

MINUTES

Millbury Conservation Commission

Date: August 26, 2015

Time: 7:00 PM

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

Absent:

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

OTHER BUSINESS: Chairman Flynn noted there is an open vacancy on the Commission and welcome Millbury residents to reach out to the Town Manager if interested in getting on the Commission.

MINUTES: Vice Chairman, Ron Stead made a motion to accept the minutes of May 20, 2015; seconded by Paul DiCicco voted unanimously.

Vice-Chairman, Ron Stead made a motion to accept the minutes of June 03, 2015 as written with correction on page 4; seconded by Paul DiCicco voted unanimously.

Paul DiCicco made a motion to accept the minutes of July 15, 2015 as written with correction on page 1; seconded by Anthony Cameron voted unanimously.

VOUCHERS: A voucher was approved and signed for annual MA Association of Conservation Commissions (MACC) membership dues \$453.00 as budgeted.

A voucher was approved and signed for MACC training for the Conservation Clerk for \$165.00 as budgeted.

7:05 P.M.
BRAD TURNER
INFORMAL

Brad Turner requested an informal meeting, however, was not present to discuss drawdown at Singletary.

General discussion followed on the level of water flow at Lake Singletary. Chairman Flynn recommends control of the dam be given to the Department of Public Works (DPW) Director so that the Commissioners or the Town Manager can step in to ensure controls are being taken care of. Chairman Flynn would like to amend the Order of Conditions to state the DPW Director as the designee as he has the technical knowledge. In addition, Chairman Flynn has trust in Mr. McNeil that his staff would be trained to handle the gates properly.

Ron Stead would like to discuss further and would like this item to be placed on the next agenda with regard to amending the existing Order of Conditions. Chairman Flynn stated that the DPW Director is looking to create a blanket Notice of Intent to cover lakes and ponds as well as general roadwork and maintenance items as he has previously done this in another Town. Chairman Flynn recommends the Clerk circulate the form to all Commissioners for review.

2015 SEP 17 09:14:53
TOWN CLERK

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Paul DiCicco inquired as to when the drawdown is in the Fall. He would encourage flushing to be tied in with the drawdown. Vice-Chairman Stead concurred.

7:10 P.M.

NICK GRANDE
CONTINUANCE

Nick Grande
Notice of Intent - Continuance
McCracken Road – Assessors Map 34 Parcel 30

Chairman Flynn opened the public hearing. Patrick Burke, representative for Nick Grande requested via email a continuance of the hearing.

General discussion ensued about the multiple continuances that have occurred with this project as well as another that Mr. Burke was involved in.

Anthony Cameron made a motion to postpone the hearing indefinitely; seconded by Ron Stead; voted unanimously.

Chairman Flynn suggested that the Clerk reach out to Mr. Burke and let him know that agendas are posted on Friday before the regularly scheduled Wednesday evening meetings. When Mr. Burke is ready to proceed, he can provide notice on Friday that he will be in attendance at the upcoming meeting. The Clerk will place Mr. Burke's item at the end of the agenda.

7:25 P.M.

VICTOR RAPOSO
PUBLIC MEETING
CONTINUANCE

Victor Raposo
Request for Determination of Applicability - Continuance
228 West Main Street

Chairman Flynn opened the public meeting for the installation of natural gas service. Mr. Raposo was not present for the public meeting but indicated to the Clerk that he would like to move forward with the meeting in his absence understanding that the meeting could be continued if the Commissioners require additional information.

Chairman Flynn read the project work as outlined by Eversource Energy who will be making the gas connection for the homeowner. Ron Stead noted this is a one day job. The gas company will utilize Best Management Practices and erosion control barriers will be in place during work. There will be no stockpiling of material overnight. Chairman Flynn stated this is standard operating procedures for the utility.

Anthony Cameron made a motion to issue a Negative Determination; seconded by Paul DiCicco; voted unanimously.

A Negative Determination will be issued.

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7:35 P.M. Hien Le
HIEN LE Request for Determination of Applicability
PUBLIC MEETING 256 North Main Street

Chairman Flynn opened the public meeting for construction of a 12' x 14' shed. Mr. Le was present for the meeting. Ron Stead conducted a site visit. Chairman Flynn stated the shed is close to the intermittent stream. When Ron Stead conducted the site visit, the base of the shed was in place. Ron Stead said it appeared that a machine went into the intermittent stream. The property has been graded and it appeared that some type of machine dug into the stream which cannot be done. Vice-Chairman Stead instructed Mr. Le to stop work immediately and come before the Commission.

Mr. Le said he hired someone to level the backyard but did not tell the contractor not to go into the stream. The contractor inadvertently entered a portion of the stream and cleaned up the area that was disturbed.

Mr. Stead said the stream was still intact but wanted to let Mr. Le know that no digging can take place in the intermittent stream. Chairman Flynn asked if there was any potential for new soil to wash away. Vice-Chairman Stead said no. Some fill was pushed into the stream, but was then cleaned up. Mr. Le stopped immediately and has not done any work since.

Vice-Chairman Stead would like to go check on the construction of the shed to ensure work is being done properly. Mr. Le did not know anything about permitting so he came and spoke with Conservation. The shed will be placed on cement blocks. There will not be any additional digging. The Commission wants to ensure there will not be any degradation or erosion issues in the area.

Ron Stead made a motion recommending a Negative Determination; seconded by Paul DiCicco; voted unanimously

Mr. Le will install straw wattles prior to doing any further work on the shed. Ron Stead will conduct a follow up site visit.

A Negative Determination will be issued.

7:45 P.M.
WIDE WORLD OF SPORTS
INFORMAL

Rodney Galton, a representative from CLA Engineers, Inc. was present to discuss a preliminary subdivision plan and site plan for construction of an indoor sports facility to be located at 124 Worcester Providence Turnpike.

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Mr. Galton informed the Commission he received feedback as part of the initial technical review process with Town Department heads. Ron Stead was present at the meeting. Mr. Galton would like feedback from Conservation prior to planning review. He has been working on a few outstanding issues; conducting a flow test on the existing water system on Rhodes St.; securing an easement from the property off Fink St.; addressing a temporary wetland stream crossing to bring utilities to the site.

The property is a 16 ½ acre planning subdivision with a cul de sac. The existing Leary dwelling will remain in place. The roadway is approximately 400 feet where entry will be from Route 146. Utilities will come in off Fink Road utilizing a temporary stream crossing. There are wetlands on all side except the West. The wetland to the south is fed from offsite sources.

Mr. Galton indicated a retaining wall will be installed in order to stay away from wetlands. There will be no grading in the wetlands. Drainage will come into an infiltration basin and discharge to the wetland system that drains to Singletary Brook. General discussion began on stormwater runoff. Chairman Flynn inquired if the system is adequately designed for the proposed stormwater sytem. Mr. Galton said yes.

Ron Stead asked about roof drainage. Mr. Dalton stated the water will be feeding to the drainage system to the site discharging to a manhole to forebay and infiltration system. Snow storage will also be designated on the plan.

Mr. Galton added that changes had been made due to a request from planning to add more greenspace in the parking lot resulting in a widened landscaping area. Chairman Flynn asked if that pushed closer to the wetland. Mr. Galton said yes by four to five feet. He noted that there are only buffer zone impacts and the buffer zone supports the eco system.

Mr. Galton stated he has a letter from the soil scientist who flagged the wetlands with regard to vegetation surrounding the area. Chairman Flynn said he is interested in characterization and habitat.

Chairman Flynn inquired about replication. Mr. Galton doesn't anticipate replication as he is not removing anything in the wetland. General discussion followed about box culvert. Chairman Flynn also stated he is concerned about habitat impacts as well as stormwater impacts. Mr. Galton noted if replication is required by the Commission he does have an area that could be utilized for that purpose. Mr. Galton said he will be going approximately five to six feet under the stream bed with the utilities impacting approximately 700 feet. Mr. Galton could include 700 feet of replication on the plan.

Paul DiCicco inquired if the Fire Department wants the easement available for emergencies what would be the impact. Mr. Galton stated there would be a significant change to design due to the severe grade change of approximately twenty feet.

Chairman Flynn inquired if there will be a lot of fill. General discussion followed on contours. Mr. Galton indicated the soil is gravelly sand that can be utilized on site.

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Ron Stead recommends signage for the wetland indicating the portions that are protected. He wants to ensure visibility due to public activity on the property.

Mr. Galton asked if there was any preference for an area for replication. Chairman Flynn would like it to be closest to where the area is being disturbed. Ron Stead further stated an area where it is most likely to succeed.

Chairman Flynn inquired as to the sequencing of the project. Mr. Galton will concentrate on putting footings in place first excavating material from one side storing on the other. They will concentrate on the building first and then work their way out. Other items that will be addressed initially, would be the construction of a detention basin, diversion swales and stormwater treatment.

Mr. Galton provided general details of the activities within the building which is primarily indoor soccer. The building is a solid building which will be three stories tall. The objective is to begin construction as soon as the appeal period is over. Mr. Galton anticipates beginning Spring, 2016 and finishing Fall, 2016.

Chairman Flynn recapped some items that Conservation would like identified when formal filing is done with Conservation; 1. replication area 2. installation of signage in the perimeter about the wetlands – e.g. white background with black letters. 3 sequencing of events

Anthony Cameron noted that plant life will not exist in the box culvert as there is no light. Mr. Galton said that he likes to use wet basins and has had good success. They must go with the infiltration basin with this project. The building alone is almost two acres.

Donald Flynn asked about entry to the property off 146. Mr. Galton said they are working with Mass. Highway. The roadway is designed to keep grading out of the wetlands. Donald Flynn asked about erosion controls. Mr. Galton stated they like to use super silt fence for perimeter controls. It has a chain link fence back especially good for steep areas. He does not anticipate any problems. Some areas will also have silt fence and hay bales which will provide added support. Mr. Galton is a certified professional in erosion control and will put a plan in place. Mr. Galton will submit preliminary subdivision plans next week with a full submittal following that.

8:05 P.M.
BARBARA
BERNARD
PUBLIC MEETING

Barbara Bernard
Request for Determination of Applicability
6 Shore Terrace

Chairman Flynn opened the public meeting for construction of a 12' x 20' deck.

Vice-Chairman Stead conducted a site visit and provided general details of the proposed project. Barbara Bernard stated that four sonotubes will be installed and digging will be done by hand. Barbara noted there is a gentle slope on the property and the deck is quite a

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distance from the water. Ron Stead does not believe this project to threaten the area in any way. Barbara stated she will utilize soils in her garden. She does not anticipate a lot of fill, however any surplus will be removed from the property.

Ron Stead made a motion to issue a Negative Determination; seconded by Anthony Cameron; voted unanimously.

A Negative Determination will be issued.

NEW BUSINESS:

STEVE LONG/BORREGO SOLAR CERTIFICATE OF COMPLIANCE

The Commission received a Request for a Certificate of Compliance from Steve Long of Borrego Solar for a solar array constructed at 40 Auburn Road Re: OOC#224-0722

Paul DiCicco conducted an initial site visit and noted there were logs on the edge of the wetlands that needed to be moved. The Commission was notified that the work had been completed, however at the follow up visit, the logs had not been moved. At this time, Paul DiCicco does not recommend a Certificate of Compliance until this work is completed. The Clerk will follow up with the applicant. The request will be acted upon at a later date.

AL & PRISCILLA LAFORTUNE 4 WHEELLOCK AVENUE

The Commission received a request to review a modification of the garage door placement to an approved plan at 4 Wheelock Avenue. Due to grading issues, the doors were originally proposed to face east, however will now face south. A picture was provided to the Commissioners.

Paul DiCicco stated there will be some driveway repositioning, however he believes the door change to be minor. Paul conducted a site visit and provided an overview of the project. He stated the base foundation is poured there is plenty of room for access.

Anthony Cameron said the change will consist of approximately twenty more feet of driveway positioning it a bit closer to the pond. Paul DiCicco said erosion controls are in place. Commissioners unanimously agree that this is a minor change to the plan and no additional filing is required. Chairman Flynn requested the plan and file be updated to include the picture provided along with the minutes of this meeting.

OTHER BUSINESS:

Anthony Cameron initiated discussion on the ability to amend Orders of Conditions. Anthony Cameron suggested adding as special condition #21 on all future Orders of Conditions the following: The Commission reserves the right and opportunity to modify

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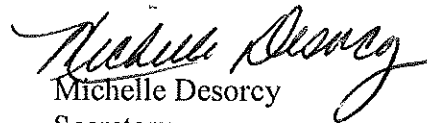
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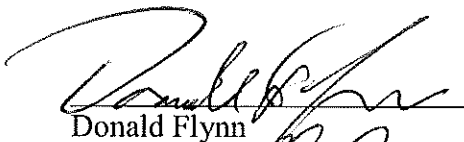
this Order, or to require a new Notice of Intent to reflect concerns or issues raised, or project changes or mitigation measures proposed or required by other agencies and departments reviewing this project. Commissioners agree this is a good idea to be included on future Orders.

Ron Stead made a motion to adjourn the meeting; seconded by Paul DiCicco; voted unanimously. Meeting adjourned 8:45 PM.

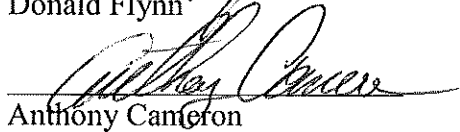
Respectfully submitted,



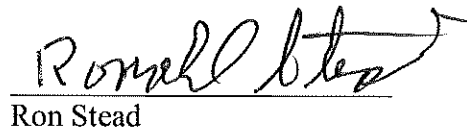
Michelle Desorcy
Secretary



Donald Flynn



Anthony Cameron



Ron Stead

Paul DiCicco

CONSERVATION COMMISSION



*A Better World
Through Conservation*

August 26, 2015

Agenda

- 7:00 P.M. Mail, Minutes, Vouchers
- 7:05 P.M. Brad Turner
Informal Meeting - to discuss Lake Singletary drawdown
- 7:10 P.M. Nick Grande
Notice of Intent - Continuance
McCracken Road - Assessors Map 34 Parcel 30
construction of a single family dwelling with associated
septic system, driveway, grading and utilities
- 7:25 P.M. Victor Raposo
Request for Determination of Applicability - Continuance
228 West Main Street - installation of natural gas service
- 7:35 P.M. Hien Le
Request for Determination of Applicability
256 North Main Street - construction of a 12' x 14' shed
- 7:45 P.M. Wide World of Indoor Sports
Informal Meeting
124 Worcester Providence Turnpike - construction of indoor sports facility
- 8:05 P.M. Barbara Bernard
Request for Determination of Applicability
6 Shore Terrace - construction of a 12' x 20' deck

OLD BUSINESS:

NEW BUSINESS:

Steve Long/Borrego Solar

Request for Certificate of Compliance Re: OOC #224-0722

Site: 40 Auburn Road

Work: Construction of a solar energy facility

All business not reasonably anticipated to be discussed

Note: Agenda subject to change without notice

15 AUG 21 AM 9:00

