

MINUTES

Millbury Conservation Commission

Date: October 7, 2015

Time: 7:00 PM

Present: Ron Stead, Anthony Cameron Paul DiCicco
Absent: Donald Flynn

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

7:00 PM

ROBERT MCNEIL, III, DPW
INFORMAL

Rob McNeil, DPW Director came before the Commission to discuss drawdown for lakes and ponds. Mr. McNeil stated the Order of Conditions put in place by the lake association for Ramshorn Pond has expired for drawdown and weed control. The DPW has been involved with all lakes and is aware and willing to work with lakes and ponds associations for a drawdown schedule that makes sense.

Mr. McNeil noted that the Town is in receipt of MA Dept. of Environmental Protection Superseding Order of Conditions for the Ramshorn Pond Dam project. He can now move forward with that project.

Mr. McNeil also provided updated information with regard to repairing the gate valve at the dam. The gate stem is broken at the dam and he is working with a contractor to identify issues at the gate. The gate is in a near closed position but not completely closed. They utilized a pipe camera at the discharge. The valve stem snapped due to over pressure. They are working to get this under control. The current scenario is to repair the valve in place. Mr. McNeil is putting a contract in place so the contractor can move forward to repair the Gate and will move forward with an emergency order for this work.

The intent forward is to pull together a Town wide general Notice of Intent to call all Department of Public Works general activities. Other special work would be done as it is Currently handled.

Paul DiCicco inquired if it has been established who is in control of drawdown. Mr. McNeil stated the Town owned dams are the responsibility of the Town for controls. The Town has worked with the various Associations to identify individuals to assist with operation. The DPW operates Dorothy Pond which includes flushing the outlet control valve annually and put in and take out the boards as necessary. Ramshorn is handled by an Association member and has worked fairly seamlessly. They have had to pump water out of the gatehouse due to infiltration from time to time. Singletary has a sophisticated plan in place and works with DPW. Paul DiCicco said people are asking so he wanted this information available to the public.

Ron Stead said he likes that the Notice of Intent that will be completed for DPW activities has a section that addresses drawdown and clearly puts it in the hand of the DPW. Mr. McNeil said it is important for people to understand it is their charge and when they can work effectively with Associations it is helpful. He also stated that with reconstruction plans the new design is more modern so that it will be easier to achieve and maintain levels moving forward.

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Ron Stead asked if a syphon be set up for Ramshorn. Mr. McNeil said it could, however they would need to make sure the siphon doesn't break, is moved or mismanaged. Mr. McNeil would like the contractor to have the ability to have control of the water during construction.

7:15 P.M.

Carl and Linda Erickson

CARL AND LINDA Notice of Intent - Continuance

ERICKSON

13 Bayberry Lane

CONTINUANCE

Vice-Chairman, Ron Stead opened the public hearing.

Randa Tawadros from Alpha Omega Engineering was present representing Carl and Linda Erickson. At the previous hearing, a MA DEP transmittal number had not yet been assigned to the project. MA DEP #224-747 has been assigned. The Commission also wanted to show silt fencing on the new plan and wanted to see the detail showing how far the silt fence would be dug into the ground. Randa noted the fence will be 3" deep and the plan reflects this information. The detail indicates silt fence is optional, however the Orders of Conditions could require it to be mandatory.

Ms. Tawadros has not heard back from the Millbury Board of Health relative to septic design and approval. She noted there is not any room on the property for a change on the existing plan.

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.

MAIL:

Vice-Chairman Stead from a letter from Massachusetts Association of Conservation Commissions thanking the Commission for joining again. Membership cards were provided to the Commissioners.

The Commission received notice from MA DEP supporting the Orders of Condition on the Ramshorn Dam project and added some recommendations for signage. MA DEP also encourages the Town to work with Ramshorn Pond Association to establish a monitoring plan for aquatic species and develop a removal plan if found. It was suggested that Ramshorn Pond may want to follow up with the Singletary Lake and Dorothy Pond Associations for additional assistance and advice.

The Commission also received a letter from the Department of Conservation and Recreation (DCR) looking for lifeguards. Training will be provided by DCR and individuals could become employed by DCR. The letter is on file if anyone is interested in participating.

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Approval of the minutes of June 17, 2015 were postponed due to quorum requirement of Commissioners to sign off that were present at that meeting.

7:30 P.M.

STEVEN BONAVIDA, USDA

INFORMAL

Steven Bonavita, area specialist for rural development with the United States Department of Agriculture came before the Commission to discuss community projects that could include land and trail clearing. Mr. Bonavita is also a National Guardsman part of a heavy construction unit that has been tasked to find out if communities need construction work, forestry plan, etc. It is a good way to provide volunteer labor and equipment to perform necessary work. The work conducted would abide by regulations in place by MA DEP, conservation and other agencies. The goal would be to assist the Conservation Commission by providing equipment and professionals. Mr. Bonavita wanted to gauge possible interest of the Commission in order to move forward. Paul DiCicco and Vice-Chairman Stead said we have conservation land that could use access, trails, etc.

Mr. Bonavita could assist with trails or provide access for fire trucks in the event of a forest fire, for example. He has access to chain saws, bulldozers, etc. Vice-Chairman Stead asked if Conservation has an area that is not currently defined, could they design something. Mr. Bonavita could put trails on a particular area. Paul DiCicco asked if they would remove trees. Mr. Bonavita said they could cut and stack them or whatever was requested of the Commission. Mr. Bonavita also stated that everyone operating equipment is property licensed. He has engineers, firefighters, mechanics, etc. with lots of skillset ready to go.

Paul DiCicco said the Town would welcome this with open arms. Vice-Chairman Stead said he was enthusiastic and the Commission could work with the Town Planner to point us in the right direction as to which area (s) we may want to focus on.

Anthony Cameron mentioned Davidson's sanctuary. Trails are overgrown. Mr. Bonavita said weekend projects are ideal as he could have access to one hundred people. Vice-Chairman Stead the Commission is interested and would like to direct the efforts with the Town Planner.

Mr. Bonavita would like to do work in January. He also noted that the long eared bat has become a species of concern. They cannot touch certain trees due to habit. It is alright to do work when they are roosting. In the winter ground cover is frozen, species are hibernating and it is a better time to do this type of work. The goal is to have more information prior to the next meeting. The Commissioners appreciated the offer and also thanked Mr. Bonavita for his service.

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7:45 P.M. Kevin Lobisser, New Generation Development, Inc.
KEVIN LOBISSER Notice of Intent
PUBLIC HEARING 442 Greenwood Street

Document Used:

"Site Plan for Millbury Community Solar Farm at 424 Greenwood Street in Millbury, MA 01527" dated September 14, 2015, prepared by Allen Engineering, LLC, 2 Willowbrook Lane, Mendon, MA 01756

Vice-Chairman Stead opened the hearing for installation of a solar facility with access on Greenwood Street.

Mark Allen of Allen Engineering represented the applicant, Kevin Lobisser. Vice-Chairman Stead noted that a MA DEP project number has not yet been assigned, therefore concluding the project overview, the hearing will have to be continued.

Mr. Allen has provided the Commission a site plan review, drainage report and stormwater management system for a 17 acre parcel at 442 Greenwood north of Cyndy Lane. The land went to Town auction and was purchased by Solect Inc., Hopinton.

There are a few BVW, flagged by Goddard Consulting and field located shown on sheet two of existing conditions plan. They have identified wetlands and 100 foot buffer zone. Work being proposed in the buffer zones is an access road around the entire solar farm by requirement. A twenty foot gravel access is required by police and fire and a chain link fence per Millbury standards.

Grading and drainage is under the Conservation purview. There is a meeting scheduled with Planning on October 19, 2015. The project has been discussed with the Town Planner, DPW and others.

Paul DiCicco inquired as to how power will be brought back to the grid. Mr. Allen stated they will use above ground poles utilizing an easement on the property. There will not be any poles in the wetlands. The power comes in three phase; drop a pole and put a second pole to bring to a transformer/inverter that converts the power.

Vice-Chairman Stead noted a small area of the entrance road goes through buffer zone. There is no replication required on this project.

Mr. Allen will use mulch filled silt socks that will be staked for erosion and sedimentation control. There is also a long term maintenance plan for drainage. Vice-Chairman Stead inquired if this company has done others in Millbury. Mr. Allen said no, however one was completed in Hopedale that went very smooth. Mr. Allen noted the footings are six feet deep with a two inch diameter and are screw mounted for stabilization.

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Controls are monitored online. If there is a maintenance issue they will be notified by computer. Discussion followed on elevations in the area. Mr. Allen stated the panels will remain close to existing grades. The time frame to construct the solar farm is six to eight months.

Anthony Cameron informed Mr. Allen that there is a missing abutter notification care for resident at 448 Greenwood Street. Mr. Allen had conversation with the owner and asked that a copy of the Notice of Intent be sent to him.

An abutter was concerned that the change of the look on the street with the solar farm might depreciate property values. Mr. Allen stated the Planning Board could address economic impacts. The proposed solar farm is approximately 135 feet away from 448 Greenwood Street.

An abutter also raised safety concerns at the facility. Mr. Allen said there will be no full time staff on site. The Town requires the facility be enclosed for safety reasons. It will be gated and fenced in around the entire location. Vice-Chairman Stead this item is not under Conservation jurisdiction. Mr. Allen explained that Millbury requires six or eight foot fencing with barbed wire at the top. There is signage every forty feet on fencing for safety reasons.

Joe Germaine, attending the hearing inquired about zoning. Mr. Allen assured him the area is zoned for this activity and meets all Town buffers on the plan. A portion of the solar facility will be visible driving down the street.

Paul DiCicco asked if there is a tree line along Greenwood Street and if the trees will be removed. Mr. Allen said trees will be removed. Paul DiCicco asked why and Vice-Chairman Stead inquired if plantings could be added to the plan. Mr. Allen said yes.

Anthony Cameron said there are no impervious areas. Mr. Allen said the road is gravel and confirmed there are no impervious areas.

Paul DiCicco made a motion to continue the hearing to October 21, 2015 at 8:00 PM ; seconded by Anthony Cameron; voted unanimously.

8:00 P.M.

ROBERT CEPPI, MPE, INC.

INFORMAL

Robert Ceppi from MPE, Inc. requested an informal meeting with Commission to discuss property use and potential Conservation filing on McCracken Road near Route 146. Mr. Ceppi provided pictures from FEMA maps and identified the Blackstone River and flood zone.

Mr. Ceppi noted a potential buyer is interested in the property and is proposing bringing in propane by rail and having 2-30,000 gallon propane tanks on site for storage. There would be permanent tanks on site and propane dealers would fill delivery trucks for home deliveries. The site would not be open to the general public.

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Paul DiCicco initiated general discussion about any potential issues if there were an explosion at the site. Mr. Ceppi noted that currently in the McCracken Road area there are not really any structures nearby that would be impacted. Mr. Ceppi stated the project would have to go through the State Fire Marshall's office and meet all regulations including safety.

Mr. Ceppi came before the Commission if any potential filings would be required. The area in question is not listed as a flood zone but rather "area likely to flood". The tanks are stationary on concrete piers approximately forty feet long. Vice-Chairman Stead asked about digging for footings. Mr. Ceppi noted the piers would be twelve feet by six feet by four feet and would require some grading. Commissioners indicated they would like to see a filing of a Notice of Intent for this project.

OLD BUSINESS:

Bruch Nichols, Ratify Enforcement Order, 33 Beach Street for digging and installation of piping within the buffer zone subject to the Wetlands Protection Act.

NEW BUSINESS:

William Marchette, Ratify Enforcement Order, 31 Beach Street for filling in Area within the buffer zone subject to the Wetlands Protection Act. Per the order, a Notice of Intent filing is required.

18 ASHTON LN, UNIT 1 CERTIFICATE OF COMPLIANCE

The Commission received a Request for a Certificate of Compliance from O'Connell & O'Connell, P.C. for a partial certification regarding OOC#224-0515 issued to Edward Renaud/Olde Canal Realty Trust. The property has been sold and would like to clear the deed.

Anthony Cameron made a motion to issue a Certificate of Compliance; seconded by Paul DiCicco; voted unanimously

A Certificate of Compliance was approved and issued.

The Commission received a Request for a Certificate of Compliance from O'Connell & O'Connell, P.C. for a partial certification regarding OOC#224-0688 issued to John Burns/Brierly Pond Realty, LLC. The property has been sold and would like to clear the deed.

Paul DiCicco made a motion to issue a Certificate of Compliance; seconded by Anthony Cameron; voted unanimously.

A Certificate of Compliance was approved and issued.

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**MICHAEL CATINO
CERTIFICATE OF
COMPLIANCE**

The Commission received a Request for a Certificate of Compliance from Michael Catino for work done per OOC#224-711 at 35 Singletary Road, Millbury.

Vice-Chairman Stead recommends approval of the Certificate of Compliance pending a site visit to ensure that the area has been stabilized.

Anthony Cameron made a motion to grant a Certificate of Compliance pending a site visit; seconded by Paul DiCicco; voted unanimously.

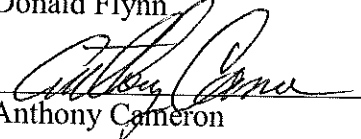
A Certificate of Compliance was approved and will be issued.

Paul DiCicco made a motion to adjourn the meeting; seconded by Anthony Cameron; voted unanimously. Meeting adjourned at 8:35 PM.

Respectfully submitted,

Michelle Desorcy
Secretary

Donald Flynn



Anthony Cameron



Ron Stead



Paul DiCicco

CONSERVATION COMMISSION



*A Better World
Through Conservation*

October 7, 2015

Agenda

- 7:00 P.M. Mail, Minutes; Vouchers
- 7:00 P.M. Robert McNeil, III, DPW
Informal - discuss drawdown
- 7:15 P.M. Carl and Linda Erickson
Notice of Intent - Continuance
13 Bayberry Lane - septic system repair and associated grading
- 7:30 P.M. Steven Bonavita, USDA
Informal - discuss land/trail clearing
- 7:45 P.M. Kevin Lobisser, New Generation Development, Inc.
Notice of Intent
442 Greenwood Street - installation of a solar panel field
- 8:00 P.M. Robert Ceppi, MPE, Inc.
Informal - discuss filing requirements
Parcel 36 Lot 10

OLD BUSINESS:

NEW BUSINESS:

William Marchette
Ratify Enforcement Order
31 Beach Street

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

15 OCT -9 11:10:00

11:10

