

SUTTON CONSERVATION COMMISSION
June 6, 2012
MINUTES

Approved: _____

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

Project Updates

7:00pm

42 Bond Hollow Road

Present: Jim Barishian, Contractor, Timothy Fisher & Shayna Scanlon, owners
Joyce Smith stepped down.

M. Briggs explained that the site has gotten out of control. The Commission issued an Enforcement Order. He said the Commission has requested a construction schedule, which has been received in bits and pieces and is incomplete. They have not been permitted to bring equipment back because with the Enforcement Order they were issued a cease and desist. Mr. Briggs reviewed the list of items on the order.

J. Barishian explained what they will do next and they were going to get it all done. By the middle of next week they would be putting down asphalt up to 100' of the bridge area.

B. Faneuf summarized his site visit, showing the video taken yesterday. He explained what needed to be done.

J. Sheehan asked why they were going across the stream, over the steel plates?

J. Barishian said they were granted permission to use the plates to cross with the equipment. They are back now to finish the job.

M. Briggs reviewed the intent, which is to finish everything from the bridge back, stabilize the banks and clean out the swale and clean up anything else. Once this is done, what is the next step?

A. Aubin said this should be in writing.

J. Barishian replied the next step is to put the bridge in. He will have two crews on site once the bottom is stabilized. They don't have enough room to stock pile the material up at the house site. There will be another swale up top where the house site is. They need to get the bridge in as soon as possible. All the materials for the bridge are at his business site waiting for the bridge footings to be installed.

M. Briggs stated that part of the problem is monitoring the site. The Commission has had Mr. Faneuf checking on the site. The Commission has an obligation to keep an eye on the site, hence the fee for the Consultant.

J. Barishian questioned the fees.

M. Briggs explained the fees according the Bylaws.

A. Aubin asked about the dirt road on the other side of the bridge. When will that be paved?

J. Barishian replied that he would put it in, weather permitting, right up to the house foundation. The only thing that will not be put in is the septic system, which he will be putting in once they get the information from the Board of Health. This will not be put in until all the other work is completed. Then he will come back in front of the Commission with that information.

A. butter:

J. Smith has concerns with the utilities that will go in the area across from the cemetery.

J. Barishian replied that the utilities will be in a trench underground.

M. Briggs reviewed the Consultant's fees.

NEW PUBLIC HEARING

11 Douglas Road

The Public Hearing was opened at 7:35pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of a septic system repair.

Present: Norman Hill, Land Planning, Bruce MacKay, applicant

N. Hill explained the existing home with a failed septic system and to review how they will fix the repair. This is a gravity system that is out in front of the house. The BOH has approved the plan.

B. Faneuf summarized his report and video from his site visit.

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

2nd: J. Smith

Vote: 5-0-0

Motion: To issue an Order of Conditions subject to revisions of plans requested by B. Faneuf, subject to: no work permitted by this Order may begin unless and until the applicant receives a subsurface sewage disposal permit from the Sutton Board of Health which complies with the requirements of Title V and any more stringent local standards, and until an approved copy of said permit is sent to the Conservation Commission.

by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

Wetland Concerns

7:45pm

66 Wilderness Drive

Present: Michael Dunne, owner

M. Dunne explained what he did on the upper part of his property, using the pictures he took. He gave the USB thumb drive to the Consultant for review. He thought he was outside the no disturb area. He is here tonight to find out what he needs to do to fix the area in question.

B. Faneuf reviewed with the Board using the USB pictures taken by Mr. Dunne.

M. Briggs said there needs to be some restitution. He suggested that the Commission field verify the Mark Allen wetland lines and re-establish the wetland lines as needed.

J. Sheehan said that Mr. Dunne should file to finish the work, which would release the Enforcement Order. He should get a fee proposal from the Consultant for his review.

M. Briggs suggested that Mr. Faneuf get the Commission a proposal and Mr. Dunne could start to work on a plan. Once the plan addresses the issues and the Consultant reviews the plan, they can move forward with the work.

NEW PUBLIC HEARINGS Continued

71 Torrey Road

No DEP# RDA filed

The Public Hearing was opened at 8:05pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of replacement of an existing dock.

Present: Steve O'Connell, Andrews Survey, James Tharp, owner

S. O'Connell explained the owners proposed installing a new dock in place of the existing damaged dock. Lake view Marina will be installing the new removable dock.

M. Briggs said the Commission needs the details on the dock, for the record.

B.Faneuf summarized his report from his video and site visit
See Attachment Ecosystem Solutions Report #1

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 plans submitted and the applicant providing the materials of the dock to the Conservation Commission,
by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

93 Torrey Road

No DEP# RDA filed

The Public Hearing was opened at 8:10pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of area grading for a swing set.

Present: George Watson, owner

G. Watson explained they want to put a swing set in the back yard. He reviewed the drawn plans showing where the set would be located and where the location of the septic.

B.Faneuf summarized his report from his video and site visit
See Attachment Ecosystem Solutions Report #2

A. Aubin suggested to stake the area so they can do a site visit.

M. Briggs said to re-submit a plan showing the erosion control details. Once the erosion controls are in, call the office. One of the Commissioners will look at it and he will be good to start the project.

Motion: To closed 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 re-submitting the plan with the proper erosion controls, subject to approval of the Conservation Commission, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

**18 Eight Lots Road
DEP#303-0746**

The Public Hearing was opened at 8:25pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of a septic system repair.

Present: Robert Murphy, Murphy Associates, for Diane Mingolla, owner, Randa Tawadros, Project Engineer, Alpha Omega Eng.

R. Murphy explained the septic repair for the failed system. Raouf Mankaryous, from Alpha Omega, will be installing the system. He did the wetland flagging and reviewed the site and soils, done by another company. He couldn't perk this area because it was so wet. J. Malley from BOH reviewed the plans but has not approved the plans yet.

The wetlands are in the southerly rear of the site. Work is proposed in the wetlands but they are in the buffer zone. They had to request a variance from ZBA. No work is proposed within 100' of the well. No trees would be cut down to install the new raised system.

B.Faneuf summarized his report from his video and site visit
See Attachment Ecosystem Solutions Report #3

J. Sheehan suggests more detail on the plans for the pipe in back.

Motion: To continue, with the applicant's permission to June 20, 2012, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

**CONTINUATION
44 Marble Road**

DEP#303-0741 from April 4, 2012

The continuation was opened at 9:05pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of replacing the house, well, septic system, and adding a geothermal system.

Present: Bryan Slack, Brylee C.E. Co, Peter Leovich, III, owner

This has been continued by the owner to June 20, 2012.

Motion: To continue, with the applicant's permission to June 20, 2012, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

65 Century Farm Road

DEP#303-0743 from May 16, 2012

The continuation was opened at 9:05pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of crossing a wetland, installing a residential driveway with associated grading and utility work within a buffer zone.

Present: Mark Allen, Allen Engineering, James A. Gilbert, owner

This has been continued, with the applicant's permission, to June 20, 2012.

Motion: To continue, with the applicant's permission to June 20, 2012, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

39 Winwood Road

DEP#303-0742 from May 16, 2012

The continuation was opened at 8:55pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a barn with associated site work.

Present: Leonard Jalbert, Jalbert Eng. Inc. , Diane & Parker Wellington, owners

L. Jalbert explained the revised plan including the issues from the last meeting of the sewer, utilities, and water connections to the barn. They will be replacing three trees that need to come down within the barn location.

M. Briggs reminded Mr. Jalbert that Mr. Wellington also agreed on re-planting a native species tree in a location nearer the lake. That would replace the tree that had been taken down several years ago. The Commission needs a plan with that tree located on it for the record.

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

Motion: To issue an Order of Conditions, subject to the revised plan as modified dated June 6, 2012, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

BOARD BUSINESS

Wetland Project Updates: 42 Bond Hollow Road, reviewed at 7:00pm, see above minutes.

The Board tabled the Minutes of all April and May meetings.

The Board endorsed the permit for **85 Griggs Road**, and **11A Millers Way** DEP#303-46 & #303-114.

The Board signed the routing slips for **18 Eight Lots Road**.

Discussions:

38 Horne Drive – Tree removal issue, J. Smith checked this area and the tree had been removed.

34 Bond Hollow Road – the BOH plans were reviewed, an NOI needs to be filed, Mr. Briggs will contact the owner.

Old Tavern Lane – A complaint that Silt runoff was going into the catch basin at the end of Tavern Lane/Hutchinson Road, which was removed by the Highway Department, and would be checked again after the construction has been completed.

National Grid Structure #9 was tabled to the next available meeting.

The Site Visit for C of C for **72 Wilderness Drive** was cancelled because the Roadway work has not been completed yet. No Certificate can be issued until the road work has been finished.

The Board will do a site visit on June 15, 2012 at 9:00am for several projects.

Unexpected Business

86 Duval Road – A letter will be sent to the owner about the tree clearing, the stream justification, the NOI application, and work that has been performed without a valid permit.

51 Burbank Road – Trees have been cut and land cleared within the wetland resource area. The owner will be contacted to come and explain what they are doing.

The Board reviewed the 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 9:50pm.