

SUTTON CONSERVATION COMMISSION

July 20, 2011

MINUTES

Approved: \_\_\_\_\_

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

**Project Updates**

**7:15pm**

**95 Armsby Road**

Present: Paul Grazewicz, Graz Engineering

P. Grazewicz spoke about the three phases and that John Burns from Black Brook Realty purchased this property. The Order of Conditions was getting close to the next extension, which was requested. There are a few buildings that are not finished yet, Mr. Burns will be finishing those building that are currently for sale. He explained the area of the only building that was now complete on the West Side. The site turned out great and is always green, the tree lines are all natural and the irrigation basins are doing great.

J. Sheehan explained the past information and the phases from the original filing. The sewer and water had to be done first. He feels the Commission should do a site visit and contact Art Allen, who was the environmental engineer for Jon LeClaire. Have him speak about the crossings.

P. Grazewicz said that the Planning Board has pulled the bond, but he is not sure what the bond was for. He said to contact Mr. Burns for further fees needed.

A site visit would be set up, and this also needs to be coordinated with the Planning Board.

**NEW PUBLIC HEARINGS**

**None at this time**

**CONTINUATIONS**

**78 Torrey Road**

**DEP#303-** from 4-20-11

The continuation was opened at 7:40pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of a driveway crossing.

Not Present: Bryan Andrews, Andrews Survey, for Chad and Jodi Healey, owner

The secretary explained there was a new engineer from Andrews Survey and they are taking this out of Chapter 61A. In that process the town has first refusal and they need to sign the routing slip.

C. Healey came in after the motion was made and did continue this to August 3, 2011.

B. Faneuf summarized his information from his review of the area. He recommends them coming back in for review.

Motion: To continue, with the applicant's permission, to August 3, 2011, by J. Sheehan

2<sup>nd</sup>: D. Rice

Vote: 4-0-0

### **14 Wheelock Drive**

**DEP#303-0686** from 12-02-09

The continuation was opened at 7:50pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a pond adjacent and connected to an intermittent stream.

Present: Attorney Irfan Nasrullah, for Gerald Caya, owner

There is a balance of consulting fees owed for this filing.

New plans were received from the engineer for review at the meeting.

I. Nasrullah reviewed the trees on the new revised plans showing the location of the trees to be replaced.

B. Faneuf suggested a September planting and summarized his recommendations. Funds need to be replenished for services rendered.

J. Smith stated the trees need to be at least 2.5" caliper.

Motion: To accept the planting plan dated July 18, 2011 for Gerard Caya prepared by Grenier Associates, plan to be amended as follows, trees need to be annotated to be 2.5 caliper, the 25' no touch zone to be added to the plan and annotated to the area, and the 25' no touch zone is to revert naturally, the crossing to be added to plans, and a split rail fence of the edge of the 25' zone is to be constructed, by J. Sheehan

I. Nasrullah replied the split rail fence is new and questioned if they could use boulders, from the property, in place of the fence to mark the area.

J. Sheehan said to strike the split rail fence from the motion, and add that the 25' no touch zone will be physically demarcated.

2<sup>nd</sup>: D. Rice

Vote: 4-0-0

### **Project Update**

**8:05 pm**

#### **7 Point Way**

Present: Scott Goddard, Carr Research, Chris Windle, owner

S. Goddard explained the applicant received a cease and desist Enforcement Order on the site, for work beyond the scope and not in compliance. They had a joint inspection on Monday July 18th with B. Faneuf, and A. Aubin. The site is completely done and work has been completed, the site is stable with no threat of erosion, the stairs have been put in, and rocks adjacent to the stairs have been straightened out. The area of most concern is the bottom of the rock rip-rap area and the edge of Lake Singletary. In the wood chip area 75% of that was delineated as the BVW, on the original plan and part of the 25' area. Some trees were allowed to be pulled, there were two trees were not on the plan that were pulled out during the field work. Some of the holes were back filled with some material that is under the wood chips, and the stone work was straightened out and stepping stones would be placed. Pictures were

shown as Mr. Goddard spoke. The site is stable and there is no erosion. The surveyors will do an "As-Built" to compare how closely what was done on the property, opposed to what was proposed and approved. If there is and specific discrepancies of things that the Commission is uncomfortable with they can make some modification.

J. Sheehan questioned the drainage system.

B. Faneuf summarized and reviewed the plans and the video information from the site visit done on Monday July 20, 2011 at 10:00am. He stated Mark Allen would do an as-built.

J. Smith said the as-built is needed to compare the two plans.

J. Sheehan explained there is no such thing as the 25' no touch zone by definition, then questioned the fill under the wood chips or was the area just leveled? This is in the flood zone area. He feels that as this project sits right now is physically complete. However did this project result in any negative impact to the resource areas of the bank and the lake? 25' has been altered and some of the work has not done in complied to the original order.

S. Goddard replied there was some impact to the bank but doesn't consider it a negative impact.

J. Sheehan said he would look at the as-built and would expect them to request the C of C saying that the work had been done in compliance with the order. He would vote and issue this Certificate.

S. Goddard will submit the "As-Built" then they would be put back on the agenda for the Certificate.

## **BOARD BUSINESS**

The Minutes were tabled to next meeting.

### **48 Griggs Road**

Present: William Fox, owner

J. Smith explained she did a site visit after the last rain storm, and found that all the rain barrels were full and overflowing. They looked good, but what is going to happen in the Fall, Winter, and the Spring when there are no rain barrels in place. She would like to give him a partial certificate, but wants to wait until spring to see what will happen when the rain barrels are not there. Also the drainage was piped onto the neighbors, and there was a big eroded part going down to the stream.

Mr. Fox explained that he is disturbed in the way that this continues to be an open situation. Everything was established for over a year and in reference to the question, there shouldn't be any more erosion. He explained how everything is working and that this is well established, and that he put the matt down, as requested and when he pulled it up, that's what they see.

J. Sheehan replied he is asking the Commission to approve and that the erosion issues are completely taken care of and it was noted the erosion was still an issue.

J. Smith explained the reason they can give the partial certificate, which will close out all the work he has done, leaving the one issue of the absence of the rain barrels in the winter, and what happens then?

Motion: To issue a Partial Certificate of Compliance, by J. Sheehan  
2<sup>nd</sup>: D. Rice  
Vote: 4-0-0

The Board didn't sign the Certificate of Compliance for 48 Griggs Road, due to the erosion issues that were not taken care of, but the Board decided to do a Partial Certificate on the work that was done and to leave this open until next spring, then decide on a Complete Certificate of Compliance.

Discussion:

**9:00pm**

**West Side connector Review** – across from Gilmore Drive

Jen Hager, Planning Director came in to explain the West Side Connector Review that has taken place between four Towns, Sutton, Northbridge, Uxbridge and Douglas.

The Conservation Consultant will work with the engineer to review and do a site visit, then report back to the Commission his findings.

**95 Armsby Road -Villas at PV/John Burns**, owner, Black Brook Realty Trust was tabled to the next meeting and is waiting for Mr. Burns to contact A. Allen to coordinate with the Commission to do a site visit for the Certificate of Compliance.

The Board signed an Extension Order of Condition for **20 Pine Point**, a duplicate Certificate of Compliance for **404 Boston Road**, and a duplicate Order of Conditions for **458 Boston Road**

A Site Visit would be done for updates at **115 Marsh Road/Right of Way/N. Cardin** to consider a Certificate of Compliance.

Lackey Dam Estates/Oakhurst Road – C of C

The Board signed the Chapter 61A Land Project Review Form for **78 Torrey Road**, the Town has first refusal.

Another letter would be sent to 45 Pierce Road/J. Wood, for the cutting of the trees, and a first letter to 360 Boston Road/R. LeClaire – Bouys in Lake questioning if they have a permit.

Correspondence

**FYI:** Lake Singletary will be closed on July 27<sup>th</sup> after 1pm for Algae treatment

**MACC Workshop is cancelled** – Do we want to reschedule a time in Sept/Oct?

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](http://www.suttonma.org).

Sutton Conservation Commission

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Motion: To adjourn, by J. Sheehan

2<sup>nd</sup>: J. Smith

Vote: 4-0-0

Adjourned at 10:30pm.

Approve Minutes from July 6, 2011

Motion: To accept the minutes of July 6, 2011, by J. Sheehan

2<sup>nd</sup>: D. Rice

Vote: 4-0-0