

MINUTES

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Millbury Conservation Commission

MAY 16 PM 1:34

MILLBURY, MASS.
Time: 7:00 PM

Date: May 1, 2013

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

Absent:

7:15 P.M.
INFORMAL
MEETING

Bill Emmott of R & W Emmott Arborist was present at the board's request and as result of a recent complaint, to discuss his wood mulch processing operation at (Assessor's Map 73, Lot 1) Providence St. The property is owned by Phil Miles & family. Victor Irr, Jr. was also present as he works with Mr. Emmott. [In Nov. 2011 the Con Com learned of a wood chipping operation being run on this property by Jimmy Dwinell and per a meeting with the Miles family, the operation was to remain beyond the 200' Riverfront buffer zone.] Mat Ashmankas visited site recently and observed: gas powered water pump 10' from river with 150' poly pipe extending to site - no mitigation; 2 piles of treated wood chips 170' from river; 100+ yards of material stored within 200' buffer zone (BZ); diesel powered equipment within 200'BZ; surface soil disturbance to create small berm - no mitigation. Discussion ensued. Mr. Emmott said he wasn't aware of the BZ (the WPA or Riverfront Area Regulations). He did not know about Mr. Dwinell's earlier operation nor was told about site restrictions. He said now that he's aware of the BZ he will move the piles of material. Regarding the pump, he explained he was removing water from the river for use in his operations. Chairman Flynn explained the concern of using a gas powered pump in the river and explained that that activity as well as removal of water from the river should have been permitted by the Con Com. Mr. Emmott said he approached the Building Inspector about a permit to withdraw water but was told the Bldg. Dept. didn't have such permit. Chairman commented that at the least, Mr. Emmott should have informed the Con Com what he intended to do at the site due to the proximity to the Blackstone River. Mr. Emmott said this is a temporary operation, 90 to 120 day project. He submitted MSD (Material Safety Data) sheets regarding the dyes used. He said he will move the treated mulch to one side and assured there will be no runoff from site to river. Chairman Flynn said normally the Con Com requires gas operated machinery be powered outside of BZ. Upon discussion the board determined the 1.6 liter pump could be used if contained, i.e. put in a proper containment system, and a water withdrawal permit is not needed for an operation this size. Board agreed no filing is a necessary.

7:30 P.M.
INFORMAL
MEETING

Pamela Graves, Chairperson of the Millbury High School (MHS) Science Dept. and Community Service Learning Grant advisor was present along with MHS Jr., Fred Ward, whom she said walks extensively in the Old Common Conservation Area. She explained they have received a (Community Service Learning) grant and would like permission from the Con Com to post signs along Town Conservation land trails. She explained they are proposing a 'scavenger hunt' type, family-friendly opportunity for people to take photos at the various locations of the sign postings, in an attempt to make the public more aware of Town Conservation land and invite usage of it. She said they will create a map & plans to walk area with students of the Biology dept., as a chance to educate them while doing so. Chairman Flynn thanked her for her involvement as he said this is a good time as the Commission is looking to inform the community about Conservation Land and seeking volunteer opportunities. The board gave her their permission to put up signs as requested.

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7:30 P.M. DPW
DPW Notice of Intent Continuance
CONTINUANCE 15 Stowe Road

Chairman Donald Flynn opened the hearing & explained that the previous hearing was continued due to lack of DEP file number which the state has now issued, without comment. The Chairman then read aloud an electronic mail from Rob McNeil, DPW Director stating that he could not be present this evening however requested the board vote to close the public hearing. There was no further discussion.

Ron Stead motioned to close the hearing; seconded by Mathew Ashmankas; voted unanimously to close.

Board voted unanimously to approve proposal.

An Order of Conditions will be issued.

CONERNS/
COMPLAINTS:
5 LEBLANC DR.

4/5/13 Laurie Deluca of 41 Davis Rd. observed Bruce Gustafson of 5 Leblanc Drive bringing in truckloads of sand and dumping it on the edge of Ramshorn Pond. Mat Ashmankas visited site 4/18/13 and reported sand was applied in area 5' x 30' in front of pond retaining wall. He advised Mrs. Gustafson work should've been permitted by the Con. Com. (CC) & instructed her that no further work is to be done without informing the CC. No further action required by CC at this time.

BEACH ST.

4/23/13 Terry Burke Dotson called to report Jim Bengston of 39 Beach St. is doing work in a wetland buffer zone at 37 Beach St. and concerned he may be doing the work without Mrs. Childs', property owner, consent. Ron Stead visited site and reported he observed no problem.

PROVIDENCE ST.

4/25/13 Laurie Connors, Town Planner, received a complaint from Brian Stowell about a wood mulch processing operation at (Assessor's Map 73, Lot 1) Providence St. - property owned by Miles' family - which appears to be in Riverfront Area to the Blackstone River. Mat Ashmankas visited site 4/25/13 and learned R & W Emmott Arborist is running the operation. He made a report of his observations and asked Mr. Emmott in to speak with the CC.

SALO TERRACE

4/29/13 Mike Chesna of 19 Alpine St. reported that Jesse Girard of 18 Salo Terrace & Terry Burke Dotson of 20 Salo Terrace cleared an area of trees up to a pond on Town owned Conservation Land which abuts their properties. Mat Ashmankas visited site 4/29/13 and observed the following work had been done on Conservation Land: woody choke vines had been cut & removed from trees & he observed remnants of burning vines; wood chips and non-native plant species were introduced and applied in Conservation Land. He saw no trees had been cut down or trimmed. He advised both violators not to do any additional work on Town Land without an approval from CC. He suggested imposing fines or penalties and indicated area requires future monitoring. The CC took no action against Mr. Girard or Ms. Dotson this evening.

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INFORMATIONAL ITEMS The Conservation Commission received a letter from VHB, on behalf of National Grid, listing contact names and telephone numbers that may be helpful throughout the duration of their Transmission Line & Reconductoring Projects.

The Conservation Commission received a copy of a Scenic Road Permit Application for the realignment of Stowe Road, for review and comment.

Ron Stead motioned to adjourn the meeting at 8:45 p.m.; seconded by Mat Ashmankas; voted unanimously.

Respectfully submitted,
Andrea Paquette
Andrea Paquette
Secretary

Donald Flynn

Ronald A. Stead
Ron Stead

Mathew Ashmankas

Paul DiCicco

Anthony Cameron
Anthony Cameron