

# MINUTES

## Millbury Conservation Commission

Date: May 20, 2015

Time: 7:00 PM

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

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

MAIL: Commissioners wanted to thank Millbury High School students Gary Despres and Sean Menard who participated in Student Government acting as Conservation Commissioners.

Vice-Chairman Stead referred to a letter received indicating aquatic treatment of Dorothy Pond beginning May 29, 2015.

Lawrence Richards sent a letter to MA Department of Environmental Protection (MA DEP) Mr. Richards appealed the Orders of Conditions placed on Elite Home Builders by the Millbury Conservation Commission. MA DEP supported the Order of Conditions. Mr. Richards has done additional research and provided pictures and a letter to MA DEP.

Vice-Chairman Stead read an email from Joe Bellino of MA DEP stating that he would try to conduct a site visit at 106 Wheelock Avenue and could issue a Notice of Non Compliance requiring the property owner file a Notice of Intent.

Commissioners received a copy of the Proceedings of the May 5, 2015 Town Meeting.

7:05 P.M.

BRAD TURNER

INFORMAL MEETING

Brad Turner requested an informal meeting to discuss Lake Singletary drawdown. Mr. Turner stated that the ponds are suffering downstream from Lake Singletary as there is little to no water coming out of Lake Singletary. Mr. Turner said the gates should be closed on April 1<sup>st</sup> each year, however, it is not happening. Mr. Turner estimates the water is down approximately two feet and water is not flowing to the ponds. Chairman Flynn thanked Mr. Turner for the information and noted per the Orders of Conditions, there should be water flow all the time and stated that this is not the first time this subject has come before the Commission.

Paul DiCicco informed the Chairman that he and Mr. Turner conducted a site visit and he concurred that Round Pond has scum on the top, the area where the stream runs is dry and water from Lake Singletary is not flowing to Round Pond.

It is Mr. Turner's opinion that the drawdown should be controlled by the Department of Public Works. The Town has the water rights and is responsible for the dam, however, Mr. Turner doesn't understand why a private organization is handling this. Chairman Flynn stated that the drawdown is to be controlled in a manner that the Singletary Lake Association put on a plan. He also stated that in recent years, at least three times they have neglected to check the water flow. Chairman Flynn recommends putting this item on a

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future agenda and inviting the responsible party in for discussion. Mat Ashmankas also mentioned that the water downstream on the West Main Street side is an important water source for the Millbury Fire Department. Ron Stead asked the Clerk to reach out to Dave Rudge to address this issue immediately.

### NEW BUSINESS: PAMELA CRISTO CERTIFICATE OF COMPLIANCE

The Conservation Commission was notified that work was completed per OOC#224-662 at 2 Horseshoe Lane. Ron Stead conducted a site visit. There was a long standing issue with trash in the wetland but that has been resolved. Ron Stead recommends that the Commissioners issue the Certificate of Compliance.

Mat Ashmankas motioned to issue a Certificate of Compliance; Ron Stead seconded; voted unanimously.

A Certificate of Compliance was approved and issued.

7:15 P.M. Dan Rizika  
DAN RIZIKA Notice of Intent  
PUBLIC HEARING 1521 Grafton Road

#### *Document Used:*

*"Grafton Road Solar Array" dated April 17, 2015, prepared by New England Environmental, Inc., Environmental Consulting, 15 Research Drive, Amherst, MA.*

Chairman Flynn opened the public hearing. Brendan Gove, President & CEO of Zero Point Engineering, Inc. represented Daniel Rizika for construction of a 127 KW DC Solar Array located at 1521 Grafton Road. This project does not trigger Planning review as Millbury By-laws require review when greater than 250KW. The location of the project is within 100' setback of wetland.

Vice-Chairman Stead conducted a site visit with Mr. Gove and additional information has been added to the plan to include comments at that visit. The plan now shows the proposed treelines with straw wattles for erosion control. Access to the array was adjusted to the west instead of the east which is outside of the buffer zone. Chairman Flynn stated that there are no impacts to the resources. Mr. Gove said that is correct. Mr. Gove gave a brief overview of the area as it is the intent to clean up the property and control invasive species, bamboo that currently exists.

Chairman Flynn asked what disturbance will take place on the property. Mr Gove noted there would be minimal grading on site. The array will be a concrete ballasted ground mount system. The block will be approximately 4 square feet per ballast block with 60 ballast block per array. Mr. Gove stated that the array sits on the surface. There will be a

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chain link fence around the facility per Town By-law for security purposes. Access during construction will be from Grafton Road. The array will be placed on private property off Grafton Road. Brendan Gove further stated that as part of the mitigation, they plan on securing wattles with wood stakes.

Mat Ashmankas asked if there was any work required on site to tie into the grid. Mr. Gove stated there was an existing National Grid overhead electric line on the east side. There would be two additional poles added along with underground cable to tie into the electric.

Paul DiCicco inquired as to what type of vegetation is near the railroad bed. Mr. Gove said he believes it is primarily bamboo and Japanese Knotweed.

Chairman Flynn invited those in attendance if they wanted to view the plans. There was some general discussion with the Department of Public Works Director about the sewer easement.

Ann Cherry, owner of 1527 Grafton Road inquired as to what impacts there might be to neighbors once the system is operational. Brendan Gove stated there is an operation and maintenance plan in place. There would be monthly or every other month visits to the site via pick-up truck. They inspect connections and monitor output. Ann Cherry inquired about safety concerns with electricity at the site. Mr. Gove stated the plan is stamped by a professional engineer and the plan follows electrical codes and standards for grounding.

Ron Stead asked if the array is noisy. Mr. Gove stated at fifty feet away, you would not hear it. The solar array is also only operational during the day. Chairman Flynn inquired about the timetable for the project. It is estimated to be complete in two weeks. Mat Ashmankas asked about any possible disturbance to the area with the underground tie to the grid. Mr. Gove stated that National Grid provides specifications which are followed. Mat asked if they would be crossing the sewer easement. Mr. Gove stated there will be overhead wood poles and they would not be trenching over the easement. Mr. Gove will provide the Commissioners will update the revised plan to include a locus map and compass per Chairman Flynn's request.

Ron Stead 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.  
MA DOT

PUBLIC HEARING

Mass. Dept. of Transportation – Highway Division  
Notice of Intent  
Massachusetts Turnpike (I-90)

*Document Used:*

*“Interstate maintenance and related work on Massachusetts Turnpike (I-90) in the City/Town of Millbury, Worcester Country” dated May 6, 2015, prepared by Massachusetts Department of Transportation, Highway Division*

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Chairman Flynn opened the hearing for Interstate maintenance and related work including Stormwater Management upgrades on Massachusetts Turnpike (I-90) in Millbury. Siona Patisteas, Wetland Scientist and Mark Costa, Engineer for VHB represented the applicant. Siona described a combined project including resurfacing and stormwater drainage including approximately twenty-five BMPs. The Wetland resources along I-90 were delineated in November, 2014. Of the twenty-five BMP's, four are proposed within the Concom jurisdiction with all work to be within buffer zone. The first is identified as infiltration swale #1 near the Auburn and Millbury line. There are two basins proposed east of Park Hill Avenue and one swale proposed west of Dorothy Pond near Broadmeadow Brook.

Mr. Costa provided an overview of the existing conditions along the Interstate. When originally constructed, there were no stormwater management regulations thus there exists a traditional catch basin stormwater system with no treatment being provided.

There are two infiltration basins proposed placed in unvegetated areas that will store and hold water and infiltrate into groundwater helping remove phosphorous and other pollutants. In addition, there is a proposed infiltration swale installing check dams using drainage ditches. The will provide storage volume to swale and act like infiltration basins. There are thirty catch basin improvements proposed targeting reduction of phosphorous by forty-five pounds per year. In addition, the project proposes a twenty-five acre reduction of impervious area aiding aquatic health in water bodies.

General discussion followed with regard to improvements to Dorothy Pond. Mat Ashmankas asked if anything is going to be done at Millbury Avenue as currently there is silt entering Dorothy Pond. Mr. Costa stated that they can't get infiltration due to ledge in the area. Mat Ashmankas stated there is a silt plume that is going to be removed and the improvement is welcomed, however more could be done. Mat Ashmankas asked if there was a maintenance plan for the proposed sedimentation ponds. Mr. Costa replied yes.

Ron Stead asked if the proposed improvements will reduce dredging at Dorothy Pond for many years. Mr. Costa stated the phosphorous reduction is significant and the proposal should be a huge improvement. Chairman Flynn asked if BMPs will be used during construction. Mr. Costa said they are proposing compost filter tube which, in his opinion, is the best product. Ms. Patisteas further stated there is post construction restoration planned including loam, seeding, etc.

Chairman Flynn opened the floor for questions. Rob McNeil, Millbury DPW Director is in agreement with Mat Ashmankas regarding Dorothy Pond restoration. Mr. McNeil stated that one project was the pond cleanup, however the problem is a result of the widening of the Turnpike to the west of Dorothy Pond that overburdened the concrete swales along the right of way. Hundreds of yards of material went downstream and created sedimentation deposits in Dorothy Pond.

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Mr. McNeil asked the Commissioners to get more information from MA DOT to ensure the system upstream is addressing the ongoing sedimentation due to failed systems on the Turnpike. Without correcting the area west of Millbury Avenue, this is not addressing the problem. Mat Ashmankas and Don Flynn were concerned about drainage east of Millbury Avenue and Dorothy Pond. Rob McNeil welcomes a site visit.

Mr. McNeil inquired as to what the TMDL is for Dorothy Pond. It is for phosphorous. Mat Ashmankas inquired as to the source of phosphorous. The roadway doesn't allow pollen or sediments to infiltrate through the natural system before reaching the basins. Mr. Costa also wanted to point out that the plan does show all improvements west of Dorothy Pond on the southern side as this area is outside of the buffer zone. Ten check dams are also proposed that will result in the removal of TSS and silt.

Chairman Flynn wanted additional time to review the plan, and inquired if anyone is interested in a site visit to better understand the overall project. Ron Stead recommends a site visit including MA DOT, Millbury DPW Director and Conservation to understand and address concerns from the Town.

Ron Stead made a motion to continue the hearing to June 3, 2015 at 7:15 PM; seconded by Mat Ashmankas; voted unanimously

7:45P.M.  
TOWN OF  
MILLBURY DPW  
PUBLIC HEARING

Town of Millbury - Department of Public Works  
Notice of Intent  
Dolan Road – Ramshorn Pond Dam

*Document Used:*

*"Ramshorn Pond Dam Rehabilitation" dated May, 2015,  
prepared by Pare Corporation, 10 Lincoln Road, Suite 103, Foxborough, MA 02035*

Chairman Flynn opened the public hearing for repairs and improvements to Ramshorn Pond Dam. Chairman Flynn stated the Commission received several letters regarding this project. Chairman Flynn read a lead from Philip C. Nyberg of 21 Bayberry Lane, West Millbury who was not able to attend the public hearing. Mr. Nyberg gave a brief overview of the project and stated the rehabilitation of the Ramshorn Pond Dam appears to be a sound approach to provide a remedy for seepage and low-level control issues. However, Mr. Nyberg provided additional comments as follows: widening of the crest of the dam will result in filling of a portion of the dam which he feels is unnecessary for the rehabilitation; instead of proposed parking area, a modest parking area could be constructed at the north end of the dam on the downstream slope; an unsupervised watercraft launching could introduce invasive plant species that could be costly to control the weeds. Mr. Nyberg does not want to jeopardize water quality at Ramshorn Pond that is excellent and within the guidelines of Mass. DEP for Class B waters fishable/swimmable). Mr. Nyberg requests that the Commissioners minimize or eliminate the filling of Ramshorn Pond and remove the potential for introduction of invasive plant species.

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Vice-Chairman Stead read a letter from Bruce Hjort of 12 Sunset Drive, Millbury and reviewed pictures provided. Mr. Hjort stated concerns of the proposed sheet pile wall as additional filling in of the pond will take place in order to accommodate parking. Mr. Hjort suggested parking on the downstream side of the dam. He has further concern on introduction of invasive weeds suggesting a boat wash down system with proper drainage be provided to protect the pristine asset to the Town.

Paul DiCicco read a letter from Kathleen Crewe of 33 Ramshorn Road, President of the Ramshorn Pond Association whose goal is to maintain high quality of water with no invasive weeds in Ramshorn Pond. She further noted filling in land underwater and providing a canoe ramp will introduce weeds. Singletary Lake, approximately .8 mile from Ramshorn dam is impaired due to invasive weeds. Ms. Crewe and the Association's education efforts on weeds, fertilizer use and septic systems has been successful in protecting the Pond thus far. Ms. Crewe suggests parking on the downstream side of the road avoiding filling in land under water. She further suggests a boat washing station that the Town should take responsibility for as well as weed removal for years to come.

Chairman Flynn read a letter from Linda Donovan, resident Town of Millbury. Included with the letter from Ms. Donovan is a Report of Parks Commission. Ms. Donovan stated the expansion of the Dam rehabilitation project to include parking is creating an estimated 18,060 square feet (page 2 of ENF) of land under water to be replicated at Jacques Park basketball court area. Ms. Donovan provided an excerpt of the Town Annual Report from 1971 when the Parks and Recreation Department created the basketball court and questioned the area that is naturally a wetland as an adequate replication site for the land under water at Ramshorn Pond. Ms. Donovan pointed to three part mitigation levels of the Clean Water Act Section 404 regulations; avoid adverse impacts to aquatic resources, minimize if impacts cannot be avoided and compensate appropriate and practicable compensatory mitigation for unavoidable impacts which remain. Ms. Donovan asked the Commission to consider the anti-degradation policy and water quality standard regulations in order to maintain high water quality as well as established uses such as fishing, swimming or other uses that have occurred since 1975.

The Commissioners received a five page letter from Wendy C. Gendron, CLM, Aquatic Ecologist/Owner. Vice-Chairman Stead stated that he did not read the entire letter, however it is available for request and review from the Clerk. Vice-Chairman Stead read the bulleted considerations as follows: widening the crest is not necessary for dam safety; there is no need to fill portions of Ramshorn Pond in order to provide parking and boat access; Conservation Commission should request the applicant to evaluate an alternative that doesn't include crest widening; applicant hasn't demonstrated a need to provide parking and a boat launch; there is ample off site options for water recreation; providing boat access will increase potential for nuisance species introduction; prevention of introduction is the most effective method to control aquatic invasive species; Conservation

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Commission has the authority to require the applicant to implement and maintain early detection, monitoring and response program as a requirement in the Order of Conditions (Note: all letters in their entirety are available in the Ramshorn Pond Dam file.)

Chairman Flynn deferred to Millbury DPW Director, Rob McNeil for his opening comments as applicant for this project. Mr. McNeil provided an overview of the project stating in 2014 at the Town authorized an appropriation for two million dollars for design and reconstruction of the Dam. Mr. McNeil stated it was clear that this would include public access to the Great Pond as is required under State Law which currently does not exist. In 2015, the Town authorized eminent domain powers to acquire easements and temporary and permanent takings for this project. The dam has been downgraded to poor condition and is considered a high hazard dam based on criteria of the Office of Dam Safety. The project is in the design phase working with professional consultants. The goal is to correct issues and provide public access that is respectful to residents of the Town including the Lake Association. It is not the intent of the Town to compromise the condition of the dam. Mr. McNeil noted that there were public information sessions held for input on the project and have incorporated concerns and comments from the Lake Association specifically directing the Commissioners to Section 8 of the submittal, identifying the design of the vertical cut off wall.

Allen Orsi, professional engineer and Lauren Hastings, environmental scientist with Pare Corporation provided further project details. The Ramshorn Dam is 585 feet long and 25 feet high in poor condition with a number of deficiencies. There is an Order to bring the dam up to State standards addressing the following issues: up and downstream slopes do not meet safety for slope stability, sink holes at the spillway, at the discharge end of the spillway flow is being diverted from the design channel to the embankment and is scouring away the slope, corrugated metal pipe showing deterioration and sink holes and the spillway doesn't have capacity.

The proposed improvements program includes the complete replacement of the existing spillway, relocating it to the center of the dam, replace low level outlet system, stabilize the upstream slope with the installation of the driven sheet pile cutoff wall, stabilize the downstream slope by clearing, grubbing, and clearing creating a more shallow slope. The stormwater drainage system will be replaced along the street reducing runoff from the roadway to the banks. Stormwater will drain to a new box culvert. The project will include

widening of the roadway with five parking spaces, three handicapped, one maintenance and one public. Parking spots will meet ADA Standards. In order to mitigate BVW impacts, the replication area of 8500 square feet is located at Jacques Park. The driveway will be resurfaced and two culverts will be replaced.

Rob McNeil provided additional details of the grading plan proposed as the spillway is currently under designed. The existing gatehouse is on the downstream slope, not easy to access, and not safe due to high pressure. The proposed gatehouse will be upstream, double gated and pressure under the wall will be minimized.

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Chairman Flynn asked the engineers to address the sheet pile wall and inquired as to what came first; the sheet pile wall or parking. Mr. Orsi did not know what came first, however noted that from the beginning of the project the Town identified providing public access to the Great Pond for the citizens of the Town as an important element. The upstream wall came to be after reviewing various design options. Chairman Flynn asked what is the purpose of the sheet piles. Mr. Orsi responded to stabilize the upstream slope and prevent seepage from the embankment. Utilizing a diagram, Mr. Orsi further explained the existing slope conditions versus after the alternatives analysis taking into account another location of the sheet pile wall or utilizing an impermeable membrane as well as costs and permitting associated with each.

Mat Ashmankas asked how the wave action will react to the wall. Mr. Orsi stated with the rip rap slope, the waves will hit the wall and bounce off and prevent splash over. Mr. Ashmankas asked what the face design is of the wall. Mr. Orsi stated it was vinyl with ridges, is cellular and is reinforced with steel and concrete. Mr. McNeil noted that color swatches were brought to the Ramshorn Association for input in order to avoid an eye sore to residents.

Paul DiCicco asked where the water will be diverted to during construction and what type of impact will that have on the surrounding areas. Mr. Orsi stated the water will be diverted through the dam structure during construction. Mr. McNeil stated the intent is to impact use of the Pond for one boating season. The goal is to bid the project late Summer/Fall and begin construction during the winter drawdown.

Chairman Flynn wanted to discuss the public access issue, the boat launch and if other alternatives were considered. Mr. McNeil stated that Ramshorn Pond was identified as a Great Pond. By definition, it must be open to public access. Currently there is a high fence on Dolan Road that prevents access. The Town Mgr. identified at Town Meeting the intent to provide public access. Mr. McNeil stated the goal was to repair the dam and public access was secondary. The proposal is not high impact, but rather simple access such as kayak or canoe access, not motorized access. They are not looking to overwhelm with parking, however the proposal will provide handicap access as well as access to municipal staff for the long term operation and maintenance of the facility.

Mat Ashmankas asked Mr. McNeil if he researched any other public access. Mat stated there are currently three access points in Sutton and one in Millbury. He does not see the need for public access or filling in a portion of the pond. Mr. McNeil did not research other public access, however stated it is necessary to fill in the pond to address upstream slope stabilization. Mr. Ashmankas asked where the replication for fill in will be located. The engineers identified permanent impact area of land under water at 4,865 square feet and temporary impact to the area at 11,790 square feet. The replication area targeted for improvements is Jacques Park. The area is downstream from the project, is in the same watershed and is in need of clean up from previous activities.



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Chairman Flynn asked if there were any alternatives to the public access. This is designed to be a canoe launch. Is there room for any type of boat wash? Mr. McNeil spoke with the Public Access Board through Fish and Wildlife. This area is a Town facility, not one that will be run by the Public Access Board. Mr. McNeil believes a wash station is unrealistic. Mr. McNeil does not anticipate that there will be any additional threat to water quality of canoes being introduced via the public access point as there are currently multiple access points utilized by Lake Association members' families and friends.

Patty McElliott of 27 Dolan Road, an abutter on the downstream side of the dam, has concerns about potential flooding and safety concerns with regard to parking as there is not sufficient area to turn around. Her concern is that people will park across the street and walk across the street with canoes. Chairman Flynn stated the project is designed to alleviate flooding especially if there was a failure to the dam. Mr. Orsi said the spillway was designed to accommodate a 100 year storm. There should be no additional threat in the area.

Wendy Gendron, owner/operator of Aquatic Restoration Consulting, Certified Lake Manager and an Aquatic Ecologist with over nineteen years of experience restoring lakes and ponds. Ms. Gendron wanted to point out some inconsistencies. It was stated that approximately 4,000 square feet of land under water would be the permanent impact, however according to the Environmental Notification Form it states 8,260 feet. The sheet pile was also identified as a secondary benefit, not the primary reason for controlling seepage. The cutoff wall will assist with addressing seepage. Widening the crest, while not a consideration to dam safety of the project would provide vehicular parking. Ms. Gendron said widening of the crest is solely for the purpose of access to the pond and doesn't know why they can't locate the upstream sheet pile closer to the existing top of the crest eliminating twelve feet of parking space while still solving the seepage problem with the sheet pile. In addition, the project is not proposing in-kind replication but rather the land under water will be permanently displaced. Ms. Gendron would like the Commission to have the applicant re-evaluate the parking area to provide one or two spaces and an informal access. She further stated a balance can be attained in order to minimize environmental impacts.

Chairman Flynn asked the engineers if the sheet pile could be moved back. Mr. Orsi stated by moving the wall back, you would have greater downward pressure, decreasing slope stability. Mr. Flynn asked if the desire for public access came first or dam safety came first. Mr. Orsi stated that public access may be been discussed first, but was not the driving factor upon further evaluation. Mr. McNeil pointed out that this is not new information. The slope stabilization information was published in March, 2014 and has been in the hands of the Lake Association. Chairman Flynn asked if there were any comments from the Association. Mr. McNeil said there were, however other alternatives such as a blanket barrier would likely not be permissible would require bringing the lake elevation down to a severe level which would have a limited pool to support aquatic life. The slope

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stabilization and seepage can be accommodated with the cut off wall. Parking on the downstream slope is a safety issue. Mr. McNeil stated this has been in design for two years and have had multiple public information sessions and has made decisions based on long term sustainability.

Mr. Flynn believes the main issue with the public access is the accidental introduction of invasive species into the lake which everyone would like to avoid. Not questioning the need for public access but rather the inadvertent degradation of water quality. Mr. McNeil disagrees based on public meetings held, he believes the issue is public access. The residents don't want it but the Town is requiring it.

Mr. Ashmankas noted that there was a public access that was taken out of the previous dam. Mr. McNeil stated the project has been clear from the beginning that the dam repair was to take place in conjunction with public access as public dollars are being spent on the improvements.

Chairman Flynn asked about mitigation for introduction of invasive species e.g. signage, information, boat washes. Mr. McNeil said there will be limited parking and car top access only for canoes and kayak access only. Standard signs outlined by fish and wildlife will be placed about invasive species. There is no intention of a washing station.

Chairman Flynn asked about the discrepancy in the resource area. Mr. Orsi will check on this information and report back.

John Adams of 67 Davis Road disagreed with Mr. McNeil with regard to weed entry to the Pond. He stated there is communication with Lake Association members to ensure their boats are clean. He stated the Lake hasn't maintained this level of water quality because of lack of communication. Canoes and kayaks can bring weeds to the pond. They don't want to deny public access, but want to make it minimal not to ruin a pristine water body in Town. They will not be able to eradicate the weeds once they come. Residents of the lake will have the burden for cleanup.

Wendy Gendron suggested to the Commissioners a rapid response plan be put in place as part of the permit approval process. She concurred with Mr. Adams that the burden should not be placed on the residents of the Lake Association to pay, monitor and eradicate weeds.

Ron Stead stated the Commisisoners will likely not change the design of the dam. The Commission is also tasked to provide access to the natural resources for the citizens of the community. It is clear the citizens want access to Ramshorn. I do not see that the Commission can deny that.

Chairman Flynn further stated the Commisison has an interest in protecting the pond and water quality. The Town also ends up spending monies to protect weed control. This is a difficult issue.

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Roger Thornberg, Sunset Drive inquired as to the cost of the dam improvements. The cost is approximately two million dollars including design and construction. Mr. McNeil stated that the Town has applied twice for grants and will continue to apply in order to receive any State money for the project.

Paul DiCicco said because this is a critical need to repair the dam, why isn't the Army Corps. Of Engineers involved. Mr. McNeil stated the Dept. of Conservation and Recreation has placed an order on the Town as the dam has been downgraded from fair to poor condition and is a high hazard to downstream if it were to breach. The Army Corps. is a reviewer in the process. There will be no funding from the Army Corps.

Ron Stead made a motion to continue the hearing to June 3, 2015 at 7:45 PM; seconded by Paul DiCicco; voted unanimously

8:15 P.M.

NICK GRANDE Nick Grande  
PUBLIC HEARING Notice of Intent  
McCracken Road – Assessors Map 34 Lot 30

Vice-Chairman Ron Stead opened the hearing for construction of a single family dwelling with associated septic system, driveway, grading and utilities. Vice-Chairman Stead indicated that the project has not yet received a MA DEP transmittal number and asked the applicant's representative, Patrick Burke if he would entertain a continuance on this hearing. Mr. Burke agreed.

Mat Ashmankas made a motion to continue the hearing to June 3, 2015 at 8:45 PM; seconded by Paul DiCicco; voted unanimously. After brief discussion, motion amended to continuance on June 3, 2015 at 8:30 PM. Mr. Burke notified of time change.

8:30 P.M.

N.E. POWER New England Power Company  
COMPANY Notice of Intent  
PUBLIC HEARING 33 Providence Street

*Document Used:*

*"Distribution Line Training Facility, Environmental Constraints Map", 33 Providence Street, Millbury, MA" dated May 8, 2015, prepared by BSC Group.*

Chairman Flynn opened the public hearing for construction of a new distribution training yard. David Cowell, Ecologist with BSC Group represented the applicant. Work would entail installing ten new distribution poles with nine of them in the 100 year flood plain and one pole in the 100 foot buffer zone bordering vegetated wetland and inland bank. In addition, they will develop two transformers and one switch box underground. They are filing under an old mill site (formerly Aldrich Mill) resulting in an exemption for riverfront area standards.

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The greatest concern is floodplain displacement of approximately 29 cubic yards. The calculations indicate that volume being removed is greater than the volume being displaced. There will be installation of sediment erosion controls on site including wetland resources areas. Any displaced soils will be removed off site. If dewatering is needed, it will process through a filter bag in an upland area. The project will meet or exceed best management processes utilizing EG303 standards. Chairman Flynn indicated that there are minimal impacts. Mr. Cowell also indicated that the existing building on the facility will remain.

General discussion followed that the transformers will be live for training purposes only. They will not be connected to the distribution system. The transformers are also designed to include secondary containment for spills, etc.

Mat Ashmankas brought to the attention of the Chairman, that there are some abutter notifications missing based on the information received at the hearing. Mr. Cowell was not aware of this. Based on this information, the public hearing will need to be continued.

Ron Stead made a motion to continue the hearing to June 17, 2015 at 7:15 PM; Paul DiCicco seconded; voted unanimously.

8:45 P.M.

MENAHAM BEN Menaham Ben Bichotte  
BICHOTTE Notice of Intent  
PUBLIC HEARING 1499 Grafton Road

Vice-Chairman Ron Stead opened the public hearing for installation of a retaining wall and landscaping. Applicant has not yet received a MA DEP transmittal number for this project. Applicant has agreed to a continuance of the public hearing.

Ron Stead made a motion to continue the hearing to June 3, 2015 at 7:00 PM; Mat Ashmankas seconded; voted unanimously.

9:00 P.M.

LEE CURTIS/BSC GROUP  
NEW ENGLAND POWER  
INFORMAL MEETING

David Cowell, Ecologist with BSC Group represented the applicant New England Power with regard to Interstate Reliability Project (IRP) DEP #224-696. A request was made to the Commission to discuss modifications to an existing approved plan. As part of the Interstate Reliability Project proposal, a new control house was to be constructed on site, while leaving the existing control house in place. Due to space constraints, it is proposed to remove the existing control house. The building is on a concrete slab that would be

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removed and all material hauled off site. Mr. Cowell is requesting the work be conducted under the existing Notice of Intent as a minor project modification.

Chairman Flynn stated that contingencies are currently in place for erosion control. Vice-Chairman Stead asked how big the building was. Mr. Cowell stated twenty feet by sixty feet. Only one third of the building is in the buffer zone. Ron Stead asked how long the demolition process would take. Mr. Cowell stated that they are investigating if there is any asbestos and if so that would need to be handled. Mr. Cowell estimates two to three weeks to complete this portion of project. Chairman Flynn noted that they are already operating and considers this a minor modification. Mr. Cowell stated all erosion controls are still in place. Chairman Flynn requests that the copy of these minutes be placed in the IRP file.

The Commissioners agree that the proposed work is a minor addition to existing work and that no additional action or amendment is required. Information on this work will also be included in the weekly IRP updates.

Ron Stead motioned to adjourn the meeting at 10:00 p.m.; seconded by Mat Ashmankas; voted unanimously.

Respectfully submitted,

*Michelle Desorcy*

Michelle Desorcy  
Secretary

*Donald Flynn*

Donald Flynn

Mathew Ashmankas

*Ron Stead*

Ron Stead

Paul DiCicco

CONSERVATION COMMISSION



*A Better World  
Through Conservation*

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**Agenda**

- 7:00 P.M. Mail, Minutes, Vouchers
- 7:05 P.M. Brad Turner  
Informal Meeting - to discuss Lake Singletary drawdown
- 7:15 P.M. Dan Rizika  
Notice of Intent  
1521 Grafton Road - construction of a solar energy facility
- 7:30 P.M. Mass. Dept. of Transportation - Highway Division  
Notice of Intent  
Massachusetts Turnpike (I-90) - Interstate maintenance and related work  
including stormwater management upgrades
- 7:45 P.M. Town of Millbury - Department of Public Works  
Notice of Intent  
Dolan Road - repairs and improvements to Ramshorn Pond Dam
- 8:15 P.M. Nick Grande  
Notice of Intent  
McCracken Road - Assessors Map 34 Lot 30 construction of a single family  
dwelling with associated septic system, driveway, grading  
and utilities
- 8:30 P.M. New England Power Company  
Notice of Intent  
33 Providence Street - construction of a new distribution training yard
- 8:45 P.M. Menaham Ben Bichotte  
Notice of Intent  
1499 Grafton Road - installation of a retaining wall and landscaping
- 9:00 P.M. Lee Curtis of BSC Group  
Informal Meeting - to discuss modifications re: New England Power's  
Interstate Reliability Project DEP # 224-696

15 MAY 15 AM 9:58  
TOWN OF MILLBURY

- continued -

**OLD BUSINESS:**

Summer Schedule

**NEW BUSINESS:**

Pamela Cristo

Request for Certificate of Compliance Re: OOC #224-662

Site: 2 Horseshoe Lane

Work: Building of modular retaining wall, back and side yard work  
and construction of fence

All business not reasonably anticipated to be discussed

Note: Agenda subject to change without notice

