

SUTTON CONSERVATION COMMISSION

August 8, 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

86 Duval Road/Katherine Hamelin

Present: No one available

Three big trees that were supposed to stay were taken down. The plans are specifically marked that the trees were not to be cut down.

M. Briggs said to write the owner a letter. He read what he wants to be sent to the owner. He said they need to keep an eye on this site.

J. Sheehan said to ask Mr. McGovern to come in to the next meeting.

J. Smith feels that they should be put back 6 trees for each of the 30" tree taken down.

B. Faneuf summarized the site visit that he did, showing the pictures of the property as it looks now and before the trees were cut down.

7:15pm

42 Bond Hollow Road

Present: Henry Hayes, contractor supervisor, for Timothy Fisher and Shayna Scanlon
Joyce Smith stepped down.

H. Hayes apologized for not getting the work done that they were supposed to. He explained that he sent an email with the explanation of why the footings were not done and sue to the runoff problem. The footings are now in.

M. Briggs asked what the next step was.

H. Hayes explained the schedule of events that he proposed for the next month's work.

J. Sheehan suggested he have a wetlands scientist look at the stream.

B. Faneuf summarized his site visit before this meeting.

M. Briggs stated that we have run to the end of the consultant fee and there will be another invoice for the next fee. The Commission will continue to monitor this site professionally.

He then reviewed the punch list from Mr. Faneuf's site visit:

1. Continue to work on the bridge
2. Clean up sediment around the catch basin on Bond Hollow Rd. and, replace the erosion controls at the inlets on either side

3. Fix the erosion controls that are failing and/or improperly installed near the bridge, and remove the wood debris in that area as well
4. Chairman Briggs brought up the issue of the snow storage areas. He wants to have an idea of where they are located on-site.

Mr. Briggs said that they need to return to the next meeting with further information.

NEW PUBLIC HEARING
66 Wilderness Drive
DEP#303-0751

The Public Hearing was opened at 7:45pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of grading an area of the property for a gentler slope, and will replicate the wetlands on a 2:1 ratio.

Present: Mark Allen, Allen Engineering, Michael Dunne, owner

M. Briggs stated that the revised plans were received. He reviewed his notes from the work that was done without a permit and there needs to be some restitution. They should remove everything within the 25' of the wetlands that has been filled and those wetlands be re-established.

M. Dunne replied that a few weeks ago he said that he would put it back the way it was before. They need to return to the next meeting with further information. He explained what happened as to how the fill came to be, and said there has been nothing done since he received the cease and desist.

A. Aubin showed some materials collected from the fill that was dumped on his property. He will have to take this out .

Mr. Dunne stated that he would do what the Commission wants him to do.

M. Briggs said he needs to re-establish the wetland line, before he does anything else. The restoration area also needs to be established and replant with some trees.

M. Dunne reviewed what he needs to do for the next meeting.

B. Faneuf summarized his site visit for this area.

M. Briggs reviewed the punch list 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

Motion: To issue a Certificate of Compliance on the roadway, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

CONTINUATION

51 Burbank Road

DEP#303-0750 from July 11, 2012

The continuation was opened at 8:25pm. 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 explained the house, barn location, and the limited disturbances. They have placards proposed (wetland boundary, do not disturb) for every 50' and a split rail fence of a natural product proposed in the back of the property.

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 special conditions and plans submitted by Seth Lajoie, by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

227 Putnam Hill Road/Blackstone National Golf Club

DEP#303-0747 from July 25, 2012

The continuation was opened at 8:35pm. 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, David Burke, Wetlands Scientist with 25 years of experience.

M. Briggs reviewed the past information and what they were going to do before this meeting. Details of the meter reading information, how they would measure the water from the pond, and how they would control the water need to be provided. Information about measurements they need to take when it comes to a drought and a drought plan need to be filed for the next meeting. He also explained the letter that the Commission received from the EPA.

D. Provencher reviewed all the items that he provided to the Commission. He also spoke of the pump that they would bring in.

See attachment #2 Provencher report.

M. Gordon explained what happens during the very hot days and the emergency water they need to use.

J. Sheehan questioned the amount of water used that is regulated by the Water Management Act. There are six in-ground wells that are permitted but they are only using five. If they go over 100,000 a day, in addition to the pond, this will require an amendment to their Water Management Act permit. They are required to monitor and keep the records. This will be reviewed again in 2014 by the Water Management people. So the amount of water they are using on the golf course from the pond or the five wells is going

to be regulated either way. He feels that Conservation needs to look at where the activity is, what are the resource areas involved, and what the effects of the physical activity taking place are. In order to file under the WPA, the applicant needs to provide Concom with a plan that shows the physical location of the pump and associated items put in the pond with the route they are taking.

Mr. Sheehan made a Motion to extend the Emergency Certificate to the next meeting. However he withdrew the motion for further information.

D. Burke, a Wetland Resource Specialist and 25 year Wetland Scientist, was brought in late on this project and he spoke with Mr. Faneuf about the project. He wants to assure the Commission that whatever activities are proposed on a regulated or jurisdictional zone, do not impact any resource area over which the Commission has jurisdiction. He explained how this should be done using all precautionary measures that they can and to be sure they don't change the conditions or alter the resource area. He reviewed everything else on the report sent to the Commission. He also looked for evidence that this could be a vernal pool. He read the report, concluding that this is not a vernal pool because of the fish found.

M. Briggs stated that the Commission cannot give them an answer tonight, receiving the report on the same night.

B. Faneuf explained how to decertify a Vernal Pool.

Abutter:

Neighbor has a concern of her well that is three quarters of a mile away from the bog. That area is dry right now.

M. Briggs suggests they think about amending the Notice of Intent. He reviewed the list of what is needed for the next meeting, and suggested to keep records, reports, and monitoring of the withdrawals from the pond.

Motion: To continue, with the applicant's permission to August 22, 2012, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

Motion: To extend the conditions of the Emergency Certificate to next meeting of August 22, 2012,
by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

616 Central Turnpike

DEP#303-0748 from July 25, 2012

The Public Hearing was opened at 10:00pm. 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 what took place at the site visit, the changes in the plans per B. Faneuf's comments, and the locations and kind of all the trees shown on this revised plan. The plans were also sent to MEPA and a copy is for our files. They are proposing to replace the 75 trees with 25 shrubs.

M. Briggs said that the Commission would like to see some native species trees replaced and not just all shrubs. They need to come back with a replanting plan for the next meeting.

Motion: To continue, with the applicant's permission to August 22, 2012, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

Project Update

10:20pm

15 Tuttle Road

Present: Steve O'Connell, Andrews Survey and Engineering, James Perry, owner

S. O'Connell said that they were waiting for the wetlands to be surveyed, and that Dave Crossman, BNC created the plans and found that this is not a buildable lot. The owner agrees. They are here tonight to address the violation. This area is growing back quite a bit.

M. Briggs explained that there is a violation that requires a re-planting of trees. He said that there were ditches made to drain water, and questions the final results to Tuttle Road.

J. Perry replied that there has always been a ditch there along the road, and the highway department has always maintained it. There are two culverts that go under Tuttle Road.

S. O'Connell explained that the ditch that carries the water has created more wetlands and connected to the BVW and has now become part of the resource area.

J. Sheehan suggests that they let it re-vegetate.

All pictures taken were reviewed.

Motion: To lift the Enforcement Order, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

BOARD BUSINESS

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

Approve Minutes for May 2, 2012.

Motion: To approve the minutes of May 2, 2012, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

The Board endorsed the permit for **3 Southwick Way**, and **New England Power/Right-of-Way**.

The Board signed Routing Slips for **49 Old Mill Road**, **118 Central Turnpike**, **8 Ray Lane**, and **1152 Main Street Nat Grid Northbridge**.

Unexpected Business discussion was for the review of the **MGL 131**, issuing the OOC's DOA's in a 21 day time frame, and the Rules and Regs need to be updated in the next few months.

The secretary reminded all about the Ethic's testing that they all must do, and return the signed paper along with the certificate that they receive at the end of the test.

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 11:05pm.