

MINUTES

Millbury Conservation Commission

Date: September 21, 2011

Time: 7:00 PM

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

Absent: Dave Boudreau (Don Flynn left meeting at 7:15 p.m.)

7:05 P.M.
INFORMAL
MEETING

Jim Bengston of 39 Beach Street was present at board's request following complaints to the Police Dept. and Con. Com., by Terry Burke-Dotson, that Mr. Bengston was working in a wetland buffer zone (BZ). Jim Boucher visited site prior to this evening and reported he observed that Mr. Bengston had cleaned brush from a neighbor's back yard within 100' BZ to stream and advised Mr. Bengston that he must inform the Con. Com. of any intended work within a BZ. Mr. Bengston said he was helping his elderly neighbor and removed overgrown grass & weeds, no trees. He said he did not use heavy equipment, has since mitigated the area with hay and will be planting grass to stabilize the area. He was advised he must let Con. Com. know about anything else he might do for this neighbor in the future.

7:15 P.M.
HMEA
CONTINUANCE

HMEA
Notice of Intent Continuance
6 Latti Farm Road

Document used:

- *Site Development Plans for 6 Latti Farm Road, Millbury, MA*

Vice-Chairman Ron Stead opened the hearing. John Grenier of J.M. Grenier Associates Inc., applicant's representative, was present with revised site plan. He gave the Commission a quick overview of the proposal for construction of an educational training facility with associated parking, wetland filling and wetland restoration, which he explained in detail at a previous public hearing. He said the Planning Board (PB) has now reviewed the proposal and the revised plan addresses all of their comments/requests accordingly. He expects to close with PB at their next meeting (Sept. 26) and thus asked the Con. Com. to consider issuance of the Order of Conditions.

Jim Boucher motioned to close the hearing; seconded by Dave Palleiko; voted unanimously to close.

An Order of Conditions will be issued.

7:45 P.M.
THE WESTFORD
GROUP INC.
CONTINUANCE

Brian Marino/ The Westford Group Inc.
Notice of Intent Continuance
1-5 Elm Street

Document used:

- *Site Redevelopment Plan of 1-5 Elm St. located in Millbury, MA*

-*letter from Land Planning, Inc. dated Sept. 8, 2011*

-*letter from Land Planning, Inc. dated Sept. 12, 2011*

Vice-Chairman Ron Stead opened the hearing. Norman Hill of Land Planning was present on behalf of applicant. He stated he's met with the PB a few times since his last meeting with this Commission and has subsequently revised plan to address their concerns as well as Con. Com.'s, including addition of privacy fence along the drive-thru way to block

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lights from abutters and correction of proprietary BMP's in the NOI. Mr. Hill also said he hired Bob Murphy to study the vegetation at the site & submitted a report accordingly. He explained Mr. Murphy concluded that the invasive Bittersweet vines and non-native trees be removed and native trees planted in their place. Poison Ivy as ground cover should remain on the slopes and a conservation mix added.

Jim Boucher motioned to close the hearing; seconded by Dave Palleiko; voted unanimously to close.

An Order of Conditions will be issued.

8:00 P.M.
INFORMAL
MEETING

Terrie Bernard, Chairman of Brierly Pond Association, told the Con. Com. that he recently met with DPW Director & the Town Manager to discuss concern about invasive vegetation in Brierly Pond and they asked him to get an Order of Conditions from the Commission for fall drawdown to help control the growth of vegetation. The board advised he would have to file a Notice of Intent so as to receive an Order of Conditions & explained the filing process.

[It was later realized that an Order of Conditions (#224-578) for the aquatic control program at Brierly Pond, is in effect until May 2014, thus, Mr. Bernard can Request an Amendment to the Existing Order of Conditions for seasonal drawdown rather than filing new NOI]

8:20 P.M.
PERKINS
CONTINUANCE

Patrick Perkins
Notice of Intent Continuance
23 Singletary Road

Vice-Chairman Ron Stead opened the hearing. Mr. Stead explained that applicant, Patrick Perkins, is not present and per letter received today, requested tonight's hearing be postponed until October 5, 2011. Property owner Dana Giampa, was present however, and asked to be heard by the board. The board discussed proposal with Mr. Giampa and his pool contractor, Paul Laverdiere. Mr. Laverdiere addressed questions posed by board members including: pool specifications, filter type, where discharge would go during construction. He said galvanized steel wall pool proposed with chlorine cartridge filter; excess soil will be hauled off-site, same day; groundwater would be pumped into street; 1½' crushed stone proposed inside retaining wall. Board explained to property owner & contractor that the Con. Com. needs a site plan for our records, according to how they're explaining the project is to be proposed and including more information than the site plan currently on file. Mr. Giampa agreed to a continuance.

Jim Boucher motioned for continuance of the Notice of Intent to 7:15 P.M., October 5, 2011; seconded by Dave Palleiko; voted unanimously.

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8:40 P.M. Cory & Heidi Sulminski
SULMINSKI Notice of Intent
PUBLIC HEARING 3 Davis Road
Vice-Chairman Ron Stead read legal ad.

Document used:

- *Proposed Septic System, Carol Gigliotti, 3 Davis Road, Millbury, MA*
Mark Farrell of Green Hill Engineering was present on applicant's behalf to explain proposal for a septic system repair. He explained the older system must be brought up to Title 5 compliance as the property is for sale. Large raised system proposed. Grading proposed in buffer zone (BZ) 60' from wetlands & some scrub vegetation in BZ will need to be taken out. Mitigation proposed 50' from edge of wetland. Plan has been submitted to the Board of Health, not yet approved. Board reviewed proposal. Dave Palleiko asked about 'buried stumps' area indicated on site plan. Mr. Farrell said he's not sure if there are stumps, but if so they will not be used as re-use or buried on site. He said he indicated that on plan for contractor, just in case they're encountered.

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

INFORMATIONAL The Conservation Commission received the following publications:
ITEMS - MACC Quarterly Newsletter, Fall 2011 issue

The Conservation Commission received a copy of a Letter of Warning from MA Dept. of Agricultural Resources to DPW Director, Rob McNeil for non-compliance regarding the use of herbicides on Town of Millbury's Rights-of-Way.

Jim Boucher motioned to adjourn the meeting at 9:15 p.m.; seconded by Dave Palleiko; voted unanimously.

Respectfully submitted,

Andrea Paquette
Secretary

Ron Stead

Jim Boucher

Dave Palleiko