 4, 2011

Time: 7:00 PM

Present: Donald Flynn, Jim Boucher, Ron Stead,

Absent: Dave Boudreau, Dave Palleiko

7:15 P.M.
INFORMAL
MEETING

Rob McNeil, Millbury DPW Director, was present for an informal meeting to introduce himself to the Conservation Commission. He spoke of his background as a civil engineer and his former position as Spencer DPW Director. He said he'd like to work towards filing a Notice of Intent (NOI) and a subsequent Order of Condition for items of regular maintenance performed by the DPW and would then review the scope of operations every three years with the Con. Com. He said that the DPW would also file a NOI or RDA for any other project that may require it. He explained his goal is continuing improvements to many areas in town. When asked by Chairman Flynn, Mr. McNeil discussed his experience with lakes & ponds and drawdown procedures and said he would be willing to participate in the handling of the same for the Town's ponds & lakes.

7:30 P.M.
INFORMAL
MEETING

John Leofanti, Jr. of 10 Hastings Ave. was present to talk to the board about the Enforcement Order he was issued for his wood cutting operation which led to the filling and altering Town Conservation Land and wetland buffer zone. He said he has moved the wood as he was asked, following the Commission's April 23rd site visit of his property. He said he had been given permission for the work he was doing by the previous property owner and said he didn't know it was Conservation Land. He said he removed everything that the Con. Com. members observed and instructed him to remove. Jim Boucher suggested Mr. Leofanti talk to the DPW Director and ask DPW to place large boulders at the property to prevent people from going down Hastings Ave. and dumping debris on his property or Conservation Land. Chairman Flynn explained to Mr. Leofanti, the wetlands regulations and his responsibilities when working in a buffer zone.

7:40 P.M.
FISCHER
CONTINUANCE

Bruce Fischer
Abbreviated Notice of Resource Area Delineation Continuance
163 Main Street

Document used:

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

Chairman Don Flynn opened the hearing. Seth Lajoie was present representing Bruce Fisher and explained Mr. Fisher is looking to confirm the wetlands on his property before proceeding with the A&R process to subdivide his lot. Mr. Lajoie submitted necessary proof of abutter notification. He then presented and reviewed for the Con Com, plan he prepared indicating the Flood Zone, Riverfront Area & flagged wetlands. Discussion ensued. Chairman Flynn asked Mr. Lajoie about back-up information supporting his wetland delineation and Mr. Lajoie said he can supply this information. Chairman suggested that the board visit site after receiving that information and if there are any discrepancies, the Con Com could request review by a professional consultant of their choice, at proponent's cost. A notice for a site visit of this property for 11:30 a.m., May 14, 2011 will be properly posted.

Jim Boucher motioned for continuance of the Abbreviated Notice of Resource Area Delineation to 7:30 P.M., May 18, 2011; seconded by Ron Stead; voted unanimously.

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8:00 P.M
INFORMAL
MEETING

Melinda Brunnett of 130 Wheelock Ave. was present regarding the Enforcement Order she was issued for wetland violation partially on her property. Chairman Flynn explained he wanted all parties present (including Mr. Paquette & Mr. Kolifrath) to discuss the wetland filling on her property as well as on properties at 146 Wheelock Ave. & 17 Lt. Haynes Dr. He explained he wanted all to have an understanding of the matter and to discuss who will take responsibility, as matter has to be resolved via filing of a Notice of Intent for wetland restoration. Ms. Brunnett said she had nothing to do with the filling that occurred on portion of her property & that she gives her permission to any proposed restorative work there. Following discussion, the board agreed to extend the May 2, 2011 NOI filing deadline as noted in the Enforcement Order, for violation at Wheelock Ave. properties & 17 Lt. Haynes Dr. Misters Paquette & Kolifrath discussed working together to submit a filing accordingly.

8:15 P.M
INFORMAL

The following students from the Millbury High School Environmental Council were present to speak with the Con Com about wetlands as a topic for their competition in the upcoming 2011 Massachusetts Environthon: Emily Dame, Merrie Gardner, Elizabeth Irr & Tim Bernard. The students led a discussion with board about wetland regulations, functions, etc. while asking questions of the board and recording the information they received so as to prepare their group for the May 12th competition.

54-56 CANAL ST.
MODIFICATION

In a letter dated April 29, 2011 and on behalf of Fadi El-Massih, Choubah Engineering Group addressed changes to the work previously proposed and conditioned per OOC# 224-664 and requested work be allowed under existing Order. Upon review, the Com. determined that the modifications are minor and can be done in accordance to the existing OOC and agreed applicant could proceed with demolition of the existing building on site. However, the Con Com was not satisfied with the engineer's response regarding the 4" PVC pipe indicated on plan (exiting basement of the west building addition) and will be looking for additional information.

BRUNETT
CEASE & DESIST

The board ratified Enforcement Orders issued April 27, 2011 to Melinda Brunnett for alteration/filling of wetland at 130 Wheelock Avenue.

LEOFANTI
CEASE & DESIST

The board ratified Enforcement Orders issued April 27, 2011 to John L. Leofanti, Jr. for alteration/filling of wetland and Town Conservation Land at 10 Hastings Avenue.

O'ROURKE/KEHOE
CERTIFICATE
OF COMPLIANCE

The Conservation Commission was notified by Cheryl Kehoe that work at 252 Riverlin Street is done per OOC# 224-377 (issued to Leonard O'Rourke), and requested a Certificate of Compliance.
A Certificate of Compliance was approved and issued.

CHABOT
CERTIFICATE OF
COMPLIANCE

The Conservation Commission was notified by Mark & Sheila Chabot that work at 63 Davis Road is done per OOC# 224-658, and requested a Certificate of Compliance.
A Certificate of Compliance was approved and issued.

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INFORMATIONAL ITEMS In a letter dated April 27, 2011, Lycott Environmental Inc. provided the Conservation Commission, per their request, with additional information regarding the aquatic nuisance management of Dorothy Pond.

Along with a letter dated April 18, 2011, TEC Associates Consulting Engineers sent the Conservation Commission the 2011-2015 Massachusetts Railroad Association Vegetation Management Plan for their files.

Ron Stead motioned to adjourn the meeting at 9:45 p.m.; seconded by Jim Boucher; voted unanimously.

Respectfully submitted,

Andrea Paquette
Secretary

Donald Flynn

Jim Boucher

Ron Stead