

# MINUTES

## Millbury Conservation Commission

Date: July 15, 2015

Time: 7:00 PM

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

Absent:

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

**MAIL:** Chairman Flynn received a Notice of Treatment from Aquatic Control Technology notifying the Commission that beginning July 14, 2015, Lake Singletary will be chemically treated using two chemicals to control nuisance and invasive aquatic vegetation. A map of the proposed treatment area was also provided.

**VOUCHERS:** A voucher was approved and signed for mileage reimbursement for Ron Stead.

7:10 P.M. Carmen Yursha  
CARMEN YURSHA Notice of Intent Continuance  
CONTINUANCE 106 Wheelock Avenue

Chairman Flynn opened the public hearing. The hearing was continued from June 17, 2015 in order to conduct a site visit. Chairman Flynn informed the Commissioners that he met with Mr. Yursha at his property on 106 Wheelock. Mr. Yursha has siltation fence two feet off the intermittent stream that runs across his property, adequately preventing materials from impacting the wetlands. Chairman Flynn does not have a major issue but noted that there has been work conducted in the buffer zone and the overall project entails more than just walls being constructed. Chairman Flynn requested the minutes of this hearing reflect that Mr. Yursha must come before the Commissioners with regard to cleaning up that area in the future. Chairman Flynn wants a call prior to that work being done. The stone walls are outside of the buffer zone unless Mr. Yursha operates in the area of the intermittent stream utilizing any stones.

Anthony Cameron visited the site on 7/12/15 and asked Mr. Yursha what will happen to the concrete that is on site. Mr. Cameron further stated that the original Notice of Intent was for construction of house and walls in 2013. Mr. Cameron asked if a perimeter drain was installed and where does it discharge to. Mr. Yursha said he did put in a perimeter drain that is located in stone. Chairman Flynn said it does not daylight into the stream. Paul DiCicco asked if the drain was working properly. Mr. Yursha said yes. The Commissioners asked what the estimated timeframe for completion of work on this property. Mr. Yursha stated one year. Chairman Flynn indicated that the Order is good for three years. Mr. Yursha needs to keep straw wattles and silt fencing in place which may need to be replaced to ensure water doesn't get by it in a storm event. If Commissioners wanted to enter his property, Mr. Yursha would show where the perimeter drain comes out on his property. It was further stated that Mr. Yursha must leave the bank of the stream intact.

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

An Order of Conditions will be issued and conditioned accordingly.

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7:25 P.M.  
ALBERT  
LAFORTUNE  
CONTINUANCE

Albert LaFortune  
Notice of Intent Continuance  
4 Wheelock Avenue

Chairman Flynn opened the public hearing. The previous hearing was continued as the project did not have a MA DEP Transmittal number. A DEP number is now on file. A general overview of the project ensued. The applicant will be operating in the buffer zone, not in the resource area. The applicant is taking down a small shed, installing a driveway to the lower property area, adding on to existing decks and building an addition to the existing house. There will be some foundation work for footings, and some filling in the area of the existing garage to accommodate the driveway. The applicant is installing hay bales at the waterfront area. Chairman Flynn wants to ensure bales are located in order to keep soils out of the pond. There may be some interim stockpiling on site and the Commissioners want to make sure materials don't make it to the pond. Mr. LaFortune does not experience run off to his property as the area is protected by a berm at the street. Paul DiCicco stated there is to be no washing of cement trucks on the property.

Paul DiCicco made a motion to close the hearing; seconded by Ron Stead; voted unanimously.

An Order of Conditions will be issued and conditioned accordingly.

7:35 P.M.  
NICK GRANDE  
CONTINUANCE

Nick Grande  
Notice of Intent Continuance  
McCracken Road – Assessors Map 34 Lot 30

Chairman Flynn opened the public hearing. Patrick Burke of HS&T Group, representative for the applicant, Nick Grande requested a continuance of the public hearing.

Anthony Cameron made a motion to continue the hearing to August 19 at 7:10 PM; seconded by Paul DiCicco; voted unanimously.

NEW BUSINESS:  
Attorney Katherine Toomey

Request for certified copy of a Certificate of Compliance for  
5 Auburn Road, Millbury as the original had been lost.

Ron Stead made a motion to send Attorney Katherine Toomey a letter including a certified copy of the Certificate of Compliance from the Town Clerk; Anthony Cameron seconded; voted unanimously.

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### NEW BUSINESS:

Mahmood Arshadi Request for Extension Permit Re: OOC #224-513  
192 – 194 Millbury Avenue

Attorney Joseph Allen III, acting on behalf of his client, Mahmood Arshadi requested an extension of the Order of Conditions under MA DEP #224-513. Ron Stead made a motion for a three year extension; seconded by Paul DiCicco; voted unanimously.

### OTHER BUSINESS:

Site Visit Updates Paul DiCicco updated the Commission on a recent visit to 23 Millbury Avenue following an inquiry as to truckloads of material in the rear of the property near the intermittent stream. Ron Stead said there is fill, mulch and wood chips piled in the backyard. General discussion followed about the existing culvert and if the use of large equipment in that area could impact the stream. The Commissioners would like the Clerk to reach out to the homeowner to get permission to enter the property to further see what type of work is going on at the property and if there are any impacts to the stream.

Paul DiCicco conducted a site visit at 58 Riverlin Street. The homeowner contacted the Conservation Department that the erosion controls are in place per the Orders of Conditions. Paul reported that all looks good.

Paul DiCicco conducted a site visit at 29 Wheelock Avenue following a complaint that there may be some sort of dumping going on in the pond. Paul could not make a definitive observation as there is an eight foot fence surrounding the property and he did not have permission to enter the property. The Commissioners asked the Clerk to reach out to the owner for access to the property for further observation.

The Conservation Department was contacted that erosion controls are in place at the self storage facility being constructed on Providence Street. Chairman Flynn had contact with the contractor and gave authorization to cut a few additional trees in order to accommodate installation of the erosion controls.

8:00 P.M. G.F. Realty, LLC  
G.F. REALTY, LLC Notice of Intent Continuance  
CONTINUANCE Riverlin Street – Assessors Map 28 Parcel 20 Lot 2

Chairman Flynn opened the public hearing. At the previous public hearing, Chairman Flynn had challenged the wetland delineation on the property and requested a site visit. Chairman Flynn stated that when root systems on trees are raised, it could indicate high groundwater, however in this circumstance it indicates high seasonal groundwater. Chairman Flynn informed the Commissioners that he conducted a site visit on 7/14/15 with a wetland scientist. They dug holes. The observations satisfied Chairman Flynn that there

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were no wetland soils. A further discussion of plants took place. Chairman Flynn and the wetland scientist agree that the soils indicate that they are not wetland soils. There is indication that the area in question is representative of seasonal high groundwater.

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.

8:15 P.M. Anne Stachura  
ANNE STACHURA Notice of Intent  
PUBLIC HEARING 12 Shore Terrace

*Document used:*

*"Site Plan for: Anne E. Stachura, 12 Shore Terrace, Millbury, MA" prepared by Robert G. Murphy & Assoc., Inc. dated 6/18/15*

Chairman Flynn opened the public hearing for an addition to an existing single family home located at 12 Shore Terrace. Roger Allen from Blackstone Valley Mapping acted on behalf of the engineer, Robert Murphy who was not able to attend the hearing. An overview of the project ensued. It was noted that proper erosion controls are in place.

Brennan Salo will be the contractor on site. Chairman Flynn inquired about frost walls for the addition. Mr. Salo stated there will be a full basement and will have frost protection. The walk out basement will accommodate access to the rear of the home. There will be standard construction with footings. Roof water will be controlled utilizing discharge chambers. Chairman Flynn inquired if there will be landscaping to the property. Mr. Salo said there will be landscaping including hydroseeding. He further stated that erosion controls including silt fencing will remain in place and that all construction is away from the water behind erosion controls. Chairman Flynn asked Mr. Salo if he anticipates any groundwater during footing installation. Mr. Salo stated he pays close attention to the FEMA flood line and does not anticipate any groundwater in that area. If he does experience groundwater issues, the water will be taken off site.

Anthony Cameron asked if the three septic tanks will be crushed. Mr. Salo said the tanks will be crushed and disposed of properly. Chairman Flynn asked if soils from foundation work will be taken off site. Mr. Salo plans on using some material for backfill, shaping and grading and any excess material will be hauled off site. Erosion controls presented are more than adequate for protection.

Ron Stead made a motion to close the hearing; seconded by Anthony Cameron; voted unanimously.

An Order of Conditions will be issued and conditioned accordingly.

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**OLD BUSINESS:**

Review Plan Modification -1521 Grafton Road

*Document Used:*

*"Site Layout & Grading Plan prepared for: Printguard, Inc., Daniel Rizika, 1521 Grafton Road, Millbury, MA" Prepared by Hannigan Engineering, Inc. dated 6/9/15*

The Commissioners discussed a plan modification to incorporate a change in boundary lines. A recent property line survey resulted in a shifting of the proposed solar array three feet north to south. An updated plan includes the change at 1521 Grafton Road. The Commissioners reviewed the plan and had general discussion of erosion control placement which supports the proposed modification to the plan.

Ron Stead made a motion to accept the plan dated 6/9/15 as the official plan for this project without additional conditions; seconded by Paul DiCicco; voted unanimously.

8:30 P.M. Victor Raposo  
VICTOR RAPOSO Request for Determination of Applicability  
PUBLIC MEETING 228 West Main Street

Chairman Flynn opened the public meeting for the installation of a natural gas service to 228 West Main Street. There was no representative on behalf of the Applicant.

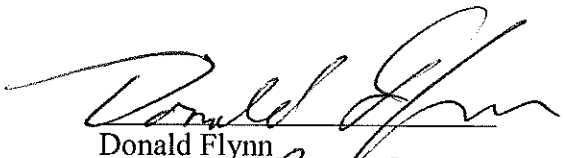
Ron Stead motioned to continue the public meeting to August 19, 2015 at 7:25 PM; seconded by Paul DiCicco; voted unanimously.

Ron Stead made a motion to adjourn the meeting; seconded by Paul DiCicco; voted unanimously. Meeting adjourned 8:45 PM

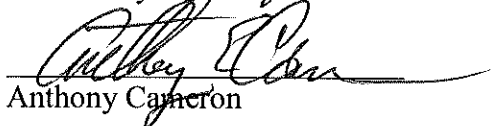
Respectfully submitted,



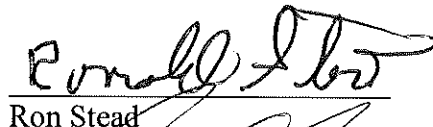
Michelle Desorcy  
Secretary



Donald Flynn



Anthony Cameron



Ron Stead



Paul DiCicco

CONSERVATION COMMISSION



*A Better World  
Through Conservation*

July 15, 2015

**Agenda**

- 7:00 P.M. Mail, Minutes, Vouchers
- 7:10 P.M. Carmen Yursha  
Notice of Intent - Continuance  
106 Wheelock Avenue - construction of walls along roadway and behind existing house
- 7:25 P.M. Albert LaFortune  
Notice of Intent - Continuance  
4 Wheelock Avenue - construct a two-car garage and related landscaping
- 7:35 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
- 8:00 P.M. G.F. Realty, LLC  
Notice of Intent - Continuance  
Riverlin Street - Assessors Map 18 Parcel 20 construction of a single family house and associated work - portion of property identified as Lot 2
- 8:15 P.M. Anne Stachura  
Notice of Intent  
12 Shore Terrace – Add an addition to an existing single family house
- 8:30 P.M. Victor Raposo  
Request for Determination of Applicability  
228 West Main Street – installation of natural gas service

**OLD BUSINESS:**

Review Plan Modification -1521 Grafton Road

-continued-

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NEW BUSINESS:

Mahmood Arshadi    Request for Extension Permit Re: OOC #224-513  
192-194 Millbury Avenue

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

