

SUTTON CONSERVATION COMMISSION
September 16, 2009
MINUTES

Approved: _____

Present: Mark Briggs, Chair, Joyce Smith, Co-Chair, Daniel Rice, Jack Sheehan,
Unavailable: Alyse Aubin
Staff: Wanda M. Bien, Secretary
Brandon Faneuf, Consultant

Project Update

7:05pm Leland Hill Estates/Mark Anderson, John Burns and Steve Rodolakus, Black Book Realty Trust

M. Anderson explained this project previously was a 55 and older, but Mr. Burns company would be changing this project to a single family homes project. There is one house built from the existing project. The infrastructure is completed and the roads are base coated. Water, sewer, the two detention basins and the replication area has been completed. The site is vegetated and is stable. The sewer pump station is in but not working yet. The two wetland crossings are in, stable and vegetated. There are no runoff problems, no erosion and the full replication was done exactly as the Commission wanted. The proposal is a 58 lot, single family development,. There were 60 units in the original project. Nothing will change except they will just bring it into the single family homes. They will also be working within the same limits of clearing and same disturbance areas. They have the 40B comprehensive permit through the ZBA. There would still be affordable homes. There would be 25 – 30 acres of open space and the lower acreage will still have no disturbance. Some land would still be put in Conservation Restrictions. This project is under agreement due to the fact that this failed under the 55 and older age restricted project. This project is under a bank foreclosure and is bank owned under the Black Book Realty Trust. They are working to develop this because all the infrastructure is now in and everything has been stabilized.

M. Briggs stated one of the areas that they would be looking at is how the roof drainage is handled, the driveways and sidewalks status, low impact development, the use of rain barrels, swales, or rain gardens, etc.

J. Sheehan questioned the MEPA project changes?

M. Anderson replied that they haven't filed with MEPA yet, but will. They are in the early stages of this change and wanted Conservation to be aware of what they were doing and will continue to work with the Commission. He said they have had a Tech meeting with the Department heads and BOS, who felt this change was a positive use for this project.

M. Briggs suggested the Commission should give a Certificate on the work had has been done and send the Conservation Consultant to check on the status for the erosion controls. He suggested doing another site visit to review what work has been done.

M. Anderson said the newer construction would be done in phases starting in the summer of 2010.

B. Faneuf reviewed the project on the GIS shown on the screen.

The Commission will need another set of updated plans.

M. Anderson said when they have the flags up and ready for the site visit he would call the office.

NEW BUSINESS

13 Tucker Lane

DEP#303-0685

The Public Hearing was opened at 7:50pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of installing a new septic system to replace failed system at pre-existing dwelling. Present: JoAnn Teachout, Purcell Associates for the Estate of Agnes Roberts, and Sandra Johnson, Shelly Donavan, Daughter of Sandra Johnson, owner and Executor of the estate who was unavailable, Attorney Keenan for the Estate.

Attorney P. Keenan gave background on the existing cesspool within the wetland. The goal is to get the Order of Conditions to improve the installation for the new septic system. There is a buyer for the house, subject to the Title V. This house is an old camp house with two bedrooms, a well and cesspool. The tank would be located next to the house and the septic system would be installed on the lot across the street, also owned by the estate. The line for this septic system would go under the road.

J. Teachout explained the improvement for this property. The septic system and pump chamber is within the 100' buffer zone and 50' from the bank of the lake. The wetlands are delineated and the haybales are on the plans. The existing well is ok and would not be replaced. There are 19 trees that need to be removed, some are down by Tucker lake. 11 trees could be put back on this lot, however could they put the other 8 on another piece of property?

M. Briggs asked what the species of the trees were and stated the more trees that could be put by the lake the better.

J. Sheehan suggested using shrubs instead of trees.

B. Faneuf suggested using a row of evergreens at the limit of work towards the lake side, as a screen. He said there are three species of trees that do well in woods; hemlock, American beach, and shad bush or service berry.

The board will do a site visit on Friday September 25th at 9:00am.

Motion: To continue, with the applicant's permission, to October 7, 2009, by J. Sheehan

2nd: J. Smith

Vote: 4-0-0

CONTINUATIONS

33 Buttonwood Ave

No DEP#RDA

The continuation was opened at 8:25pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of replacement of single family dwelling & attached garage destroyed by fire, which includes associated work with construction of new dwelling.

Present: Tracy Sharkey, Guaranteed Builders, Inc. for Martin Smith, owner, Louis Gazeno, GBI, potential buyer.

T. Sharkey explained that she was unable to locate the grave sites on this property.

J. Smith explained these graves were on the right of the driveway about ten feet in from the road.

Mr. Martin Smith, present owner explained what the grave markers looked like and their present location.

M. Briggs stated that the erosion controls were not per the regulations.

T. Sharkey replied they would use mulch tubing and reviewed the plans for the tubing. They would use the silt fence behind the tubing.

B. Faneuf read from the regulations on redevelopment from 310CMR 10:58 #5 on replacing the house, stating it needed to be on the same footprint of the existing house. He suggested a narrative be written to the Commission.

J. Sheehan suggested the applicant submit the narrative for work that has been done and work the owner intends to continue do, in terms of the restoration of the riverfront area. Also, the removal of debris in the riverfront area and that the buyer agrees to continue the work with the applicants started, and to maintain the riverfront area.

Mr. Sheehan said that this can also be a condition on the permit.

M. Briggs questioned the pitch of the roof and where the roof runoff would be going.

Mr. Gazeno explained that the roof runoff goes into perimeter drains and dry wells.

Motion: To close the Public Hearing, by J. Sheehan

2nd: J. Smith

Vote: 4-0-0

Motion: To issue a Negative Determination of Applicability, subject to the plan be annotated with a dry well, perimeter drain, roof runoff, and gutters, subject to a narrative submitted by the applicant to Conservation's approval as regards to Riverfront improvement, under 10.58 subsection 5, by J. Sheehan

2nd: J. Smith

Vote: 4-0-0

BOARD BUSINESS

9:45pm

The Board signed an Order of Conditions for 13 Davis Circle, an extended Order of Conditions for 61 Stone School Road, (F. Venincasa), they signed a Complete Certificate of Compliance for 22 Cote Lane, and a Determination of Applicability for 199 Mendon Road.

The Board signed an extension for an Order of Conditions for 160 Worcester Providence Turnpike

Motion: To issue an extension for DEP#303-0590 per the letter according to the Sutton Wetlands and Riverfront District Administration Bylaw dated October 5, 2009, by J. Sheehan

2nd: J. Smith

Vote: 4-0-0

The Board reviewed the pictures and paperwork for the replacement of the trees at 33.5 W. Sutton Road owned by Virginia Bliss.

Motion: To accept Virginia Bliss planting plan, per her email, by J. Sheehan

2nd: J. Smith

Vote: 4-0-0

Minutes

The minutes were tabled to October 7, 2009.

Anyone interested in purchasing the DVD for any public hearing at this meeting, please contact Pam Nichol's in the Cable office or you can view the minutes and video at www.suttonma.org.

Motion: To adjourn, by J. Sheehan

2nd: J. Smith

Vote: 4-0-0

Adjourned at 10:30pm.