

MINUTES

Millbury Conservation Commission

Date: May 6, 2015

Time: 7:00 PM

Present: Donald Flynn, Ron Stead, Mathew Ashmankas, Paul DiCicco, Anthony Cameron

Absent:

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

MAIL: The Commission received a letter from Lawrence Richards of 6 Lincoln Avenue, Millbury who is appealing the MA DEP (Department of Environmental Protection) decision regarding Elite Home Builders proposed project at Howe Avenue. The project consists of 6 unit apartment complexes totaling 72 apartments on seven acres on Howe Avenue. Mr. Richards outlines his issues in the letter. The letter is available to the public for viewing. MA DEP validates the Conservation Commission decision on this matter.

MINUTES: Ron Stead made a motion to accept the minutes of April 15, 2015; seconded by Mat Ashmankas; voted unanimously.

INFORMATIONAL:

Chairman Flynn updated the Commission on a recent visit to 1499 Grafton Road. There is some filling going on the property which is near a wetland area. The homeowner is trying to protect the property however Chairman Flynn asked the homeowner, as an interim measure, to put mulch on slopes and come up with a plan to pull back the material that he has placed there and provide justification where his fill started. Approximately two feet of material should be pulled back. Chairman Flynn noted that trees are dying because of the fill around the tree roots. Chairman Flynn provided some guidance to the homeowner. The Commission should expect a filing of an NOI in the near future.

Vice-Chairman Stead did a site visit at 1529 Grafton Road where a solar farm is proposed. The solar farm is for the property owner's use only. The project is within the buffer zone, but appears to be a relatively low impact project and the Commission should expect a filing of an NOI. An NOI has been filed and will be before the Commission on May 20, 2015.

Mat Ashmankas informed the Commissioners that he did a follow up inspection at the brook crossing McCracken Road. He noted that it is greatly improved, however it appears that there is still sewage flowing into the stream. Mat stated that the Board of Health was contacted and that the Board of Health had contacted DEP. Ron Stead inquired as to which body of water Mat was referring. Mat stated that the water is fed from the spring near the Farmer's Daughter in Auburn as well as the spring from Old Common. Ron Stead inquired as to how Mat came upon the situation. Mat noticed the grey water when he made his regular springtime visit checking the brook for trout. Mat reported the situation to the Board of Health.

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7:15 P.M.
CHERYL
VASSAR
CONTINUANCE

Cheryl Vassar
Notice of Intent - Continuance
126 Grafton Street

Chairman Flynn opened the hearing. Chairman Flynn was not present at the previous hearing. Vice-Chairman Stead stated that the public hearing would have been closed as the Commissioners were satisfied with the presentation from the Vassars, however a DEP number had not been issued at that time. The project has since been assigned DEP number 224-0731.

Ron Stead made a motion to close the hearing; seconded by Anthony Cameron; voted unanimously. Don Flynn abstained.

An Order of Conditions will be issued and conditioned accordingly.

7:20 P.M.
STEPHEN
EKSTROM
PUBLIC HEARING

Stephen Ekstrom
Notice of Intent
58 Riverlin Street

Chairman Flynn opened the hearing. Chairman Flynn confirmed abutters were notified and the Commission has also received the DEP transmittal number 224-0732 assigned to this project.

Stephen Ekstrom provided an overview of the proposed garage and mud room. An above ground pool was previously on the property and the proposed garage will be in its place. They will pour a foundation and fill in 40-45 inches of gravel to bring area up to the grade of the driveway. The property is flat and the stream on the property drops off approximately four feet to the pond. Mr. Ekstrom stated that the excavation dirt will be placed in the foundation acting as a storage area.

Silt fencing will also be placed to protect the stream as well as hay bales or wattles. Mat Ashmankas stated that the silt fencing and hay bales should go to the end of the property line. Ron Stead asked what the closest and further points of the structure are to the stream. The closest point to the stream is approximately seventeen feet and the furthest is approximately thirty feet. Ron also asked when Mr. Ekstrom raises the area to put in the garage if that will create a slope. Mr. Ekstrom stated that there will be a foundation wall. Ron Stead asked if the stream typically dries up. Mr. Ekstrom replied yes.

Discussion followed about positioning of erosion control on the property. Chairman Flynn is satisfied that the layout of the silt fencing sufficiently protects the stream. Ron Stead believes this to be a low impact project. Anthony Cameron stated that the project is approximately 114 feet from the pond and approximately 10 feet to the stream taking into

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account that an existing stone wall will be removed. Paul DiCicco also conducted a site visit at this property and agrees that the further back the garage is built on the property, the better. He does not see any problems with Mr. Ekstrom's proposed site of the structure.

Anthony Cameron made a motion to close the hearing; seconded by Mat Ashmankas; voted unanimously.

An Order of Conditions will be issued and conditioned accordingly.

7:30 P.M.
CHRIS & KAREN
KENNEDY
PUBLIC MEETING

Chris & Karen Kennedy
Request for Determination of Applicability
29 Ramshorn Road

Document Used:

"Chris & Karen Kennedy, 29 Ramshorn Road, Millbury, MA" dated April 20, 2015, prepared by G.M. Bergeron, 770 West Boylston Street, Worcester, MA 01606

Chairman Flynn opened the public meeting. Chris Kennedy and Jerry Kuntz, contractor from Gerry Bergeron & Co., Inc. were present to discuss the proposed 6 foot by 16 foot expansion of existing lower decking and replacement of existing upper decking.

Jerry Kuntz explained that they intend to hand dig three sono tubes. The tubes will be four feet below grade with a ten inch diameter hole. The dirt will be hand carried off site in buckets. Paul DiCicco conducted a site visit. Paul inquired as to how far the decking will be from the water line. Chris Kennedy stated that it was approximately 30 feet from the water.

Ron Stead stated that no addition is being built on the decking. Jerry confirmed that was correct. Jerry stated that the sono tube work should be completed in one day. Ron Stead inquired about the mixing of concrete. Jerry said the concrete will be mixed by hand and brought down in five gallon pails. Paul DiCicco asked if the existing lower decking was staying. Jerry said yes. The project is only adding decking to the existing lower decking.

Ron Stead made a motion recommending a negative determination; Mat Ashmankas seconded; voted unanimously. Mat Ashmankas stated that if the work for the sono tubes takes more than a day, the contractor should stake a straw wattle in the area to keep everything in place.

7:45 P.M.
ALEX SCHMIDT
INFORMAL
MEETING

Alex Schmidt
Informal Meeting
218 Millbury Avenue

Alex Schmidt came before the Commissioners to discuss his intention to demolish an existing Quonset hut home and construct a single family home in its place. In addition, he would like to construct a garage, driveway, deck, patio and associated landscaping on his property. He is seeking guidance from the Commissioners as to how he should approach this work as the property abuts Dorothy Pond.

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Chairman Flynn noted that Mr. Schmidt has proposed pavement on all sides of the property. Chairman Flynn asked if rainwater currently goes to the pond? Mr. Schmidt said yes. Chairman Flynn said that any spillage going to the pond can be an issue. Mat Ashmankas recommended putting in some crushed stone before the pond instead of pavement as that would allow some percolation. Ron Stead asked what the dimensions were of the proposed home. Mr. Schmidt stated he would like to construct a 30' x 50' single family home.

Chairman Flynn informed Mr. Schmidt that there are certain performance standards that must be met when doing any of the proposed work so that the work does not impact the Pond or resource area. Mr. Schmidt cannot fill it or alter it. If you do something, you must offset it. Chairman Flynn said Mr. Schmidt should develop a plan showing how he will go about protecting the Pond during construction, protect runoff going into the pond and any pavement impacts to the Pond. Erosion controls such as silt fence, straw wattles or hay bales should be identified on the plan. Mr. Schmidt may want to consider executing the project in phases.

Discussion followed about fixing the existing wall at the edge of the property on Dorothy Pond. Chairman Flynn stated that Mr. Schmidt should show the means and methods as to how he will proceed. Mr. Schmidt should describe what type of material will be used, no concrete can enter into the Pond, restrict work on the wall until the annual drawdown of the Pond as well as provide protection as a precaution against a storm event. An uneven surface is preferred over a flat wall to prevent scouring and possible impacts to existing habitat.

Commissioner Stead mentioned that Mr. Schmidt may want to ask the architect about roof drains and if there may be opportunity to be sent to a dry well. Mr. Schmidt should provide interim measures to protect runoff from entering the Pond. They do not want to add to weeds with algae growth.

Commissioners also indicated that Mr. Schmidt's architect should show elevations of Mr. Schmidt's property as well as his neighbors' property and how both will be protected in a rain event, for example. The Commissioners would like to see a demolition plan of existing home and how materials during construction phase will be handled/stored. Mr. Schmidt can come back to the Commission with a preliminary plan or set up an additional meeting with the architect if needed. The Commissioners do not want to design the plan, however if there are not enough protections in place, the Commission will include them. Chairman DiCicco commended Mr. Schmidt for wanting to improve the area.

NEW BUSINESS: Summer Schedule

General discussion followed with regard to meeting once per month in July and August. Commissioners will revisit this item at the June third meeting and make a decision based on agenda items.

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OLD BUSINESS:
Earth Day Activities

Discussion followed about Earth Day activities. Cleanup was a great success. Approximately one half ton a trash was removed from the Brierly Pond Conservation area.


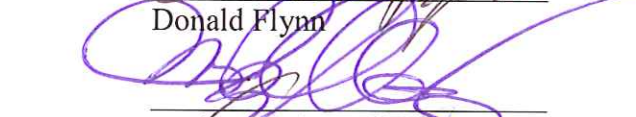
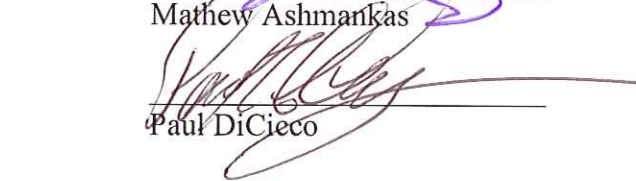
INFORMATIONAL:


Mat Ashmankas updated the Commissioners on a recent site visit near Target at The Shoppes at Blackstone. There is an area where snow was stored over the winter. He noted that the outflow is working fine going into the drainage at Route 146, however now that snow is melting, there is residual trash in that area that should be cleaned up.

Paul DiCicco motioned to adjourn the meeting at 8:30 p.m.; seconded by Ron Stead; voted unanimously.

Respectfully submitted,


Michelle Desorcy
Secretary


Donald Flynn

Mathew Ashmankas

Paul DiCicco

Ron Stead

Anthony Cameron

CONSERVATION COMMISSION



*A Better World
Through Conservation*

May 6, 2015

Agenda

- 7:00 P.M. Mail, Minutes, Vouchers
- 7:15 P.M. Cheryl Vassar
Notice of Intent - Continuance
126 Grafton Street - construction of a duplex house and associated work
- 7:20 P.M. Stephen Eckstrom
Notice of Intent
58 Riverlin Street - construction of a 24' x 32' garage
- 7:30 P.M. Chris & Karen Kennedy
Request for Determination of Applicability
29 Ramshorn Road - 6' x 16' expansion of existing lower decking and replacement of upper decking
- 7:45 P.M. Alex Schmidt
Informal Meeting
218 Millbury Avenue - discuss demolition and construction of single family home, garage, deck and driveway

15 MAY - 1 AM 10:15
TOWN OF MILLBURY

OLD BUSINESS:

NEW BUSINESS:

All business not reasonably anticipated to be discussed
Note: Agenda subject to change without notice

