

SUTTON CONSERVATION COMMISSION  
August 17, 2011  
MINUTES

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

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

**Project Updates**

**7:10pm**

**13.5 Ramshorn Road**

Present: Tim Morway, owner

T. Morway explained the re-planting of the trees shown on the updated revised plans. Six trees were removed and eight trees would be replanted. There would be other plantings to be done on the lot also.

M. Briggs questioned the three trees that were possibly on the neighbor's property.

T. Morway replied that they were taken down from the neighbor's and pointed them out on the plans.

M. Briggs said a second letter is to be sent to the neighbor at 13 Ramshorn Road about these trees that were cut down and ask what his plan is to remediate them.

J. Sheehan asked when he would replant the trees.

T. Morway replied "In the Fall." The septic and grading should be done by then, and the haybales are still holding from the last two storms.

**7:15pm**

**84 Mendon Road**

Not Present: Mark Stevenson/NRCS program

M. Stevenson continued this to a later date in the fall after he meets with this project engineer for the NRCS program. Mr. Stevenson will let the secretary know when he will be ready to be put back on the agenda.

**7:30pm**

**503 Mendon Road – Whitinsville Water Co.**

Present: Michael Weaver, Guerriere & Halnon, Paul Knapik, and Randy Swigor, Gen. Manager of the Whitinsville Water Co.

M. Weaver spoke of Reservoirs #4, which feeds the water company's #5 and #6, and how important they are to this project. They are proposing to install a 16" water main at the outlet and have it discharge about 200' upstream on Mendon Road. The plan is to minimize the significant water loss in the present transfer of water to Reservoir #5. They would like some feedback from the Commission on this project. To minimize the impact to the wetlands they would bury the polyethylene pipe by digging a trench and recover it with a few inches of soil.

R. Swigor explained how they use the reservoirs and how they control the water. He described the past history and how they will minimize the impact to the area. He explained what they would do with the pump and soils. It is a gravity feed pump system that can pump up a short hilly area but not any distance. They will use straw mulch instead of the haybales so they won't introduce any seed. The intent is to not take down any trees.

B. Faneuf suggests a compact hole for the winter.

A. Aubin asked about the dam and bridge before the dam.

D. Rice asked how the pipe will be kept from floating up.

R. Swigor replied that the pipe doesn't even have to be buried underground, so it won't matter if it comes up. They would use a small excavator to bury the pipe about two feet.

M. Briggs asked Mr. Faneuf to do a proposal for this project. The secretary told the Commission that there is \$1,600.00 still on account for this project.

B. Faneuf reviewed his information on this project.

**7:45pm**

**Gilmore Drive/Industrial Park**

Present: Steve O'Connell, Andrews Survey

This has been continued to September 7, 2011

**NEW PUBLIC HEARINGS**

None at this time

**CONTINUATIONS**

**101 Leland Hill Estates 40B Subdivision**

**DEP#303-0701 to #303-0722**

The continuation was opened at 8:14pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of the Notices of Intent pertaining to the completion of a subdivision roadway and associated infrastructure as well as construction of a sewer pump station and twenty (20) single-family homes on individual lots. The proposed work is within the Buffer Zone adjacent to wetland areas subject to protection under the Massachusetts Wetlands Protection Act and the Town of Sutton Wetlands and Riverfront Administration Bylaw, on Map 12, Parcel 72, at 101 Leland Hill Road, Sutton MA.

M. Briggs said to send a letter to let the Commission know what would be built first, with all erosion controls, where they will start and where they will stop.

J. Sheehan suggested having them file an Extension Order of Conditions to show the limit of work.

M. Briggs explained where they would start with the construction. He is concerned with the erosion controls, and that that needs to be put in. The Commission needs to understand where they will start and where the erosion controls will stop. He advised them to call the office when they need the haybale inspection.

J. Sheehan stated that they need to file for an amended Notice of Intent, showing the extent of the erosion controls so there is a plan in the records. There should also be a limit of work with the dates shown on the plans.

M. Briggs said to write them a letter stating what Mr. Sheehan said, stating how far they are going, where are they stopping, the number of houses, and that the erosion controls need to be inspected.

Motion: To continue the Public Hearings, with the applicant's permission, on the total subdivision DEP#303-0701 to #303-0722 inclusive to September 7, 2011, due to no proper information to make a decision, by J. Sheehan.

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

Vote: 5-0-0

### **BOARD BUSINESS**

Approve Minutes: The minutes were tabled to the next meeting. There were no Permits or Routing Slips signed at this meeting.

#### **Discussions:**

##### **Lake Singletary Notice of Intent/Lake Association**

M. Briggs explained about the Lake Singletary NOI to be filed with the Millbury Concom, to raise and lower the water in the lake. In addition to the OOC that exists currently, the Town of Millbury has been allowed to lower the water level about five feet during the winter. This new application is going to allow the Town to lower the lake seven feet in alternating years. It has been determined by Geo Sin Tech that by lowering the water in alternating years, it will have a superior impact on weed control, which is becoming an increasing problem. In discussing this with DEP, they determined that since the work is occurring in the Town of Millbury, and not the Town of Sutton, the applicant needs to notify the people in Sutton. There will be a hearing in Millbury. He read the notice but there was no date or time of the hearing given.

This will begin in mid September.

The secretary will contact the Millbury Conservation for that information.

M. Briggs explained the information from the John H. Chaffee Blackstone Valley National Conservation Commission, what they are doing, and when they plan to disband this Commission.

##### **Shaw Farm Cross Country Course/Eagle Scout Project/Evan Kent**

J. Smith explained that J. Hager met with the boy scout on Wednesday the 10<sup>th</sup> and she met with him on Thursday. She gave a summary of the trail project plans that he would like to do. J. Hager will meet with him again and go over details of his project to see if it can go forward, along with the grant she is working on for this site.

**350 Boston Road**/David Parker, owner/Marcus DeFlorimonte, son-in-law, buoys/floats in lake without a State permit.

M. Briggs said that the State has taken this under advisement. He believes what is permissible is a swim area 150' from the bank.

J. Smith said that she called Mr. DeFlorimonte after the last meeting when he said that someone vandalized the buoys. She suggested to him not to put the buoys up again until the Commission got a

ruling. He told her that he was going to put them up anyways. She told him that it would be at his own peril to do so.

M. Briggs said that he did put the bouys back up and there are apparently some citizens that are taking matters into their own hands. Mr. Briggs said that he spoke to Mr. DeFlorimonte. He explain to him that until the State makes a ruling to the contrary, and until he files with the Commission, it is very clear on the waterways that if you put any permanent structure in a body of water you need an annual permit. He also explained about having residents use reflectors for docks.

J. Sheehan stated that the Commission should stay out of this, because they don't have any means of enforcing this. There is no impact to the resource area. If this is a hazard to navigation, then it isn't the Commission that should be dealing with this, the police should be.

B. Faneuf replied the Harbor Master or regulating body, which consist of the Board of Selectmen, who can take care of this themselves or can appoint someone in town to be the person in charge of this.

M. Briggs reviewed and explained the boat regulations, that access cannot be denied to fishermen. Fishermen are also allowed to pass between high and low water marks along the shores.

**449 Central Turnpike** – The secretary explained that this property is for sale, and it has NOT been cleaned up. She has been getting several phone calls about the property. She called DEP and they said that any potential buyer has to clean up the problem. There is a potential buyer who is willing to clean up this property after purchase. He is aware that he needs to file with the Commission to do so.

M. Briggs will do the sites visits for **269 Manchaug Road**/Pearson to check the 18" driveway berms that were installed, and **115 Marsh Road**/Cardin, for the roadway erosion issues from past years repairs.

A. Aubin did a site visit at **126 Manchaug Road**/T. Yaylian, owner, the two large pine trees, that in her opinion should come down for safety reasons. They have plenty of landscape around the cottage that the owner would be willing to replant other trees. At **124 Manchaug Road**, the new owner is aware of the needs of Conservation. They will be bringing special well diggers that will fit between the buildings. They may need to trim some of the trees to get the machine in the area.

**West End Connector by B. Faneuf** – The site visit would not be done until the proposal is signed.

**80 – 137 Barnett Road** was continued to the next meeting. More information is needed for the two year Government extension.

J. Sheehan stepped down.

Abutter:

J. Sheehan, asked “ Has the Commission received a valid request, and have all the taxes been paid up to date?”

The secretary needs to find out if there are any taxes unpaid. This will be tabled to the next meeting for that information.

The correspondence was reviewed.

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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).

Motion: To adjourn, by J. Sheehan

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

Vote: 5-0-0

Adjourned at 9:10pm.