

SUTTON CONSERVATION COMMISSION  
January 4, 2012  
MINUTES

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

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

**Project Updates/Unexpected Business**

**7:00pm**

**512 Central Turnpike**

J. Sheehan reviewed the billing invoices from Maguire Group and explained that the items are still due by the applicant. He couldn't see anything on the billing invoice that should be deducted. He said there has been no Certificate of Compliance issued, so he would pay Maguire and hold Mr. Linder due at this point for the fee, and collect that fee before issuing the Certificate.

The secretary said the J. Bellino from DEP said that Mr. Linder has complied with the consent order for DEP and did the replication area, complied to the ECOP. The DEP fines were paid and they got a report Margaret Washburn. There should be another report in the spring of 2012 for the replication areas.

M. Briggs said that M. Linder has said that he wouldn't deal with Conservation Commission at all. In the original invoice of \$3,200.00 there a disclaimer at the bottom that says that this is a performer invoice and is subject to final review based on what was performed. Did field conditions alter this invoice? It may have looked to Mr. Linder that this invoice increased without review.

J. Sheehan explained the additional charges on 10-03-08 & 10-02-08 were for attendance at a DEP meeting, a letter and discussions with Conservation associated with violations, and to review the OOC.

M. Briggs feels that Maguire shouldn't be paid until the Commission receives the money from Mr. Linder. He said in talking to DEP, they said that you can't charge him for attending meetings, but you can charge for reviews. Conservation would have had to be at the DEP meeting and Conservation didn't instruct Maguire to go to the DEP meeting.

J. Sheehan said the secretary collected the correct amount from Mr. Linder at that time. According to the invoice received payment was up to date. We need to come up with a response to Maguire so that we can finish this. Maguire invoiced Conservation on 10-15-08 for the amount of \$3,245.00. The secretary collected this amount. The \$3,965.00 for invoice 41 doesn't appear in any paper work we have until 08-04-09. This was shortly after they closed their third quarter billing in 2009, so they changed the invoice. Maguire failed to communicate with Conservation for almost ten months that there was a difference of the \$720.00. This has caused us difficulty in collecting. He said that he would write up a letter to send out.

**7:20pm**

**192 Hartness Road – Driveway**

B. Faneuf summarized his information about the driveway and explained what was used in the driveway. For the future, if anyone proposes impervious asphalt, someone needs to be there for a pre-construction meeting because there was no communication between the designer and contractor.

B. Faneuf replied for the future OOC's or RDA's there should be a new standard that there is a pre-construction meeting before ground is broken. The contractor doesn't know what the designer is doing and is never at a meeting.

M. Briggs recalls that the Commission was told they would get weekly photos of the progress, but that never happened. We need to put this on the calendar for a spring site visit, or in the summer.

B.Faneuf will write a letter to be sent to the applicant and engineer as to what will be expected for the spring site visit.

**7:25pm**

**458 Boston Road – Replication issue**

B. Faneuf explained that G. Krevosky wrote a year end replication assessment letter progress report, and he went to the site. There are two small replication areas on the left hand side of the driveway. Together they are about 2,500sf. When he went there in October he saw a monoculture of red top but not much in wetland species or seed mix. He contacted G. Krevosky and we received the report with the information as to how much seed mix was put down. Mr. Krevosky said that the contractor who dug this area out, for some reason added some annual grass mix, but was not asked to do that. Mr. Krevosky will go back in the spring to assess the situation again.

M. Briggs said there is a problem with the site below it on Eight Lots Road. There is a tremendous amount of water coming off that wet meadow down through the wetlands onto the properties down gradient to this. Another site visit will be done in the spring to assess the situation.

**NEW PUBLIC HEARINGS**

**10 Point Way**

**DEP#303-0736**

The Public Hearing was opened at 7:30pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of additions to single family house, sewage ejector pump and sewage line.

Present: Scott Goddard, Goddard Engineering, for John and Jeanne Esler, owners, Mark Allen, Allen Engineering.

S. Goddard explained the plans showing Mr. Triola's house that the Esler's have purchased, showing the BVW adjacent to the lake. The lake side of the house is subject to review. He then explained the existing conditions, where the two additions would be on the house, and the second level addition on the boat house with the sewage ejector pump.

M. Allen explained the Board of Health received a clean Certificate of Compliance with the septic inspection. It's not in failure at this time, so any upgrades would be voluntary. If during the building the bathrooms trigger a mandatorily increase of some kind of Board of Health regulations, they would have to do the increase. M. Allen explained about the addition on the boathouse for a daytime office, and a half bath because its down by the water and a distance from the house. This will be an accessory building , not a dwelling.

M. Briggs asked if they thought about a composting toilet or a more eco friendly type solution.

S. Goddard replied they did discuss it and he explained what they discussed.

J. Smith asked if there was running water down there now.

S. Goddard replied yes there is for the existing sink.

M. Briggs asked how many trees over five inches are coming out?

S. Goddard replied that in the area where they're going to work there would be zero trees removed . Other than digging the cellar hole, the side of the lake is all manicured lawn. The owner wouldn't want them going in to strip topsoil in that area.

J. Sheehan said the septic issue will be addressed by the appropriate Board of Health people. His question is on the two wetland areas, is there an intermittent stream?

S. Goddard replied not within a notable distance.

J. Sheehan questioned any man-made groundwater drainage directed in that wetland area, are they going to change anything, for instance roof runoff?

M. Allen replied that upon inspection, Fran Triola felt there was a footing drain at the time of construction that may have discharged into that BVW. The drain has not been located. It may have been silted in over the years. There will be a footing drain on the addition, but if the other drain is found, they would not connect the two together. Wattles will be used for erosion control and change substituted on the plan for the hay bales.

M. Briggs asked how they are treating the roof runoff?

M. Allen replied now its crushed stone and all underground drainage pipes.

B.Faneuf summarized his site visit of the property.

See attached #1 Ecosystems report.

The Board will do a site visit on January 7<sup>th</sup> at 9:00am.

Motion: To continue, with the applicant's permission, to January 18, 2012, by J. Sheehan

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

Vote: 5-0-0

## **CONTINUATIONS**

### **65 Gilmore Drive**

**DEP#303-0734** from 12-21-11

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

The project consists of a parking lot expansion to accommodate change in property use to a church, expansion areas were previously considered as part of the original site design.

Present: Stephen O'Connell-Andrews Survey, David Payne, Life Song Church

M. Briggs reviewed the information from the last meeting.

S. O'Connell stated that they had refreshed the flags in the wetlands before the site visit. He said that a lot of the flags were still there. He reviewed the comments and concerns by the Commission from the previous meeting.

M. Briggs asked if they had a plan that shows the old and the new parking area.

S. O'Connell pointed the areas out on the plans shown, but one of the new parking areas is not in the buffer zone. He gave the Commission these revised plans for the records. He went on to explain some of the trees will need to be replaced. This information is also on the revised plans.

B.Faneuf summarized his site visit.

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

Motion: To issue an Order of Conditions, subject to the special conditions and any other notes that may be added from the site visit that M. Briggs noted, by J. Sheehan  
2<sup>nd</sup>: J. Smith  
Vote: 5-0-0

### **15 Tucker Lane**

**DEP#303-0735** from 12-21-11

The Public Hearing was opened at 8:15pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of installation of a tight tank.

Present: Seth Lajoie, Lajoie & Assoc. Inc., Rachel Percy, owner

S. Lajoie reviewed the site visit information about the 2000 gallon tight tank.

M. Briggs questioned the locations of the old cesspool and the well, which Mr. Lajoie pointed out on the plans.

Motion: To close the Public Hearing, by J. Sheehan  
2<sup>nd</sup>: J. Smith  
Vote: 4-0-0

Motion: To issue an Order of Conditions, subject to the standard Order of Conditions with plans submitted by Seth Lajoie, by J. Sheehan  
2<sup>nd</sup>: J. Smith  
Vote: 5-0-0

### **BOARD BUSINESS**

Wetland Updates & Concerns:

**42 Bond Hollow Road** – Mr. Faneuf gave an update on the progress and issues of this project, which appear to be frozen and contained, at this time.

The minutes were tabled to the next meeting.

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The Board Endorse Permits for 61 Stone School Road, 10 Point Way, 65 Gilmore Drive, and 15 Tucker Lane.

The Board signed the Routing Slips for the New Village at Stevens Pond, which is outside of the 200' buffer zone, per the Planning Board.

Discussions were about the West Side Connector, which will be coming in as an NOI, and the fees owed from the 512 Central Turnpike project.

The Correspondence was reviewed

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 8:55pm.