

SUTTON CONSERVATION COMMISSION

June 3, 2009

MINUTES

Approved: _____

Present: Mark Briggs, Chair, Joyce Smith, Co-Chair, Daniel Rice, Jack Sheehan

Unavailable: Francis Gatto

Staff: Wanda M. Bien, Secretary
Brandon Faneuf, Consultant

Wetland Concern

7:05pm 71 Whitins Road/R. Samuelson – Amend OOC

Present: Robert Murphy, Murphy and Associates, Inc., for Ronald Samuelson, owner

R. Murphy explained the owner wants to do some work outside the buffer zone, shown on the plan in the riprap stone swale area that has been changed to a grassed swale, which is on the revised plans. The swale in the buffer zone will remain unchanged. There will be stone check dams along the new swale every 35' shown in detail on the plans. They agreed to alter the swale design if there is too much erosion.

B. Faneuf, Ecosystem Solutions, stated he sees no issues.

M. Briggs said the Commission is in agreement with the change of the 35' of rocks to replace the original riprap on the revised plans. There is no need to amend the Order of Conditions at this time.

Motion: To Amended the plans for the Order of Condition dated May 2, 2009, by J. Smith
2nd: D. Rice
Vote: 3-0-0

Motion: To accept and issue the amended plans, by J. Smith
2nd: D. Rice
Vote: 3-0-0

Jack Sheehan arrived at 715pm

Board Business

7:10pm 100 Lincoln Road

Present: Robert Murphy, Murphy Associates Inc. for Colin McCullough, owner

R. Murphy explained this property is being sold, and the present owners need to extend the Order of Conditions for another year so the house and septic system cans still be built by the new owners. The house and septic system was never done, due to the lack of funds, so they are in the process of selling the property.

J. Sheehan told Mr. Murphy to ask for a partial Certificate of Compliance for the replication area that is growing now. Then extend the Order of Conditions to build the house.

M. Briggs said that after the house is built the Commission could grant the certificate and watch the replication area.

Motion: To move to suspend Section 7-9 (b) Agendas, of the Sutton Town Charter, for a matter of convenience to vote on an item not on the agenda, by J. Sheehan

2nd: J. Smith

Vote: 4-0-0

Motion was made by J. Sheehan, seconded by J. Smith, to suspend Section 7-9 (b) Agendas, of the Sutton Town Charter, for a matter of convenience to vote on an item not on the agenda.

Vote: 4 in favor, 0 Opposed

Motion: To extend for one year, by J. Sheehan

2nd: J. Smith

Vote: 4-0-0

NEW BUSINESS

13 Davis Circle

No DEP# RDA

The Public Hearing was opened at 7:20pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of existing house to be replaced with a new house. House if located 190 feet from Lake Singletary.

Present: Robert Murphy, Murphy and Associates, Inc., Bonni Westerback, owner

R. Murphy explained the owner wants to rebuild the house. There is no work within 100' but there is work within the 200' of the lake. The house is on the edge of the 200' line. The cesspool would be replaced with a Title V septic system, which needs to be reviewed by the Board of Health again, because of the change of the retaining wall. This also needs to go to ZBA to see if the house can be removed and rebuilt. The house is also on the edge of the buffer zone. They are not changing the grades, but are keeping the same footprints for the new house.

B. Faneuf, Ecosystem Solutions, showed pictures from Mr. Holt's CD, on the past issue of the water and silt flow on Davis Circle.

M. Briggs wants to see the plan submitted to the Board of Health with the neighboring systems.

J. Sheehan said this filing should be continued to the next meeting to allow time to get the information from other departments, BOH and ZBA, and to check with the highway on the water issue.

M. Briggs told Mr. Murphy that a Presby system is smaller and may work better to reduce the elevation as proposed, and he would like to see a swale at the lower lip area.

R. Murphy replied with the Presby system they can eliminate some of the wall.

Abutters

David Hold, 14 David Circle, is concerned with the water drainage issue going on to their property. There is an existing situation that is long on the record that has come before Conservation in the past. The development of this property in question will be raised 6", where does the water go? See Attachment #1 from D. Holt.

Michael and Deborah Stewart, 17 Davis Circle, stated that the highway was aware of the water issue so they tilted the road, which helped.

Motion: To continue, with the applicant's permission, to June 17, 2009,
by J. Sheehan
2nd: J. Smith
Vote: 4-0-0

CONTINUATIONS

None at this time

BOARD BUSINESS

The Board signed a Certificate of Compliance for 77 W Sutton Road/Hanlon, an Extension OOC for 100 Lincoln Road?McCullough.

The Board did not issued an Enforcement Order for 449 Central Turnpike/Maranda, but instead sent another letter along with a Bylaw and RDA.

Minutes

The Board voted on the minutes of 4-15-09, 5-13-09

Motion: To approve the minutes of April 15, 2009, and May 13, 2009 corrected by J. Smith,
by J. Sheehan
2nd: D. Rice
Vote: 4-0-0

Motion: To adjourn, by J. Sheehan
2nd: J. Smith
Vote: 4-0-0

Adjourned at 9:45pm.