

SUTTON CONSERVATION COMMISSION

February 17, 2010

MINUTES

Approved: _____

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

Staff: Wanda M. Bien, Secretary

Unavailable: Brandon Faneuf, Consultant

Wetland Concerns & Updates

None at this time

NEW BUSINESS

30 Tuttle Road

No DEP#RDA

The Public Hearing was opened at 7:05pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of site improvements, a paved parking area with signage, landscaping, a bio-retention basin for stormwater management conveyed away from the beach, erosion controls, a paved vehicular access closer to the beach for handicap visitors or emergency vehicles, and a proposed canoe launch area to the west of the existing boathouse.

Present: Stephen O'Connell, Andrews Survey, Jennifer Hager, Planning Coordinator Town of Sutton

J. Hager explained that Gates Leighton helped the Town with the planning process for Marion's Camp. Various phases of development came from the planning process. There is a small amount of Town funds, along with the State funds, for Phase I and part of Phase II. This will accomplish some of the goals of the Master Planning process. It will re-establish some stability on the slope that has had issues in the past and is of concern to the Commission. This will improve the general environmental quality of the area.

S. O'Connell gave the Master Plan to the Board for review and explained the current drawings shown. He explained the runoff and showed where stone swales and retention areas would collect the runoff and the direction it would take towards the lake and walkways. There would also be a canoe launch funded from a grant from the DCR. The location would be on the left side of boat house and not the beach area. They would like to have the beach open as close to the normal time as possible. The bids would be going out within the next week or so.

M. Briggs is concerned with the canoe launch area. It is possibly a difficult area due to the rocks and he suggested they look at the other side of the beach in the cove area. He is also concerned with the runoff.

J. Sheehan suggested they put the launch area on the opposite side of the beach away from the activities.

Jen replied they would look again at the other end of the beach for the canoe launch to see if that would be a better access. She stated that this plan should take care of the water runoff.

J. Smith suggested they put back mountain laurel when landscaping as it was present on that slope in the past.

Motion: To continue, with the applicant's permission, to March 3, 2010, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

39 W. Sutton Road
DEP#303-0689

The Public Hearing was opened at 7:45pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of replacement of an existing cesspool with a tight tank.

Present: Steven O'Connell for Eric Bassette of, Andrews Survey, Roger Sevigny, owner.

S. O'Connell explained that the septic system, in the form of a cesspool, is in failure. Because of the size of the lot, the location of the lake and abutters wells, a tight tank is the last resort. This is currently under review at the Board of Health.

M. Briggs questioned how they would get down into that area?

S. O'Connell replied they would be using a crane to lower the equipment, backhoe, and tank to the area to be used. The tank is 5'.5" deep with a 6' – 8' bed in a 8' hole.

M. Briggs suggested they go through the BOH and get DEP straightened out before they come back to the Concom. More information is needed by the Commission to determine whether they will issue on a contingency basis of the BOH findings. They need the information and notes for Conservation review, not just the BOH.

Abbuters:

Richard Nolan, 37 W. Sutton Road, is concerned with the crane lifting over the garage area. If they need to put a large amount of fill on their property line they are okay with this, as long as everything is permitted properly. There is no room on the other side to do any work.

M. Briggs stated if they are going to stockpile on Nolan's property they will need to use erosion controls.

Motion: To continue, with the applicant's permission, to March 3, 2010, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

CONTINUATIONS
7 Point Way
DEP#303-0687

The continuation was opened at 8:00pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a new patio and dock at the shores of Singletary Lake. The entire will be surrounded with erosion control measures to limit the impact to the nearby wetland resource.

Present: Mark Allen, Allen Engineering, Christopher & Kelley Windle, owner, James Burgoyne, Attorney for the Triola and Esler properties. Scott Goddard, Carr Research.

M. Allen passed out the paperwork requested at the last meeting, and reviewed the information from the last meeting. The applicant has chosen to do a path with a stone walkway and a stair case with natural stone for access to get to the dock. There is a 6 – 7' drop and this would be a way of getting to the lower area, using the natural stones as a stairway to the water. The patio has been moved up beyond the 25' no disturbed zone. The outlet to the pipe comes down from Point Way, which was half filled with silt and captures by the erosion controls near the outlet. The silt would be removed. From the 18' deep sump there would be trap rock swale along the westerly side of the patio to collect any future silt. The swale would prevent an increase in velocity for stormwater runoff coming out of the pipe and the trap rock allows sediment removal as well. More trees were located on the plan and 18 trees would be replaced. The property lines were located in red on the plans.

S. Goddard reviewed the low water lines and buffer zone areas on the previous plans. The 4' stationary dock would leave the stone bank in position. He handed out and reviewed habitat information. Two resource areas on site are the 100' buffer zone as measured from the wetlands area, and the 200' buffer zone as measured from the bank. Mr. Goddard reviewed the trees to be removed to make a pathway in the center of the access area and what would be replanted. He explained how they would use the rocks that were in place and the 4' width of the dock. The bank is 28 feet wide. He said the project doesn't have any significant adverse impact. The improvement would be the stormwater management with the patio area, which would increase the flood storage capacity on site. Cleaning out the existing pipe and the erosion area, and adding the swale, would be site improvement.

M. Allen played a voice mail phone message from the Building Commissioner, John Couture, for all to hear. Mr. Couture said that he has no issue with this plan. A structure is 4' tall, this is not that high and is of no significance.

A. Aubin questioned how they would get anything down to that area?

M. Allen replied that once the vegetation was cleared they would be able to get a small bobcat to the area. There would be no fill or grading needed to bring the equipment to the lake, just to scrape out the area and bring in any sand for the small patio area. The stones would be brought down by the bobcat and be hand placed.

M. Briggs said the presentation is subject to review by the Commission's wetland consultant.

M. Allen reviewed the catch basins with the 12" corrugated metal pipe installed in the 80's when the roadway was put in during the time the subdivision was laid out.

J. Sheehan is concerned with the discharge within the buffer zone, and the continued silt material entering from the road.

M. Allen said they would clean out the silt discharge and create an 18" trap rock sump to collect any sediment as it goes down the swale and it would act as a flow dissipater.

M. Briggs reviewed the runoff problems from previous filing from the applicant's property across the street. He questioned if the pipe is going to function properly. Mr. Briggs then read bylaw #10.2 that states:

"No permit shall be issued for any project to an applicant who has an outstanding Violation Notice under this Bylaw or any outstanding Enforcement Order on the parcel or any adjacent parcel owned by the applicant, under application for which either (a) no corrective Order of Conditions has been recorded at the Registry of Deeds, or (b) which is docketed under legal appeal."

This says what work has been done works. But whether it works seasonally after the first couple of rain storms is the question. One of the abutters has provided the Commission with a letter that needs to be addressed and resolved. Mr. Briggs read the letter. The hydrological report will be sent to the Town Engineer, Maguire Group, for peer review, who will send back a proposal.

M. Allen said they are not doing anything detrimental to the rights that the four owners of Point Way have. The rights that the abutters have are in Point Way. Mr. Allen asked if the applicant could get another proposal other than just the Maguire Group. He also asked about the Enforcement Order on the other property owned by the applicant.

Attorney James Burgoyne spoke for his clients of that neighborhood about the easement rights and the future drainage of this swale.

M. Briggs said the Commission would submit two proposals, one would be mailed out to Maguire Group and one Graves Engineering for peer review proposals.

Motion: To continue, with the applicant's permission, to March 3, 2010, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

BOARD BUSINESS

7:45pm 33 W. Millbury Road

Present: Wally Koza, contractor

W. Koza is interested in purchasing this property and would like some input from the Commission on what he needs to do to build the house.

M. Briggs told Mr. Koza that if he buys this property, he can't guarantee that the Commission would approve it the way that it was months ago, although its likely that the plans would be similar to the existing plans.

J. Sheehan reviewed the plans from the subdivision showing this lot was buildable, however the Order of Conditions has expired. There is no problem with the Heritage Habitat Wildlife. There is a letter in the file stating that there is no impact on the wildlife area on this property. Mr. Sheehan also reviewed the raised septic system area shown on the existing plans.

B. Faneuf reviewed the GIS area on the screen for all to look at.

Jack will review and do another site visit at the Nat. Grid site at Main St. Northbridge & Route 146 Sutton and 16 Barnett Road for Certificates to be signed at the next meeting.

44 Providence Road, D. Rice did the site visit on a complaint that came in that they were stockpiling wood chips. Nothing was noted in the area.

Minutes

The Board voted on the minutes of 01-06-10, 01-20-10, and 02-03-10.

Motion: To approve the minutes of January 6th, January 20th, and February 3rd, all corrected by J. Smith, by J. Sheehan
2nd: D. Rice
Vote: 5-0-0

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: 5-0-0

Adjourned at 10:00pm.