

SUTTON CONSERVATION COMMISSION
February 15, 2012
MINUTES

Approved: _____

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

CONTINUATION

Leland Hill Estates 40B Subdivision

DEP#303-0701 to #303-0722 from 01-05-11

The continuation was opened at 7:05pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of the Notices of Intent pertaining to the completion of a subdivision roadway and associated infrastructure as well as construction of a sewer pump station and twenty (20) single-family homes on individual lots. The proposed work is within the Buffer Zone adjacent to wetland areas subject to protection under the Massachusetts Wetlands Protection Act and the Town of Sutton Wetlands and Riverfront Administration Bylaw, on Map 12, Parcel 72, at 101 Leland Hill Road, Sutton MA.

Present: Cheryl Peterson, Heritage Design Group, John Burns, Black Brook Realty Trust, Stephen Rodolakis, Attorney for the applicant

C. Peterson explained the revised plans for the 22 lots that the Commission asked for individual plans to be submitted for each of the lots, which they prepared and made the revisions that Mr. Faneuf pointed out, and that he has agreed that all the revisions have been done and meet his approval. A copy of the revised plans, have been submitted to the Commission, and that is why they are here tonight.

S. Rodolakis explained he understood that the Commission closed the hearing in July or August 2011, and the Commission took a vote. His understanding was to submit the individual plans when the subdivision plans got recorded, the individual OOC were issued, because they had street addresses. The subdivision plans were not executed by the ZBA, once that was taken care of and they had the assigned addresses from the Assessor's office, they would be able to obtain the Orders of Conditions. It was their understanding that these matters were closed, and Mr. Burns would like to proceed.

J. Sheehan replied it wasn't his understanding that this was closed, only the hearing on the roadways for the subdivision.

M. Briggs replied the same and said they filed the NOI's on the lots the Commission received the plans and reviewed the plan. If everything is in order the Commission can proceed to wrap this up. The Commission's Consultant has spent time reviewing the files.

B. Faneuf suggested they go through each, lot by lot on the 21 individual filings.

J. Sheehan questioned if the owner has talked to MEPA for this new filing, only the original NOI when through?

C. Peterson replied they did speak to them due to the change of the project, she was told because there was less impact and less structures using the same roadways, MEPA didn't see the need to file a project change. They will have to get an updated sewer extension permit from DEP which they issued that extension.

All the remaining 21 lots and plans submitted were reviewed, and continued to the next meeting.

M. Briggs said the Commission needs a MEPA letter from the Attorney for the records. They will have to file an NOI for Lots 21, 22, 26, 35, and 46, possibly only and RDA for lot 26.

See attachment #1 for the assigned Lots and DEP#'s along with the map used at the meeting.

Motion: To continue, with the applicant's permission, to March 7, 2012, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

NEW PUBLIC HEARINGS

None at this time

CONTINUATIONS

158 Uxbridge Road

DEP#303-0738 from 02-02-12

The continuation was opened at 9:03pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of installation of upgrade sewage disposal system.

Present: Seth Lajoie & Associates, Inc, for Sandra Marusa, owner

S. Lajoie reviewed the information from the site visit.

M. Briggs questioned the trees on the revised plans and asked for a plan. The Consultant gave the Board his plan to use for review.

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 standard special conditions,
by J. Sheehan

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

72 Wilderness Road

DEP#303-0740 from 02-02-12

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 improvements of existing private roadway, including widening, regarding and drainage, some work has already occurred and other work remains to be completed.

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

M. Dunne reviewed the past meeting notes now shown on the revised plans. He spoke of the turtle nesting, which Mrs. Deliso will point out the area in question, so that the snow fence will not be put on top of the turtle eggs. He would like this information note on the Order of Conditions. He reviewed the intake area, existing pipe, and the water that comes from the high tension wires and crossing the road. They will do an interceptive trench to the pipe and tie it into the main collection area. It was suggested that they add a second pipe at this point. This will be a double size catch basin and pipes. They will put rebound pipes, on the road side, with orange on both sides of the wetland area at the pipes on both sides of the road, for all seasons. He spoke of the check dams, with the stone, and their location, and the matting that would be installed. They would be doing this project at the end of the next week. They will replant native species trees for the ones that came down. The limit of work line has been added to the plans. He is proposing to put the pipe back to what it was, according to the DEP finding to reconnect the wetland areas.

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

Motion: To issue an Order of Conditions, based on the plans revised on February 14, 2012,
by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

10 Eight Lots Road

NoDEP#RDA from 02-02-12

The continued Public Hearing was opened at 9:30pm. M. Briggs read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of replacing/repairing the existing failing septic system within the existing lawn. Due to the lot constraints, including both wetlands and well, the system has been placed at the optimum distance from wetlands. The existing system shall be abandoned according to title V requirements.

Present: Glenn Krevosky, EBT Env., for Herbert Berg, owner

G. Krevosky reviewed the notes from the Consultants report of February 1, 2012, and answered the questions concerning the buffer zone on the property. He explained that the lawn is part of the wetlands, and the location of the well. They are trying to keep the septic system 100' away from the well. The septic system has been approved by BOH but does not have the paperwork and would ask that this be continued to give him time to get that approval paper to the Commission.

B. Faneuf summarized his information and explained what they need to do.

Mr. Briggs will do a site visit on February 18, 2012.

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 no work permitted by this
This Negative Determination may begin unless and until the applicant receives a subsurface
sewage disposal permit from the Sutton Board of Health which complies with both the
requirements of Title V and any more stringent local standards, and until a copy of said permit
is received by the Conservation Commission and the Department, by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

BOARD BUSINESS

Wetland Updates & Concerns:

42 Bond Hollow Road- update from B. Faneuf

B. Faneuf gave an update on the **42 Bond Hollow Road** project.

The Board approved the minutes of December 21, 2011 but tabled January 4th and January 18th for further review.

Motion: To approve the minutes of December 21, 2011, by J. Sheehan

2nd: J. Smith

Vote: 5-0-0

The Board signed the routing slips for 34 Bond Hollow Road and 454 Boston Road.

I there is an issue with any review of the routing slip that information for Board of Health needs to be put on a letterhead before sent to BOH.

Discussions:

9:55pm

52 Putnam Hill Road – Seth Lajoie to explain the situation

S. Lajoie explained the failed septic system that needs replacing of the pipe and stone traditional system, which they have the Board of Health approval to do. He also explained about the drainage structure with six 4” pipes that go underground.

M. Briggs explained the site visit that the Commission did, and about the routing slip reviewed by the BOH. The BOH was told that the two engineers needed to check with a Wetland Scientist and advise the Commission as to the jurisdiction that the Concom has on the particular site. The BOH replied it wasn't their job to tell the engineers that they should follow the law, and they since wanted the Concom to put the information on letterhead, so that they have something formal opposed to a routing slip, showing that Concom has some concerns. If any routing slips that come through that the Concom has any issues, that they are going to demand that they either file an NOI or RDA. This has become an issue, however this burden falls on the applicant.

S. Lajoie replied, noted and if this should come up again he would definitely file an RDA.

The letter that was written by J. Smith would be put on Concom letterhead and given to the BOH.

The Board approved the letter that is sent to the applicants with their permitted Order of Conditions, when mailed out to the applicants.

Motion: To approve the letter that that accompanies the Order of Conditions, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

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.

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

Adjourned at 11:00pm.