

MINUTES

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Millbury Conservation Commission

14 JAN 16 AM 10: 27

MILLBURY, MASS.

Time: 7:00 PM

Date: August 7, 2013

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

Absent: Ron Stead

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Tony Cameron motioned to accept the minutes of the July 10, 2013 meeting as amended; seconded by Paul DiCicco; voted unanimously.

7:15 P.M.
DISCOVER
CONTINUANCE

Discover Marble & Granite
Notice of Intent Continuance
4 Latti Farm Road

Chairman Donald Flynn opened the hearing and then read aloud an electronic mail from Heritage Design Group, on behalf of the applicant, requesting a continuance of the public hearing.

Mathew Ashmankas motioned for continuance of the Notice of Intent to 7:15 P.M., September 4, 2013 pending; seconded by Tony Cameron; voted unanimously.

INFORMAL
MEETING

Don Rajotte of 36 Lincoln Ave. Ext. was present before the Commission to voice his concern about the ongoing mulching operation on Providence St. Previous to this evening, he was in the office to register a complaint regarding the same. Board member Mat Ashmankas advised the board that he conducted a site visit following Mr. Rajotte's complaint & he reported his observations.

7:30 P.M.
EL-MASSIH
PUBLIC HEARING

Fadi El-Massih
Notice of Intent
50 Canal Street
Chairman Donald Flynn read legal ad.

Document used:

- Site Plan Located at 50 Canal Street

Raouf Mankaryous of Alpha Omega Engineering was present on behalf of the applicant to propose site work associated with a single family home consisting of paving & re-grading of the driveway & parking area within 100' from wetland and river. Portion of site also in Flood Zone. He described existing conditions. He explained the entrance is currently (inconvenient) through the convenience store's parking lot. Proposal is to make entrance to site directly from street. Representative said DPW will review proposal and ensure curb is handled accordingly. Catch basin & infiltration system is proposed to offset additional proposed impervious area. Retaining wall proposed at rear of site. Straw wattles proposed as mitigation. Board reviewed and discussed proposal. Tony Cameron asked if a fence is proposed on top of retaining wall and was told no. He then asked proponent where snow will go, concerned it will be plowed to the rear of the site, go over the wall & into the river. Representative said snow will be pushed to one of the parking spaces. Discussion ensued. Members asked proponent to address snow storage/removal so the river doesn't get impacted. Mr. Mankaryous suggested replacing pavement around parking area with 18" to 24" of gravel. Chairman Flynn also suggested installation of 4 steel bollards along block wall to further address their concerns.

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Paul DiCicco motioned to close the hearing; seconded by Mathew Ashmankas; voted unanimously to close.

Board voted unanimously to approve proposal and condition accordingly. An Order of Conditions will be issued.

7:45 P.M.

YURSHA

PUBLIC MEETING

Carmen & Patricia Yursha

Request for a Determination of Applicability

106 Wheelock Avenue

Chairman Donald Flynn read legal ad.

Applicant was present. Chairman Flynn explained applicant has been working to demolish existing house and construct new house within 100' buffer zone (BZ). Proponent had said, when applying for building permit, no work was proposed within BZ. After Chairman observed soil disturbance within BZ, an Enforcement Order was issued and applicant was ordered to install & maintain erosion controls & file Notice of Intent (NOI). Mr. Yursha explained he has filed RDA instead. He said he only pushed some soil piles into the BZ which he will be using to backfill the foundation, and no further work is proposed in the BZ. Discussion ensued. Board member, Paul DiCicco reported that he visited the site and said proponent put up mitigation as the Con Com instructed. When asked about a new drain in BZ, proponent admitted he put in a perimeter drain that goes to the stream to help keep the basement dry because of history of basement flooding. Chairman Flynn voiced concern, contending thus that any basement accumulation will end up in the groundwater and into the stream which drains into Dorothy Pond. Considering work done in the BZ, Tony Cameron commented he's inclined to have proponent file a NOI. Paul DiCicco thinks applicant is trying to comply & his intention is to do the right thing.

Don Flynn, Mat Ashmankas and Tony Cameron voted for issuance of a Positive Determination. Paul DiCicco voted in favor of a Negative Determination.

A Positive Determination will be issued. The proponent was advised he must file a Notice of Intent within one month to continue site work. The board advised proponent he could continue to work on the structure but not do anymore earth work, no grading, no work in buffer zone.

8:00 P.M.

SCIOLI

PUBLIC MEETING

Blaise Scioli/Scioli Development LLC

Request for a Determination of Applicability

5 Warren Street

Chairman Donald Flynn read legal ad.

Blaise Scioli of Scioli Development was present on behalf of applicants, Pete & Betty Jo Dowd for construction of an addition to existing structure within 100' BZ to Dorothy Pond. He explained proposal: addition will have concrete poured foundation; closest point of work to resource area is 67.3 ft.; excavator will access work area from sides of house; all excess excavated material will be removed from site; no stockpiling proposed on site during construction. Mitigation (straw wattles & silt fence) proposed 51' from edge of

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pond to establish limit of work area. Mr. Scioli submitted photos of existing site conditions for this site, as well as other MA locations his company is working on, explaining his company has experience working close to resource areas. He said disturbed area will be re-grassed & stabilized. Proposing to begin work in the Fall & said no work will be done during periods of rain.

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

8:15 P.M. Paul Maruca
MARUCA Notice of Intent
PUBLIC HEARING 116 Worcester-Providence Turnpike
Chairman Donald Flynn read legal ad.

Document used:

- *Proposed Soil Absorption System "Upgrade" in Millbury, MA designed for Paul Maruca*
Chris MacKenzie of Whitman & Bingham Associates, LLC was present on behalf of applicant to propose replacement of a septic system within 100' wetland BZ. He described existing conditions: brook & associated wetland on site; small lot with limited access on opposite side of house (from wetlands). He explained septic tank is proposed 26' from wetland. Proposing some temporary stockpiling of excavated material, and may have to store some off site. Will be necessary to bring some fill in. He explained the new Presby system proposed. He said project is subject to Board of Health (BOH) special requirements & still in process of review with them. Hay bale & silt fence barrier proposed for mitigation. Disturbed areas will be loamed & seeded as indicated on plan. Board reviewed and discussed proposal. Chairman Flynn asked proponent if he is confident that this will be the working plan, and Mr. MacKenzie replied, yes. Chairman advised him that if plan does change after BOH review, Mr. MacKenzie must notify the CC of any plan changes.

Mathew Ashmankas motioned to close the hearing; seconded by Paul DiCicco; voted unanimously to close.

Board voted unanimously to approve proposal.

An Order of Conditions will be issued.

8:30 P.M. Robert McNeil/ Millbury DPW
DPW Request for a Determination of Applicability
PUBLIC MEETING Various locations
Chairman Donald Flynn read legal ad.

Millbury DPW Director, Rob McNeil was present to explain proposal to replace deteriorated corrugated metal pipe (CMP) with high-density polyethylene pipe (HDPE) at various locations around Town, particularly Carleton Rd., Stowe Rd., Auburn Rd. areas. He said proposed work will not alter wetlands and is routine maintenance and repair of road drainage structures. Mr. McNeil said his plan is to get all the drainage repairs done before road reclaiming work is done next year. Discussion ensued.

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Chairman Flynn raised concern, asking to what standards will work be performed – will there be SOPs (Standard Operating Procedures)? Mr. McNeil said Best Management Practices will be used. He explained that much of the work can be done quickly and DPW will go back and hydroseed as necessary; he is not proposing installation of mitigation. Chairman said he would just like to see measures intended to minimize impacts to wetlands. Mr. McNeil said he doesn't expect to see any disturbance & doesn't anticipate any erosion to adjacent wetlands or streams. He said it's maintenance work and intends to work in compliancy with the CC. Chairman said board is happy to work with him on this and appreciates his professionalism.

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

SUMMER SCHEDULE


The board discussed a summer schedule, meeting once in August, and voted as follows: Mat Ashmankas motioned to cancel the Aug. 21, 2013 meeting; Paul DiCicco seconded; voted unanimously.

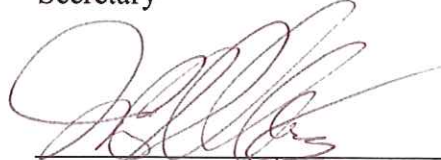
INFORMATIONAL ITEMS

The Conservation Commission received a copy of a site plan for the Proposed Category 2 Gaming Establishment, McCracken Rd., from the Planning Board, for review & comment.


Paul DiCicco motioned to adjourn the meeting at 10:00 p.m.; seconded by Mat Ashmankas; voted unanimously.

Respectfully submitted,


Andrea Paquette
Secretary


Mathew Ashmankas

Donald Flynn


Tony Cameron


Paul DiCicco