

MINUTES

Millbury Conservation Commission

Date: October 19, 2011

Time: 7:00 PM

Present: Donald Flynn, Ron Stead, Jim Boucher, Dave Palleiko, Dave Boudreau

Absent: None

VOUCHERS Expense voucher was approved and signed

7:15 P.M. Aquarion Water Company
AQUARION Request for Determination of Applicability
PUBLIC MEETING Main Street
Chairman Donald Flynn read legal ad.

Ymane Bouramia of Tata & Howard was present on behalf of Aquarion Water Co. to explain cleaning & redevelopment of Jacques No. 2 well. Chairman Flynn explained that the work was already done as an emergency situation, with Con Com approval, to regain lost capacity in the well which was found to be recently diminished. He said the work was to be done similar to the work done to clean & develop Oakpond Ave. well. Ms. Bouramia explained the cleaning process was done accordingly – neutralization was discharged into detention basin. The pump hasn't been installed yet. She can update the Con Com upon reactivation of the well.

The board agreed a filing of a Notice of Intent (NOI) is not required.
A Negative Determination will be issued.

7:30 P.M. Senior Environmental Scientist, Gene Crouch of VHB was present on behalf of MA DOT
INFORMAL along with Bill Clougherty and Alex Murray of MA DOT to informally discuss the
MEETING prospective clean-up & improvement of Dorothy Pond. MA DOT was notified that Dorothy Pond has been classified as impaired by DEP and through their Impaired Water Program, MA DOT hired VHB consulting to plan removal of siltation & restoration of the pond. Mr. Crouch presented a photo of the accumulated sedimentation near the pond at Millbury Ave., near Gover property, explaining plan is to dredge material out & restore watershed of the pond. They will be doing research in the area to gain base info. in order to ultimately come back to the Con Com with comprehensive proposal. Upon cleaning the pond, they will address the source of the problem so as to prevent future silting. He explained it's a difficult area for accessibility so they are waiting for water level to drop & leaves to fall from trees to research further.
Chairman Flynn & Con Com thanked them for coming in, said they are glad to hear about this and look forward to the project.

8:00 P.M. Bob Murphy was present at the board's request along with Domenic Murgo (for whom Mr.
INFORMAL Murphy is a consultant for Mr. Murgo's project at 333 SW Cutoff). Chairman Donald
MEETING Flynn reported that, when conducting a site visit nearby, he observed work currently underway at Mr. Murgo's site, and reminded proponent that Con Com was to have been notified prior to work commencing and regular reports were expected. Chairman advised also that per the Stormwater Pollution Prevention Plan (SWPPP), the Con Com was to be supplied with a list of contacts for the project. Bob Murphy explained that mitigation (straw wattles) was installed accordingly & described work in progress. He said they are

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breaking rock instead of blasting, so as not to damage anything at Wheelabrator. He said materials are being contained & stockpiled; not leaving site. Mr. Murphy said he would get a list of contact names & nos. for the Con Com. Chairman Flynn stated he recalled that it was to be a phase project, commenting however, that the site is all opened-up. Mr. Murgo said all they've done is stripped loam & hammered ledge. Bob Murphy explained how phase 2 & 3 will differ from what they're doing now. Jim Boucher emphasized to Mr. Murphy that the board expects the information that was agreed would be supplied to them. He said Mr. Murphy is doing reports required for the Federal permit and he should be getting copies of those reports to this Commission.

8:15 P.M.
BRIERLY POND
AMENDMENT
HEARING

Terrence Bernard / Town of Millbury – Brierly Pond Association
Request for Amendment to Existing Order of Conditions
Brierly Pond
Chairman Donald Flynn read legal ad.

Terry Bernard, Chairman Ponds & Lake Committee, was present on behalf of the Committee to propose modifying the existing Order of Conditions (OOC) to include a condition which will address seasonal lake drawdown and subsequently help control nuisance vegetation by eradicating weeds along the shore. Mr. Bernard explained that Rob McNeil, DPW Director, suggested drawing down Brierly Pond 3 feet at the same time Singletary Lake is drawdown in the late fall.

Discussion followed. All board members agreed they were okay with this request. Chairman Don Flynn said he would like the DPW Director to communicate with the Con Com to assure that he's confident he can manipulate the boards at the dam to accomplish the drawdown. The board suggested a continuance of the hearing because Mr. Bernard did not have proof of abutter notifications with him this evening as he left them at his home. He said he would bring them into the office tomorrow & agreed to continuance. The board agreed that Mr. Bernard would not have to be present at the continuance hearing as long as the Con Com receives the proof of abutter notifications.

Jim Boucher motioned for continuance of the Notice of Intent to 7:15 P.M., November 2, 2011; seconded by Ron Stead; voted unanimously.

MAHAN
CERTIFICATE OF
COMPLIANCE

The Conservation Commission was notified by John Mahan that work at 55 Dwinell Road is done per OOC# 224-648, and requested a Certificate of Compliance.
A Certificate of Compliance was approved and issued.

HIGGINBOTTOM
CERTIFICATE OF
COMPLIANCE

The Conservation Commission received a Request for a Certificate of Compliance from Robert McGovern & Carolyn Leary for OOC# 224-363 (issued to Kevin Higginbottom) for work at 2 Laurel Drive.
A Certificate of Compliance was approved and issued.

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RUTKAUSKAS The Conservation Commission received a Request for a Certificate of Compliance from
CERTIFICATE OF Nora Newhard for OOC# 224-382 (issued to James & Diane Rutkauskas) for work at
COMPLIANCE 7 Auburn Road.
 A Certificate of Compliance was approved and issued.

FISHER The Conservation Commission received a Request for a Certificate of Compliance from
CERTIFICATE OF Nora Newhard for OOC# 224-318 (issued to David Fisher) for work at 9 Auburn Road.
COMPLIANCE A Certificate of Compliance was approved and issued.

Ron Stead motioned to adjourn the meeting at 9:20 p.m.; seconded by Jim Boucher ;
voted unanimously.

Respectfully submitted,

Andrea Paquette
Secretary

Donald Flynn

Jim Boucher

Ron Stead

Dave Boudreau

Dave Palleiko