

MINUTES

Millbury Conservation Commission

Date: September 7, 2011

Time: 7:00 PM

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

Absent: None

MINUTES Jim Boucher motioned to accept the minutes of the July 20, 2011 meeting; seconded by Dave Boudreau; voted unanimously.

Jim Boucher motioned to accept the minutes of the August 17, 2011 meeting amended as per board's request; seconded by Dave Palleiko; voted unanimously.

7:15 P.M. Virginia Spirkowyc
SPIRKOWYC Request for Determination of Applicability
PUBLIC MEETING 399 Greenwood Street
Chairman Donald Flynn read legal ad.

Documents used:

- *Subsurface Sewage Disposal System Proposed Repair Plan Prepared For Virginia Spirkowyc, 399 Greenwood St. (Map 35, Parcel 4), Millbury, MA*
Thomas Purcell of Purcell Associates, Inc. was present on behalf of applicant to propose septic system replacement. He discussed the limitations the site poses, relative to the location of the proposed replacement system. The proposed leachfield will be 50' from brook. Placement was also hampered by the location of an existing well. He explained proposal includes raising elevation; some fill will be brought in; terraced landscaped proposed. Construction area will be surrounded by straw waddles, as indicated on mitigation detail on site plan. Disturbed area will be stabilized. He said the abandonment of the failed system will not require anything to be removed. He explained the plan will be going before the Board of Health (BOH) for approval; is not yet approved. Board discussed proposal. They considered possible need for a Notice of Intent. They raised concern because plan is not yet approved by BOH and that BOH may require plan be revised. Dave Palleiko stated concern about stabilization after site disturbance and asked about dewatering. Proponent doesn't think dewatering will be necessary during excavation; he did explain dewatering process should it be necessary. Board remarked, there have been issues in the past in that area because it's such a poorly drained area.

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

7:30 P.M. Timothy Vanderlinden / Lake Singletary Watershed Association
LAKE Notice of Intent
SINGLETARY Lake Singletary
PUBLIC HEARING Chairman Donald Flynn read legal ad.

Document used:

- *Sluice Gate Figure*
Robert Hartzel of Geosyntec Consultants was present on behalf of applicant to present proposal for the seasonal lake level drawdown for the control of non-native, invasive aquatic plants. He referred to the NOI, which included a detailed project description with supporting maps, surveys & data, explaining it's a combined filing for Sutton & Millbury.

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They are seeking the OOC from Millbury because the sluice gate controls are located in Millbury. He explained the 3 most troublesome aquatic plants - Eurasian milfoil, Fanwort & Variable milfoil - have become infested in the lake, and described the plan for drawdown so as to target these species. Proposal is for the historic 5' level drawdown and on occasion, a 7' drawdown. He said the idea is to do a deeper drawdown, on a trial basis, ensuring there are no adverse effects. The 5' drawdown would commence each year on October 11 while a proposed 7' drawdown would commence on September 19. Mr. Hartzel said this year the plan is for a little bit more than a 5' drawdown. He advised monitoring is done daily. He explained plan is to come back before the Commission to update the board of effectiveness of level of that drawdown that year.

The board discussed proposal. Chairman Flynn asked if they've had any feedback from abutters concerned about the lower drawdown level. No abutters were present with concerns. Members of the Lake Singletary Watershed Association including Richard Norlin & Tim Vanderlinden, explained that the Assoc. works closely with abutters, who are provided with contact information for the Assoc., so as to keep everyone's interests in consideration. With regards to nuisance vegetation, Chairman Flynn voiced concern that getting rid of non-native species may allow room for growth of more native species. He commended proponent on the tracking and recording trends as explained and submitted with proposal.

Jim Boucher motioned to close the hearing; seconded by Dave Boudreau; Donald Flynn and Dave Palleiko voted to close. Ron Stead abstained from voting. Donald Flynn, Dave Palleiko, Jim Boucher & Dave Boudreau all voted to approve proposal. An Order of Conditions will be issued.

8:00 P.M.
NEPCO /
NAT'L GRID
CONTINUANCE

Tim Smith/ New England Power Co. d/b/a National Grid
Notice of Intent Continuance
existing right-of-ways

Document used:

- Z-126 115kV Transmission Line Project

Chairman Donald Flynn opened the hearing. John Vieira of VHB was present on behalf of applicant, along with Tim Smith of National Grid, to explain proposal for a new overhead electric transmission line. Plan is to construct new electric transmission line (Z-126) located within an existing transmission right-of-way (ROW), requiring work within Bordering Vegetated Wetland, Riverfront Area, Bordering Land Subject to Flooding and the 100' Buffer Zone (BZ). The 'Z-126 Project' line will run 6.9 miles through Millbury & Auburn (3.3 mi. being in Millbury). Purpose is to create reliability of service. Mr. Vieira explained proposal. He said project is currently being reviewed by Dept. of Public Utilities. He said project qualifies as Limited Project under WPA; alternative analysis required & is submitted in NOI. Total of 43 new steel structures proposed in Millbury, 2 of which must be placed in wetlands; 16 existing structures being moved and old structures removed. He explained, the entire 250' width of one part of the ROW is already cleared; ROW areas not cleared in it's full width will require 40' of additional clearing – leaving 50' of ROW untouched as a buffer. Referring to the Impact Tables provided in the NOI, Mr. Vieira noted it inventories the loss of wetlands, temporary disturbance, flood storage loss, BZ impacts, BZ fill, etc. for the proposed project.

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Discussion ensued. Chairman Flynn cited a comment from DEP stating that proposal requires a 401 Water Quality Certification. Mr. Vieira said he is aware of this and said Army Corps of Engineers permit is also required. Jim Boucher asked about EMF emissions, and Mr. Vieira said the Dept. of Public Utilities oversees this. Mr. Vieira spoke about mitigation measures and BMPs. He then told the Comm. about two options for supplemental mitigation projects, offered to the Town by NEPCO, one of which the Comm. may choose. Briefly he explained one option is a stream culvert study to be done by done UMass and second is FEMA Hazard Mitigation Planning. He said the Comm. should include one mitigation project as part of the order of conditions. Mr. Vieira said the project may not begin for another year and the duration of the project should be 16 to 18 months. He discussed inspection & monitoring report procedures, explaining they will be done on a regular basis by VHB who will report back to National Grid weekly. Chairman Flynn commented that oversight is key on a project this size.

Ron Stead motioned to close the hearing; seconded by Dave Palleiko; voted unanimously to close.
An Order of Conditions will be issued.

8:30 P.M. Patrick Perkins
PERKINS Notice of Intent
PUBLIC HEARING 23 Singletary Road
Chairman Donald Flynn read legal ad.

Document used:

- *Giampa Pool Plan*

Patrick Perkins was present on behalf of applicant to propose installation of a 16' x 32' inground pool and associated work including a patio & addition of a retaining wall. Newly proposed retaining wall, 44' x 27' x 3', will be an extension of existing retaining wall and will completely enclosed pool area. Patio proposed to extend beyond pool in a 12' x 23' and 40' x 11' space. Materials will be permeable. Hay bale line proposed. Board reviewed plan. Dave Palleiko voiced concern that plan does not indicate distances or measurements to the pond or existing site grades. Jim Boucher questioned about the depth of the pool and possibly encountering ground water. Board determined plan should be revised to indicate additional information including wall height, distances/ measurements, better labeling, to scale, pool specifications. Board suggested a continuance. Applicant will revise plan with additional information & agreed to a continuance.

Jim Boucher motioned for continuance of the Notice of Intent to 8:20 P.M., September 21, 2011; seconded by Dave Palleiko; voted unanimously.

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9:00 P.M. Town of Millbury/ Rob McNeil
MILLBURY DPW Request for Determination of Applicability
PUBLIC MEETING McCracken Road @ Greenwood Street
Chairman Donald Flynn read legal ad.

Documents used:

- GIS Map
- Photograph

Rob McNeil, DPW Director, was present to discuss work to replace failing drain pipes at the intersection of McCracken Road and Greenwood Street. He explained inverts at the bottom of the pipes have deteriorated and are failing. He said plan is to replace 18" RPC plastic pipe with 24" HDPE pipe approx. 135' long. Failing 12" RPC plastic pipe will be replaced with a 12" HDPE pipe approx. 66' long. He said stream is intermittent; work to be done while dry. DPW will perform work; should take only one day per pipe and one for pavement restoration. Discharge area to be reinforced with 6-12" rip-rap. Board discussed proposal. Chairman Flynn said he'd like the goal to be stream continuity - inverts should match to keep flow. Rob McNeil stated he believes this intersection will be re-engineered within 5 years. Regarding mitigation, Chair suggested silt fence not hay bales, to keep out large sediments

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

INFORMATIONAL The Conservation Commission received a copy of a Site Plan from the Planning Board
ITEMS regarding HMEA at 6 Latti Farm Road, for review and comment.

Jim Boucher motioned to adjourn the meeting at 11:15 p.m.; seconded by Dave Boudreau; voted unanimously.

Respectfully submitted,

Andrea Paquette
Secretary

Donald Flynn

Jim Boucher

Ron Stead

Dave Boudreau

Dave Palleiko