

SUTTON CONSERVATION COMMISSION
October 19, 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

M. Briggs requested a moment of silence for a past Commissioner, Fran Gatto, who passed away on October 12th.

Town Accountant Budget Request

7:10pm Budget Request

Present: Tim Harrison, Accountant

The secretary explained the Town Accountant was here to request a change in the Conservation budget.

T. Harrison gave the Board the budget sheets for 2011 and 2012 and explained they are looking for ways to decrease their operating budget, or increase revenues. Conservation has an operating account and two revolving accounts. One is for applicants who pay a fee for the consultant, and the other is the Wetland Protection Account. Fees are supposed to cover costs that Conservation occurs, which include part of the secretary's time, special fees, advertising, printing, state travel, and professional fees. These fees are not being matched. His request is that all these expenses be paid out of the Wetland Protection Account, including five hours for the secretary out of this account. See Budget Attachment #1.

M. Briggs clarified that he is requesting the re-allocation between accounts.

Motion: To re-allocate expenses based on the year-to-date budget Tim Harrison submitted to Conservation on the 19th of October, by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

Project Update

7:15pm

Rail Road Bridge in Wilkinsonville, Pare Corp.

Present: Kevin Vivziros, Wetland Scientist, Pare Corp, Briscoe Lang, Structural Engineer

K. Vivziros explained the areas where they will replace the five bridges on the main line and where they will bring the abutments up to the proper level. The work area will stay on top of the stone abutments. Some trees would come down on the top of the banks behind the abutments, but would not be down by the water. This work would be done using crane equipment from the tracks. The timber piles would also be pulled out. They will be preparing plans to file an NOI with the Conservation at a later date, as they are working on the plans now. The time frame would be the end of the summer between 2012 and 2013, as they only have a small window to shut down the line. The construction operation schedule has not been worked out yet. These five bridges would be done over a span of a few years. There would be restoration along the track where ever needed. See Attachment #2 Pare Corp.

B. Faneuf will keep the Conservation Commission up to date, and will send a fee proposal to Pare Corp. for the payment to the Commission on account.

M. Briggs was concerned about erosion during construction and stressed that erosion controls need to be in place.

7:40pm 7 Point Way

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

S. Goddard reviewed the information from the meeting about two months ago and they responded to the Enforcement Order. As a result of that meeting, they were instructed to go back to do an existing conditions as-built survey plan to submit with a request for the Certificate of Compliance. Allen Engineering did the "As-Built" and submitted it with a request for the Certificate and letter from Mark Allen. One additional change was done on the plans to show the roof drain ties into Mr. Windle's house. They are asking for two things tonight. One is to lift the Enforcement Order and two to issue a Certificate of Compliance, as the project is now complete. The site is now stable, and is in reasonable compliance with the issues of the OOC. They noted on the survey plans the 40 trees that exist on the property now, for a 5000sf, one tree for 80 sf. A site visit and review was done by Graves Engineering since the last meeting, which included comments of the insufficiency of the swale. Since then Mr. Windle has re-worked that swale and put in some of the riprap that was omitted. Mr. Goddard gave the Commission the pictures taken the day of the meeting, and explained each picture.

J. Sheehan said he did a site visit at 3:00pm before the meeting and is satisfied the work has been done. There is no impact into the lake and the swale is working well. There is no beach activity or sand replacement or loss.

M. Briggs mentioned that Mr. Walsh, Graves Engineering suggested using an alternate ground cover of stump grindings instead of wood chips that could/would runoff into the lake.

J. Sheehan stated the applicant will have to maintain the property, swale, and catch basins. His only concern is that zero phosphate fertilizer be used on the grass and up-gradient. He moved to issue the Certificate of Compliance and lift the Enforcement Order.

M. Briggs questioned the number of trees that disappeared.

S. Goddard explained, and said that Mr. Briggs was not at the last meeting and reviewed that information.

B. Faneuf summarized his review of the new revised plans compared to the final plans submitted.

M. Briggs suggested that they lift the Enforcement Order and do a site visit to check the quality of the changes to the plan based on the new plan, and seek some sort of remediation, as Graves suggested. Then proceed with the compliance.

Motion: To lift the Enforcement Order, by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

Motion: To issue a Certificate of Compliance subject to the applicant maintaining the area landing area within the 25' of the lake, by J. Sheehan

No 2nd: Motion was withdrawn

A. Aubin is concerned with the wood chips running off into the lake, and another revised plan is needed.

C. Windle replied, the chips were new and light and did move, but that has been resolved now that the chips are wet, heavier, and settled.

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

2nd: J. Smith

Vote: 5-0-0

Motion: To issue a Certificate of Compliance subject to the site being stable to Commission's satisfaction, by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

NEW PUBLIC HEARINGS

None at this time

CONTINUATION

Shaw Farm Cross Country Course/Eagle Scout Project

No DEP# RDA filed from 10-05-11

The continuation was opened at 8:17pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The purpose of this hearing is to review a Request for Determination of Applicability submitted to the Conservation Commission by Jen Hager, and Evan Kent, Town of Sutton, Sutton, MA. The project consists of Maintenance of existing trail system (4 trails) to include minor clearing, clearance trimming, removal or mitigation of rocks, roots and other obstacles in trail bed, two crossings with puncheon bridges and or flow structures, and installation of signage and pervious parking at the farm and along Central Turnpike. Also, cut one new trail for advanced trail users, on Map 23 (30), Parcel 24, (59, 61), for Shaw Farm off Shaw Lane, in Sutton.

Present: Jennifer Hager, Town Planner, Evan Kent, Boy Scout

E. Kent reviewed the maps and points, narrative, and schedule that the Commission asked him for at the last meeting. He gave the board his drawing of the puncheon bridges proposed. Everyone reviewed the locations of the bridges, and he explained what he is going to do next.

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

2nd: J. Smith

Vote: 5-0-0

Motion: To issue a Negative Determination of Applicability, subject to the applicant maintaining regular updates with the Commission on the progress on the Buster Trail, by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

503 Mendon Road

DEP#303-0729 from 10-05-11

The continuation was opened at 8:40 pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The purpose of this hearing is to review a Notice of Intent submitted to the Conservation Commission by Randall Swigor, Whitinsville Water Company, Whitinsville, MA. The project consists of installation of water pipe between surface water reservoirs to protect and maintain public water supply, on Map 38 & (44), Parcels 12-15 & (10, & 14) off 503 Mendon Road, Sutton MA.

Not Present: Paul Knapik, Guerriere & Halnon

P. Knapik continued this to November 16, 2011.

Motion: To continue, with the applicant's permission, to November 16, 2011, by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

42 Bond Hollow Road

DEP#303-0633 from 10-05-11

The continuation was opened at 8:45pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The purpose of this hearing is to review an Amendment to the Order of Conditions submitted to the Conservation Commission by Timothy Fisher, Milford, MA. The project consists of the applicant requesting an Amendment to the current Order of Conditions to reflect the revised plan. The proposal includes development of a single family dwelling, driveway and subsurface sewage disposal system with associated grading in the buffer zone to a bordering vegetated wetland. In addition, a wetland crossing by bridge is proposed to access the building site. The proposed modifications to the current approved plan reduce the impact areas, eliminate a proposed wetland fill and reduce the overall site development footprint on the parcel.

Present: Scott Mederios, McFarland Engineering, Timothy Fisher and Shayna Scanlon, owners.

J. Smith stepped down as an abutter.

S. Mederios reviewed the information from when he and B. Faneuf did their site visit, and explained the revisions that were done, per the site walk. The pipe connection was one of the revisions along with the extension of the swale and added a headwall.

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

2nd: A. Aubin

Vote: 4-0-1 J. Smith

Motion: To issue an amended Order of Conditions subject to new plans submitted by Scott Mederios to be further amended to include the expansion of the septic, by J. Sheehan

2nd: A. Aubin

Vote: 4-0-1 J. Smith

297 Manchaug Road

DEP#303-0728 from 08-03-11

The continuation was opened at 9:10pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a single family dwelling, septic system and associated work.

Present: Tracy Sharkey, Guaranteed Builders, Inc.

M. Briggs summarized the information needed on the revised plans from the last meeting.

T. Sharkey gave the Board the revised plans showing all the additions from the last meeting.

B. Faneuf questioned the legend for the replication area. The size of the red maple trees and shrubs need to be on the plans for the contractor to see during the construction. It's also important that they have a wetland scientist on site when installing the replication area.

J. Sheehan asked if they can substitute wattles instead of haybales.

B. Faneuf replied the wattles come in different sizes to fit the site. He will also be making periodic inspections during construction.

Motion: To close the Public Hearing, by J. Sheehan, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

Motion: To issue an Order of Conditions subject to modifications of the plan as follows: spelling errors to be corrected, trees shown in the wetland replication area, the detail to be amended to show as 8' on center, include the blue berry bushes, silky dogwood, and winterberry, a professional wetland scientist will be on site for the replication area, straw wattles to be a minimum size of 12" diameter, vernal pool shall go through the certification process, and the equipment shall be stored on site using best management practices, by J. Sheehan

2nd: J. Smith
Vote: 5-0-0

BOARD BUSINESS

Approve Minutes: 9-7-11, & 9-21-11

The Minutes of September 7th and September 21st were tabled to the next meeting on November 2, 2011.

No permits were issued at this meeting

A Site Visit would be done for 64 Wilderness Drive for closing information on the Determination.

The Board signed the routing slips for 26 Oakhurst Road, 33 West Sutton Road, 10 Old Tavern Lane & four slips for 72 Providence Road/Aggregate.

Discussions:

Manchaug Dam – M. Briggs reviewed the information from the Town Meeting.

Blackstone Bridge/Dam-J & G foods received a repair letter from DCR/ODS and needs to do what DCR/ODS requires for the repair of the Dam. The owner of J & G foods, Wayne Moran will be coming to the next meeting to give an update as to what the status is.

A Site Visits are needed at **14 Welsh Road/Blitz** for a Certificate, **188 Manchaug Road/Mosher** for a haybale inspection that was done by A. Aubin, but still needs a narrative, **64 Wilderness Road Dunn** for a Certificate, he is looking for a sign off on an RDA, which is questionable. **269 Mendon Road/L. Kohn**, who still needs to install the driveway berm and markers over the culvert before another site visit can be done for his Certificate. **Sutton Falls/Roger Gringas & Holbrook Campground/Linda Nelson** – someone needs to check out Aldrich Pond & the dam there seems to be an issue. **Burbank Road/Sibley Pond/DCR issued repair** – the work is near completion and the area was checked and is ok. **West End Connector** – Site Visit will be done by B. Faneuf when he receives the information from the Engineers.

Correspondence: There is a beaver issue in the Armsby Road area, per the memo from Highway Department from M. Brigham.

Correspondence

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 10:30pm.