

MINUTES

Millbury Conservation Commission

Date: June 17, 2015

Time: 7:00 PM

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

Absent: Ron Stead

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

MINUTES: Mat Ashmankas made a motion to accept the minutes of May 6, 2015; seconded by Anthony Cameron; voted unanimously.

VOUCHERS: Two vouchers for office supplies from W.B. Mason were approved and signed. Vouchers for mileage reimbursement for Commissioners were approved and signed.

MAIL: Chairman Flynn read an email from William D. Hannigan, PE President of Hannigan Engineering, Inc. with regard to a proposed solar array at 1521 Grafton Road. A recent property line survey along with confirming wetlands delineation and location of the actual tree line of the property, identified slight variants to the original approved plan submitted to the Conservation Commission. The result will be a shifting of the array and the fencing two to three feet from north to south. Mr. Hannigan provided an updated plan outlining the changes and suggests this to me a minor modification not requiring any additional filing.

The 11 x 17 plan provided was difficult to see the changes. The Commissioners requested two full size plans to replace the original plans to be reviewed at the July 15, 2015 meeting.

The Commissioners received an email response from Massachusetts Association of Conservation Commissions following up to a question posed regarding the filing requirements concerning the connection to utilities within the buffer zone.

7:15 P.M.
N.E. POWER
COMPANY
CONTINUANCE

New England Power Company
Notice of Intent - Continuance
33 Providence Street

Chairman Flynn opened the hearing. The hearing was previously continued as the Commission did not have all abutter notifications in hand. Receipts have since been provided to the Commission.

David Cowell of BSC Group was present to provide a summary of the project. The proposed project is for distribution line training facility. Ten utility poles will be installed. Six of them fall within the 100 foot buffer zone bordering vegetated wetland also located in the 100 year floodplain. Two transformers and one manhole will also be installed. Approximately 100 feet of conduit trenching will be in the buffer zone. As part of National Grid's best management practices, they will meet or exceed erosion sedimentation controls in all areas of work. Any soils that are being displaced will be

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hauled off site. Storage capacity will be created elsewhere in order to offset approximately 29 cubic feet of floodplain displacement. Anthony Cameron asked about borings are for the utility poles. Mr. Cowell stated they are direct and bed just like regular roadside distribution poles.

Anthony Cameron asked if any soil testing was done in the area. Mr. Cowell was not aware of any soil testing. Chairman Flynn would like to see type of contingency for potential contaminated soil.

Mr. Cowell also noted that National Grid follows their best management practices for sedimentation erosion controls. Chairman Flynn stated straw wattles would provide proper erosion controls as the gradient is flat.

Paul DiCicco inquired about the ability to do site visits. Mr. Cowell indicated that visits could take place, however previous notice would be needed to gain access as this is a locked facility. Anthony Cameron would like contact information to be included as part of the Orders of Conditions.

Anthony Cameron made a motion to close the hearing; seconded by Mat Ashmankas: voted unanimously.

An Order of Conditions will be issued and conditioned accordingly.

7:30 P.M. Carmen Yursha
CARMEN YURSHA Notice of Intent
PUBLIC HEARING 106 Wheelock Avenue

Document Used:

"Building Permit Plan, 106 Wheelock Avenue, Millbury, MA" dated February 4, 2014, prepared by Bertin Engineering, 39 Elm Street, Southbridge, MA 01550 "

Chairman Flynn opened the public hearing for construction of stone walls and landscaping on property. Chairman Flynn stated Mr. Yursha has been doing work near the intermittent stream behind his property. Material has been moved around and the Commission wants to make sure there has been no alteration and impacts to the intermittent stream. In addition, Dorothy Pond is downstream from the property and the Commission does not want the Pond impacted by additional sedimentation.

Mr. Yursha would like to install stone walls ten feet from the road in the front of his property and stone walls twenty feet behind his house. The wall is approximately 120 feet from the stream.

Chairman Flynn noted the 120 feet would be outside of the jurisdiction of the Commission, however the work he observed on Mr. Yursha's property was the movement of waste materials close to the intermittent stream. The property slopes slightly towards the stream.

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Mr. Yursha provided documentation about street drains and Mass. Turpike drains from years past. General discussion followed about street drains and maintenance of such. Chairman Flynn stated Mr. Yursha is only responsible for work he is doing on his property.

Paul DiCicco said he was concerned about dirt piles that have been on Mr. Yursha's property. Chairman Flynn said the Commission wants to make sure there are no impacts to the intermittent stream. The plan submitted is incomplete because work was being done on the property and Chairman Flynn anticipates that landscaping will need to be done in an area that is not identified on the plan.

Mr. Yursha said there is a stockpile of stone that he would like to use for the walls. Paul DiCicco asked what happened to the piles that had been stockpiled. Chairman Flynn said there was some silt fencing in place, but doesn't know if it was maintained.

Anthony Cameron stated that Mr. Yursha came before the Commission on August 7, 2013 for a Request for Determination of Applicability. At that time, the Commission determined a Notice of Intent was to be filed. Since that time, there were numerous attempts by certified mail that Mr. Yursha refused to sign. Mr. Yursha stated that he had communication with Massachusetts DEP who suggested Mr. Yursha file an appeal. Paul DiCicco noted that Mr. Yursha did not follow up on that recommendation either.

Chairman Flynn stated the issue at hand is if the information provided is sufficient to protect the pond from impacts. Chairman Flynn asked if the hay bales are in place. Mr. Yursha stated yes. Paul DiCicco recommends a site visit to see what the status of the property is at this time. Chairman Flynn asked permission to visit the property. Mr. Yursha has straw wattles in place and granted permission for the Commissioners to go on his property. Chairman Flynn would like to continue the hearing until the site visit is completed.

Mathew Ashmankas made a motion to continue the hearing to July 15, 2015 at 7:10 PM; seconded by Paul DiCicco; voted unanimously.

7:45 P.M. James Flagg II
JAMES FLAGG II Request for Determination of Applicability
PUBLIC MEETING 62 Davis Road

Document Used:

"Division of Land of 76 Griggs Road, is Sutton, MA, dated June 10, 2015 prepared by Byron Andrews of Andrews Survey & Engineering, Inc. PO Box 312, 104 Mendon Street, Uxbridge, MA 01569"

Chairman Flynn opened the public meeting for the installation of a 20' x 30' paved driveway. Mr. Flagg provided photos of the proposed project area as well as document identified above identifying the dock area and distances from Ramshorn Pond. The

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difference in grade elevation from the proposed driveway and the Pond is minimal. Chairman Flynn noted this is a tough area for erosion due to the hill. Mr. Flagg stated he has two detention ponds on his property now and water does not flow down the hill. Chairman Flynn would like to have the driveway pitched with the hill away from the street.

Mat Ashmankas asked how the South side will be protected. Mr. Flagg will install hay bales. Mr. Flagg stated work will be done in one day. Chairman Flynn does not the work conducted in the rain. Anthony Cameron would like that stipulated in the RDA.

Chairman Flynn recapped the following stipulations: install straw wattles, pitch driveway down slope into vegetation not to increase runoff to the street, stake twenty feet of straw wattles at three to four foot intervals, do not conduct work in the rain and hand sweep roadway after completion. General discussion followed on installation of a small berm at the end of the driveway pitched to the vegetation. Mr. Flagg will work with paving company to provide further guidance.

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

8:00 P.M.
ALBERT
LAFORTUNE
PUBLIC HEARING

Albert LaFortune
Notice of Intent
4 Wheelock Avenue

Document Used:

"Al & Pris LaFortune, 4 Wheelock Avenue, Millbury, MA" dated April 20, 2015, prepared by Mike Rannikko"

Chairman Flynn opened the public hearing for construction of a 32' x 32' garage and demolition of an existing 10' x 27' shed. The property is on Dorothy Pond. Approximately 150 feet of hay bales and silt fencing are proposed along the waterfront.

Mr. LaFortune provided an overview of the project. They will demolition existing shed that currently sits on cement blocks. The wooden structure will be removed off site and the block will be broken up and removed. The proposed structures will be at approximately at the same grade.

Chairman Flynn asked how much earth will be disturbed so that it does not end up in the pond. The Commission wants to ensure that the erosion controls are enough and that they are in the right place.

Between the two proposed buildings, there will be an 8' x 4' retaining wall with a footing. Mike Rannikko, contractor for Mr. LaFortune, showed pictures of the existing site to the Commissionrs as well as the building plans identified above. Mr. Rannikko provided details to the Commissioners. The driveway will be paved. Commissioners want to be sure

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the hay bales will contain any runoff properly. The project has not yet been assigned a MA DEP transmittal number so the hearing cannot be closed.

Mathew Ashmankas made a motion to continue the hearing to July 15, 2015 at 7:25 PM; seconded by Anthony Cameron; voted unanimously.

8:15 P.M. Mass. Dept. of Transportation – Highway Division
MA DOT Notice of Intent - Continuance
PUBLIC HEARING Massachusetts Turnpike (I-90)

Chairman Flynn opened the public hearing. Chairman Flynn referred to an email from the the DPW Director responding to MA DOT's plan revisions following a site visit on June 2, 2015. Vice-Chairman, Ron Stead was present for the site visit. The DPW Director reviewed the revised plans, calculations and response letter from MA DOT and is satisfied that the Town's concerns have been addressed.

Mark Costa from VHB provided details of the revisions on the plan. North of I-90 and West of Millbury Avenue, the outlet pipe and concrete channel are not hydraulically connected, causing erosion in the area. VHB is proposing a flared end section and new pipe that will hydraulically connect the outlet to the concrete swale. A deep sump will also be installed.

South of I-90 and West of Millbury Avenue, the existing channel consists of boulders, debris and washed out sediment. VHB is proposing a rip rap channel to provide long term stabilization and protect against future erosion.

Approximately thirty catch basins are being converted to deep sump in areas flowing directly to Dorothy Pond. Anthony Cameron asked if all discharge pipes are being replaced from catch basins down to the swale. Mr. Costa said the pipes will remain but MA DOT will look at the outlets.

Mr. Costa provided further details on an outfall near Dorothy Pond that is covered by several feet of silt and is in need of maintenance. VHB has updated the plans to include cleaning the outfall and inspect and clean every outfall along I-90 in Millbury.

Chairman Flynn inquired about the timing of the work to be done. MA DOT plans on advertising the project in December, 2015 allowing four months for bidding and notice to proceed with a start date around Spring, 2016.

Rip rap will be in place to prevent scouring in order to protect the Pond and along I-90. Mr. Costa stated there will be twelve infiltration basins and twelve infiltration swales. Mr. Costa provided further details outlined on the plan including a water quality swale with a check dam. MA DOT will install the check dam with compost filter tubes around it. Check dams are in open space, green areas promoting infiltration and phosphorous and TSS removal which is DOT's objective.

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Access will be off the highway with the removal of guardrails in the area. Infiltration basins have sediment forebay lined with granite edging. Mr. Costa provided further details on the plan including deep sump replacement, check dams with details of vegetation, outfall and planting details incorporating native species.

Anthony Cameron inquired if there is a designated stock pile area. MA DOT will coordinate that with the contractor. Anthony Cameron encourages cleaning the deep sumps in the area west of Millbury Avenue. General discussion followed as to the limitations of the project and additional costs associated with changing out catch basins. Additional comments and discussion followed on the channels.

Anthony Cameron made a motion to close the hearing and issue the Orders of Conditions upon submission of two full size plans; seconded by Mathew Ashmankas; voted unanimously.

An Order of Conditions will be issued and conditioned accordingly.

8:30 P.M.
MENAHAM BEN
BICHOTTE
PUBLIC HEARING

Menaham Ben Bichotte
Notice of Intent - Continuance
1499 Grafton Road

Chairman Flynn opened the public hearing. The Commission has received the DEP transmittal number for the project since the previous hearing. DF was asking for measurements for work to be done. Mr. Bichotte would like to install a fence at the top of his yard that would contain everything in his yard with a retaining wall inside the fenced in area. The fence would not be in the wetland but would be on the slope of his property. Above the retaining wall there would be plantings. Mr. Bichotte would install a versalock wall so there would not be any cement.

Chairman Flynn explained to the Commissioners that the adjacent property is a parking lot and is crowned forcing the water to Mr. Bichotte's property causing him problems. The water is causing the erosion to Mr. Bichotte's property. Mr. Bichotte spoke with the property owner to install some crushed stone to help with the situation.

Mr. Bichotte will pull back three or four feet of material from the wetland. Chairman Flynn had suggested that Mr. Bichotte put stone or some type of material by the retaining wall to assist with drainage. The retaining wall will start approximately four feet from the top of the slope. That will allow four feet behind the wall where stone will be installed. Mr. Bichotte would like to start the project in the Fall. Chairman Flynn recommended that Mr. Bichotte install straw wattles or hay bales on the slope as well as two feet before the slope drops off in order to stop continued erosion in the area prior to beginning construction. Mat Ashmankas also recommended the use of coconut mat.

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Anthony Cameron made a motion to close the hearing; seconded by Paul DiCicco; voted unanimously.

An Order of Conditions will be issued and conditioned accordingly.

8:45 P.M. Nick Grande
NICK GRANDE Notice of Intent - Continuance
PUBLIC HEARING McCracken Road – Assessors Map 34 Lot 30

Chairman Flynn opened the public hearing. Patrick Burke from HS&T was present on behalf of the applicant. Chairman Flynn read the DEP comments that accompanied the DEP transmittal number that need to be addressed by the applicant.

Mr. Burke stated the project is a 29 ½ acre property with only one house lot proposed. He noted that he has addressed all DEP comments except he is still working on the alternative analysis and welcome input from the Commission. The driveway will be approximately 80-100 feet with the well in front of the house and septic in the back. There site contains 66,225 feet of riverfront area with proposed alteration of 12,550 feet in the 200 foot buffer zone with nothing in the 100 foot buffer zone. They will keep tree buffer zone between house and roadway. General discussion followed on the layout of the property, identification of buffer zone, vegetated wetland and access.

Chairman Flynn asked Mr. Burke to review the DEP points: Mr. Burk submitted the Eco Tec report to DEP. He stated the wetlands were delineated in November 2010 with a final report December, 2010 utilizing standard criteria including hydrology and soils. Limit of annual high water line is outlined on the plan. Alternative analysis will be provided which would include possibly shortening the driveway, constructing the leachfield in front or digging the well in the back.

Based on DEP's comments and analysis, Chairman Flynn would like to see mitigation measures proposed for the Riverfront Area. He suggested anything to improve habitat quality in the riparian zone, plantings, soils, wildlife habitat or invasive species improvement.

Mathew Ashmankas made a motion to continue the hearing to July 15, 2015 at 7:35 PM; seconded by Anthony Cameron; voted unanimously.

9:00 P.M. G.F. Realty, LLC
G.F. REALTY, LLC Notice of Intent
PUBLIC HEARING Riverlin Street – Assessors Map 28 Parcel 20 Lot 2

Document Used:

"Site Layout Plan for Lots 2-4 Riverlin Street Map 18 Parcel 20, Millbury, MA" dated June 2, 2015, prepared by J.M. Grenier Associates Inc., 787 Hartford Turnpike, Shrewsbury, MA 01545

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Chairman Flynn opened the hearing. John Grenier provided an overview of the project acting on behalf of the applicant.

David Burke from Berlin flagged the property for wetlands. They conducted soil testing on site with the Board of Health. Septic design plans are under review with the Board of Health. They are located in front of the properties. The driveway is at grade with the sill of the house 3 ½ feet above grade. Grading is in the buffer zone. There is approximately ten feet from the limit of the bordering vegetated wetlands to erosion control. Proposed well is in back of the property. There will be some filling for driveway in the front. Mr. Grenier noted a 3:1 slope estimating 400-500 yards of fill in the area of the garage and driveway. Chairman Flynn asked what the groundwater elevation is. Mr. Grenier estimated 3-3 ½ feet.

Chairman Flynn walked the site and questioned the wetland delineation for Lot 2. Chairman Flynn would like to see the data for delineation as he witnessed trees with raised roots, vegetation indicated the area was very wet. Mr. Grenier was out when delineation was done and soil samples were taken on site. Mr. Grenier invited the Chairman to meet for a site visit.

Anthony Cameron inquired if houses have full basements. Anthony Cameron inquired if there is a dewatering plan due to elevations. Mr. Grenier stated there will be perimeter drains installed and did not anticipate the need for dewatering. Anthony Cameron inquired if there was a proposal for roof runoff. Mr. Grenier was not proposing anything.

Anthony Cameron made a motion to continue the hearing to July 15, 2015 at 8:00 PM; seconded by Mathew Ashmankas; voted unanimously.

A site visit will be scheduled.

9:10 P.M. G. F. Realty, LLC
G.F. REALTY, LLC Notice of Intent
PUBLIC HEARING Riverlin Street – Assessors Map 28 Parcel 20 Lot 3

Document Used:

"Site Layout Plan for Lots 2-4 Riverlin Street Map 18 Parcel 20, Millbury, MA" dated June 2, 2015, prepared by J.M. Grenier Associates Inc., 787 Hartford Turnpike, Shrewsbury, MA 01545

Chairman Flynn opened the hearing. John Grenier provided an overview of the project acting on behalf of the applicant. Mr. Grenier indicated that Lot 3 is a mirror image of Lot 2 for layout. The cleared yard area is bordering vegetated wetland. Chairman Flynn would like signs installed stating no dumping in the wetland. Discussion followed on foundation and perimeter drains. Mat Ashmankas inquired about the foundation drain as it

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is almost a zero slope. Mr. Grenier indicated it is at approximately 2 ½ feet. Perimeter drains will be daylighted.

Paul DiCicco made a motion to close the hearing; seconded by Mathew Ashmankas; voted unanimously.

An Order of Conditions will be issued and conditioned accordingly.

9:20 P.M. G.F. Realty, LLC
G.F. REALTY, LLC Notice of Intent
PUBLIC HEARING Riverlin Street – Assessors Map 28 Parcel 20 Lot 4

Document Used:

“Site Layout Plan for Lots 2-4 Riverlin Street Map 18 Parcel 20, Millbury, MA” dated June 2, 2015, prepared by J.M. Grenier Associates Inc., 787 Hartford Turnpike, Shrewsbury, MA 01545

Chairman Flynn opened the hearing. John Grenier provided an overview of the project acting on behalf of the applicant. Location of the house is at the high point of the topography. The property naturally slopes to the south. Septic is 100’ away from the wetlands. The garage is located under the house. The grade is a 3:1 slope off driveway. There is approximately 45’ separation from the bordering vegetation wetland. The lot is only in the buffer zone for the driveway work.

Mathew Ashmankas made a motion to close the hearing; seconded by Anthony Cameron; voted unanimously.

An Order of Conditions will be issued and conditioned accordingly.

NEW BUSINESS:

ANTHONY WAITKEVICH CERTIFICATE OF COMPLIANCE

The Conservation Commission received a request for a Certificate of Compliance for work done per OOC# 224-706 at 8 Jackson Lane, Millbury.

Ron Stead conducted a site visit. Ron recommends not taking action on this item. The homeowner was advised to install the lawn and stabilize the yard and then re-submit a Request for Certificate of Compliance once completed.

Anthony Cameron made a motion to table the Certificate of Compliance; seconded by Mathew Ashmankas; voted unanimously.

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OTHER BUSINESS:

Anthony Cameron was re-appointed as a Commissioner.

This was Mathew Ashmankas last meeting as he is not seeking reappointment. Mat served the Commission for three years. The Commissioners thanked him for his service.

Anthony Cameron motioned to adjourn the meeting; seconded by Paul DiCicco; voted unanimously. Meeting adjourned at 10:35 PM.

Respectfully submitted,

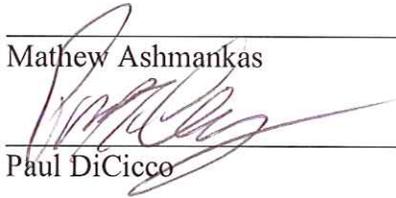


Michelle Desorcy
Secretary



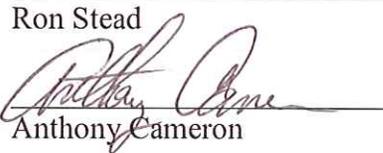
Donald Flynn

Mathew Ashmankas



Paul DiCicco

Ron Stead



Anthony Cameron

CONSERVATION COMMISSION



*A Better World
Through Conservation*

June 17, 2015

Agenda

- 7:00 P.M. Mail, Minutes, Vouchers
- 7:15 P.M. New England Power Company
Notice of Intent - Continuance
33 Providence Street - construction of a new distribution training yard
- 7:30 P.M. Carmen Yursha
Notice of Intent
106 Wheelock Avenue - construction of walls along roadway and behind existing house
- 7:45 P.M. James Flagg II
Request for Determination of Applicability
62 Davis Road - installation of a 20' x 30' paved driveway
- 8:00 P.M. Albert LaFortune
Notice of Intent
4 Wheelock Avenue - construct a two-car garage and related landscaping
- 8:15 P.M. Mass. Dept. of Transportation - Highway Division
Notice of Intent - Continuance
Massachusetts Turnpike (I-90) - Interstate maintenance and related work including stormwater management upgrades
- 8:30 P.M. Menaham Ben Bichotte
Notice of Intent - Continuance
1499 Grafton Road - installation of a retaining wall and landscaping
- 8:45 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

15 JUN 12 AM 9:22
TOWN OF MILBURY
RECEIVED

-continued-

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9:00 P.M. G.F. Realty, LLC
Notice of Intent
Riverlin Street - Assessors Map 18 Parcel 20 construction of a single family house and associated work – portion of property identified as Lot 2

9:10 P.M. G.F. Realty, LLC
Notice of Intent
Riverlin Street - Assessors Map 18 Parcel 20 construction of a single family house and associated work – portion of property identified as Lot 3

9:20 P.M. G.F. Realty, LLC
Notice of Intent
Riverlin Street - Assessors Map 18 Parcel 20 construction of a single family house and associated work – portion of property identified as Lot 4

OLD BUSINESS:

NEW BUSINESS:

Anthony Waitkevich Request for Certificate of Compliance Re: OOC #224-706
Site: 8 Jackson Lane
Work: Construction of an addition to existing house

All business not reasonably anticipated to be discussed
Note: Agenda subject to change without notice

