

MINUTES

Millbury Conservation Commission

Date: February 15, 2012

Time: 7:00 PM

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

Absent: Dave Boudreau

MINUTES Ron Stead motioned to accept the minutes of the December 21, 2011 meeting; seconded by Jim Boucher; voted unanimously.

Ron Stead motioned to accept the minutes of the January 18, 2012 meeting; seconded by Jim Boucher; voted unanimously.

7:15 P.M. Joseph Miller/Miller Fence Company
MILLER Notice of Intent Continuance
CONTINUANCE 337 Southwest Cutoff

Chairman Donald Flynn opened the hearing. Bob Murphy was present on behalf of the applicant. Discussion ensued. Chair noted that Mr. Murphy had stated in a previously submitted letter that (wetland) fill had been removed, however, Chair commented that he didn't see any evidence of this when he visited the site recently. Mr. Murphy said the statement in the letter means that the plan (submitted along with the letter) indicates that the fill is removed, not that the fill is actually removed at the site at this time. Mr. Murphy explained he pulled back the wetland flags in the field, resulting in an increase in amount of bordering vegetated wetland (BVW). Board members & Chair asked Mr. Murphy, on what did he base the relocation of the flags. Jim Boucher referred back to December meeting minutes when it was stated that Mr. Murphy was to do borings to determine true wetland base & to ascertain amount that had been filled. Jim Boucher noted several concerns. He explained that since the time of the initial filing of this NOI, a land transfer has occurred whereas a portion of the lot has been split off, new ownership is involved, and questioned if site plan has been revised to indicate this. Jim Boucher noted that wetland replication required for this project is proposed on area that now is not owned by applicant, recalling for the board a similar situation at Dwinell Rd. which affected abutters without their knowledge. Dave Palleiko & Jim Boucher stated concern that procedure is not being followed – current property owner should notify abutters and file an NOI for an OOC for replication on that newly created parcel. Jim Boucher commented that invert heights still were not indicated on plan, as previously requested. Chair challenged the location of the stream. Mr. Murphy said the stream meanders, explaining that's why they're leaving it so wide, to allow it to meander. The board concluded their discussion, determining that proponent must finally address all their concerns, as follows: 1) fence on either side of the wall 2) evidence of derivation of wetland delineation i.e. boring, science of fill area 3) NOI from new property owner (Ruth Miller) for replication 4) restore (filled) drainage swale which comes from KEL Equipment site and include it on the site plan 5) plan indicating two permanent signs posted on either side of the fence stating 'Conservation Area' 6) submittal of correct (commercial) filing fee as noted in DEP comments 7) the boundaries & parcel info of properties abutting site indicated on plan 8) wetland flags at the 1,000 sq. ft. replication area 9) North arrow indicated on site plan.

Ron Stead motioned for continuance of the Notice of Intent to 7:15 P.M., March 21, 2012; seconded by Jim Boucher; voted unanimously.

MINUTES

Millbury Conservation Commission

Date: February 15, 2012

7:40 P.M. Hampton Street Baptist Church
HAMPTON ST. Notice of Intent
BAPTIST CHURCH 71-73A McCracken Road
PUBLIC HEARING Chairman Donald Flynn read legal ad.

Document used:

- *Site Development Plans for 71-73A McCracken Road*
- *Stormwater Management Report*

John Grenier of J.M. Grenier Associates was present on behalf applicant to propose construction of a church with associated parking, utilities & landscaping within buffer zone (BZ) to nearby wetlands. He explained property was previously site of Donald Allaire's greenhouses. Proponent will prospectively purchase this parcel and adjacent parcel (previously permitted for single-family home) for proposed church project. Mr. Grenier described as a BZ project; no wetland filling proposed; mostly working within existing contours. Parking areas will have series of catch basins, water quality inlets & water quality swales to manage stormwater. A 2:1 slope along parking area, adjacent to BZ, will be stabilized – guardrail proposed along its entire length. Hay bales & silt fence proposed for mitigation. Stockpiling will be done far away from wetland. Regarding construction sequencing, infiltration Mr. Grenier explained, plan has been to Planning Board (PB) & reviewed by their engineer. PB is requesting revisions to address concerns including treatment of off-site runoff. Discussion ensued. Ron Stead asked about roof runoff. Mr. Grenier said it will go down downspout, will sheet flow to water quality swale, then into infiltration basin. Chairman Flynn stated concern about large amount of BZ being taken for the proposed infiltration basin. Mr. Grenier explained, basin couldn't be deep because of high ground water, so basin designed to be larger in area. Abutter John Mahan of 55 Dwinell Rd. said that this area is always wet, and raised concern about snow storage and potential runoff that would flow that way. John Grenier said all the calculations indicate reduction in post-development runoff. He explained the area will be bermed and contends water will be contained & recharged onsite. Mr. Mahan remained concerned that his property will be affected and said he would like time to seek a consultant, himself, to confirm proponent's calculations. Matthew Ashmankus of 5 Millbury Terrace raised concern about overland flow of water going into the nearby stream and impacting the last of the native brook trout in Town. He said he's worked with Mass. Game & Wildlife, walked the entire area and counted 60 to 80 native trout in this stream. He wants to see them protected should the project go forward. Chairman Don Flynn noted, upon review of existing conditions vs. proposed, he observed an old road which he's concerned could become a *choke point* and pose a problem with direction of some of the flow. Chairman advised applicant that due to lack of a DEP file number, the Commission cannot close the hearing this evening so suggested a continuance. The applicant agreed to a continuance.

Ron Stead motioned for continuance of the Notice of Intent to 7:15 P.M., March 7, 2012; seconded by Jim Boucher; voted unanimously.

MINUTES

Millbury Conservation Commission

Date: February 15, 2012

INFORMATIONAL ITEMS The Conservation Commission received notification from National Grid regarding upcoming maintenance work along existing electric transmission corridor C129N in Millbury.

Ron Stead motioned to adjourn the meeting at 9:25 p.m.; seconded by Dave Palleiko; voted unanimously.

Respectfully submitted,

Andrea Paquette
Secretary

Donald Flynn

Ron Stead

Jim Boucher

Dave Palleiko