

SUTTON CONSERVATION COMMISSION

July 25, 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 Update**

**7:00pm**

**Main Street/Route 146 – National Grid**

Present: Brian Beaton for Jason Clough, Diprete Engineering, Dan Nichols, Architect

B. Beaton explained they weren't here to create a new filing, however National Grid was before the Planning Board for a special permit. They wanted to come in to keep the Conservation up to date in case they had any questions. He explained the outdoor storage and the building, which never got built in 2008. They came back to the Planning Board to amend the special permit for the site plan they received for a reduction in the size of the building. They intend to build a smaller building instead of the original bigger building planned. What they proposed isn't in any wetland or jurisdictional area, and the only change is the size of the building originally proposed. All that is planned is within the original permit. They just want to give the Board an update, by reviewing the revised plans. They also had Maguire Group review the revised plan.

J. Sheehan suggested the Commission get a copy of the Maguire Group.

M. Briggs would like to see an improved revised plan, with details, showing the storage tanks, and a narrative discussing the Maguire review. It should mention the pads for transformer storage that would be stumped, inspected, monitored and alarmed, etc. Give the Commission a complete narrative. He would like to have two revised plans for the record, with the details and a general over all site plan with the detention basins.

**7:15pm**

**42 Bond Hollow Road**

Present: Henry Hayes, Construction Supervisor, for Timothy Fisher and Shayna Scanlon  
Joyce Smith stepped down as an abutter.

H. Hayes explained that he is the new construction supervisor for the house to be built, but is helping out with the ongoing construction of this project.

M. Briggs said in his previous conversation, it was said that there would be no work performed other than the footings for the bridge. Now the footings are not in, because Mr. Fisher told the site contractor that he had a cease and desist so he stopped all the work. He explained that this indicates how poorly this job is going and the lack of communication between the applicant, the contractor (who is not here), you and this Commission. This needs to be straightened out, and there needs to be some rules and a time line schedule.

H. Hayes replied he is an experienced supervisor and has been doing this type of work for 35 years. He explained he is helping out the owners. He likes time schedules and likes to be organized and plan his

work. He will be putting in the footings starting tomorrow. The concrete needs to be pumped into the footings, and he hopes they will be able to do this. It would be completed by Friday.

A. Aubin requested the name and number of the company that will be doing the work.

H. Hayes said this should be done by the 27th along with the construction of the walls. Since the machine would be on the site they would be moving the materials back down to the site of the bridge.

J. Sheehan said they don't have any construction details on the bridge, so a description of the bridge needs to be on the plans. He also said that the immediate concern should be the restoration of the stream and area adjacent to the stream. There was never any allowance, formally, on the original plan for even temporary disturbance of the stream. Now he should be able to do the restorative work to what has been disturbed. A wetlands person would have to take a look at this area and suggest to him what needs to be done to restore this area.

M. Briggs questioned the side hill after you cross the bridge, which has been compromised. It needs to be looked at as existing conditions and compared to what was on the approved plans and the limit of work that was permitted. They should clean out the stream bed which has been filled with silt, and it needs to be restored.

J. Sheehan said that the intermittent stream has been disturbed.

H. Hayes said the driveway should take between four to five days to finish. They have been having problems with the electrical company.

The secretary noted that someone from the electric company came in to look at the plans of the driveway.

M. Briggs stated that by August 10th there will be a bridge, and an understanding how the restoration would be done to be restored. However after all this, the Commission still needs a schedule of events as to what will happen next. One of the major issues that is still outstanding on this site is the septic system. He asked if they have a septic contractor.

H. Hayes replied that the permit has not been pulled yet.

M. Briggs said that the major concern is, the septic system is far down gradient from where the house is. The erosion controls that are in place now, will need to be doubled up and inspected. The septic system cannot be installed before the erosion controls are in and have been inspected.

B. Faneuf replied that a large tree fell and took out a section of the erosion controls, which needs to be put back.

Mr. Briggs asked while the septic system is being installed, will he be building the house?

H. Hayes replied yes. He explained this was all supposed to be done during the winter months when everything was frozen.

B. Faneuf summarized things he noticed on his site visit that need to be addressed.

M. Briggs told Mr. Hayes to notify the Commission after the footings are in and they are going to start back filling and the Commission can do a site visit for the erosion controls. Don't let anyone grade the area at the top of the bridge on the left that has been compromised. Check the plan, this area wasn't supposed to be touched. The erosion controls need to be in place, satisfactory and effective. See attachment #1 Ecosystem Solutions report.

Abutter:

Joyce Smith, 34 Bond Hollow Road, said that all winter they blocked the road, and there was silt and big puddles. The erosion controls were not put back at the end of the driveway at night. Her concern is the swale. When it rained a few weeks ago it all sheeted down into the road. There is a catch basin at the end of the driveway next door and Brandon had them put wattles around it, but the bale of hay is all decomposed and it's all blocked. They were supposed to clean it out. It backs up and washes up into the road again.

They need to not block the road with construction vehicles as it is an ongoing problem. She suggested that they up put a chain to stop people from entering the driveway as there have been possible vandalism issues.

M. Briggs said to come back in two weeks for an update.

**NEW PUBLIC HEARING**  
**227 Putnam Hill Road/Blackstone National Golf Club**  
**DEP#303-0747**

The Public Hearing was opened at 7:55pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of surface water withdrawal from wetland/pond to augment irrigation of golf course on an emergency basis only.

Present: Donald Provencher, Provencher Engineering, LLC, Michael Gordon, owner

M. Gordon thanked everyone for participating in the site visit to help them out with this project. He explained that he has all the records and data from the meter and pumps used. He would get that information from the pump company that they rent the meter and pumps from. All this data has to go to DEP to Barbara Kickham.

See attachment #2 DEP information

D. Provencher explained the water analysis that he did.

M. Briggs reviewed the emergency certificate.

J. Sheehan suggests the Commission extends the current emergency certificate to the next meeting.

M. Gordon will get the professional readings from the pump company.

B. Faneuf reviewed information about the wells, cranberry bog and the beaver population in the lower area to this pond.

Abutters:

Maureen England, 25 Bennett Road, has a concern with her well and is concerned that if she draws water is this going to affect her property and well. She asked if this would increase the mosquito population in the area.

M. Gordon explained that they have a specific watering schedule that his staff person sticks to, but Mother Nature doesn't always cooperate.

George Kosack, 151 Mendon Road, commented on the beaver bog at Dark Brook. He also has cattle in the area and he thinks the people at the golf course are great custodians of this pond area.

B. Faneuf summarized his site visit report.  
See attached #2 Ecosystem Solutions report.

Motion: To continue, with the applicant's permission to August 8, 2012, by J. Sheehan  
2nd: J. Smith  
Vote: 5-0-0

Motion: To extend the Emergency Certificate to August 8, 2012, by J. Sheehan  
2nd: A. Aubin  
Vote: 5-0-0

**616 Central Turnpike  
DEP#303-0748**

The Public Hearing was opened at 8:50pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a 3 Bedroom residential home, well, septic system and appurtenances.

Present: Mike Yerka, Yerka Engineering, Luke & Anna Leigh Vaillancourt, Gary Vaillancourt, owner

M. Yerka explained the overview of the single family house, septic and driveway they would like to build. The plans show where the wetlands are in the back of the lot, and where the lot sits in between the two perennial streams. Both lots are owned by Mr. Vaillancourt and the lots were created in 1988. The regulations have now changed making one lot unbuildable, so they are not going to combine the two lots, as the one lot meets the 60/40 bylaw.

B. Faneuf summarized his site visit report.  
See attached Ecosystem Report #3

Mr. Faneuf said they will have to wait for Heritage information comes back with their wildlife review. The other lot, not being built, needs to be removed from the plans.

M. Briggs reviewed what needs to be on the revised plans for the next meeting, waiting for the BOH and ZBA approvals.

The Board will do a site visit on August 3, 2012 at 9:00am for the next meeting.

Motion: To continue, with the applicant's permission to August 8, 2012, by J. Sheehan  
2nd: J. Smith  
Vote: 5-0-0

**New England Power/Right-of-Way  
DEP#303-0749**

The Public Hearing was opened at 9:40pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a new 345-kV transmission line within existing ROW and removal of existing 69-kV structures.

Present: Daniel McIntyre, Erin Whoriskey, Nat Grid, and Lee Curtis & Paul Knapik, BSC Group, Renee

D. McIntyre reviewed the work proposed in Sutton on the Transmission Lines Right-of-Way. They need to relieve the congestion on the power poles in this region.

Renee did an overview of the areas where they will be starting the work in 2014 and they are asking if the Commission would permit their Order of Conditions for five years. She gave a summary of the new utility lines that they will put in, the alternative analysis, and the impact to the wetlands. Only two of the 54 structures are proposed within the BVW, and eight of the 33 wetlands would be impacted. It will take them about two years to complete the construction.

B. Faneuf explained that he and Mr. Knapik have been working together on this project and reviewed the information of the three days of site visits that they have done recently. After reviewing all the T-sheets Mr. Faneuf stated that he will be doing only occasional checking unless National Grid contacts the Conservation office with a concern or issue.

Abutter:

Steve Dzicek, 16 Carr Street, is concerned with the grade changes and asked where they will enter to get into the Right-of-Way area from Carr Street

William Reed, 167 Armsby Road, is concerned where they will enter the right-of-way.

Brent Gothier, 37 Johnson Road, has concerns where they will access the right-of-way. There are pine trees that line 146 behind his property and asked if they would be taking them down.

Renee replied there would be no trees that come down in that area.

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

2nd: J. Smith

Vote: 5-0-0

Motion: To issue an Order of Conditions for five years, subject to Mr. Faneuf's comments,  
by J. Sheehan

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

Vote: 4-0-1 A. Aubin

M. Briggs thanked National Grid and BSC Group for working with the Commission's Consultant, and it was a pleasure to work with these professionals.

## CONTINUATION

### 51 Burbank Road

**DEP#303-0750** NOI filed 07-11-12

The continuation was opened at 11:05pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a single family home with soil testing, topo, and design.

Present: Seth Lajoie, Associates, Inc., Peter Sangermano, owner

S. Lajoie reviewed the proposal for new construction of a four bedroom house with a gravel driveway within the buffer zone impact area of 25 feet. The straw wattles will be around the buffer zone area shown on the plans along with the existing tree line. There would be no trees coming down. He didn't do the original flagging but re-checked the flags for this project.

M. Briggs asked why they couldn't move the house closer to the road.

S. Lajoie replied they don't want to be closer to the road, but to be as far back as possible, and will maintain the area as grass.

B. Faneuf replied that the area is existing pasture and the bylaw states that if you can keep out of the 100' area to do that. He suggested that they put up placards at the 25' mark around the BVW boundaries, or the existing wood line, whichever is further out. If the 25' zone is pasture you let it grow back up, and put the placards all around it. This is up to the Commission's approval.

B. Faneuf then summarized his site visit report

See attached #4 Ecosystem Solutions Report

Motion: To continue, with the applicant's permission to August 8, 2012, by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

## BOARD BUSINESS

**Wetland Project Update: 42 Bond Hollow Road** – see above information at 7:15pm

Approve Minutes for May 16, 2012, only, June 6<sup>th</sup> and 20<sup>th</sup> were tabled.

Motion: To approve the minutes of May 16, 2012, by J. Sheehan

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

Vote: 5-0-0

The Board endorsed the permit for **3 Southwick Way, 72 Wilderness Drive, and Route 146/Boston Road Intersection.**

The Board signed Routing Slips for **44 Marble Road, 616 Central Turnpike and 124 Manchaug Road.**

Discussions were as follows:

**26 Providence Road** – Complaint received.

**Barnett Road/Bridle Path** – See email question from Lori Funari to extend to 2013. Mr. Briggs said to wait until February of 2013, come back with another request and they will review this again.

**86 Duval Road** – Ext OOC. The pine trees removed are on plans, noted to not be removed per Bob Murphy.

Check with Mike McGovern who is working with this project. The pictures taken by C. Hamelin were not time stamped and dated, so four more days of pictures will have to be taken. The Board will do another site visit to check the stream

**124 Manchaug Road** – see the revised plans for review. The well has been moved away from the lot line.

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

Motion: To adjourn, by J. Sheehan  
2<sup>nd</sup>: J. Smith  
Vote: 5-0-0

Adjourned at 11:55pm.