

SUTTON CONSERVATION COMMISSION

May 2, 2012

MINUTES

Approved: _____

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

Wetland Concerns

7:00pm

15 Tuttle Road

Present: James Perry, owner

J. Perry explained that he was trying open up the area of the natural ditch, and was trying to clear out the leaves from the other ditch so the water would run.

J. Sheehan told him he needed an Order of Conditions to do any work in this area.

M. Briggs explained how the NOI and OOC works, and said he needs to remediate what was done, file a Notice of Intent or come back with a restoration plan.

J. Perry said he would contact an engineer to straighten out this situation.

7:15pm

26 Providence Road

Not Present: Neil McLaughlin, owner

The owner was not present at this meeting and the Commission continued it to May 18, 2012. The secretary needs to send another letter, and ask how he is going to stabilize the bank that was disturbed. He can loam and seed, use jute mat or plant trees.

NEW PUBLIC HEARINGS

12 Marsh Road

No DEP# RDA

The Public Hearing was opened at 7:20pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of installing a small beach area next to a 28' existing dock, adding sand, and clearing small 10' area, also replanting a tree.

Present: Mark Shirman, owner

M. Shirman showed pictures of where the dock is, the area where he would like to install the beach, and where he would like to plant the tree. He will get the information and the material to be used, and the company that is going to do the work on the beach area.

M. Briggs said that the Commission needs a statement of how much fill material would be put in and the name of the contractor. The area must be staked before the contractor gets to the job, and whatever he decides to plant must be on the plot plan. He has given that to the Commission for the record. No work would be permitted after the water level reaches the high water mark.

J. Sheehan asked to add that the office be notified 48 hours before the work is to be done.

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 additional provisions that M. Briggs has lain out, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

CONTINUATION

6R Torrey Road

DEP#303-0737

Approval from ZBA was received and the Commission needs to sign the plans.

44 Marble Road

DEP#303-0741 from April 4, 2012

The continuation was opened at 7:45pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

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

Present: Bryan Slack, Brylee Civil Engineering Co., Peter Leovich, III, owner

This was continued by the owner to June 6, 2012.

M. Briggs told the Board he went to look at this site and found that this was more complicated than what shows on the plans. This whole thing needs a lot of work.

Motion: To continue, with the applicant's permission, to June 6, 2012, by J. Sheehan
2nd: J. Smith
Vote: 5-0-0

227 Putnam Hill Road/Blackstone National Golf Club

Present: Michael Gordan, owner

M. Briggs explained that the EPA contacted the Commission about the golf course pumping water from the wetlands behind the 16th green and pumping it into the 18th green, which is behind the club house.

M. Gordan explained they pump water from that pond, but not very often. Mostly they manage the water on the high side of that pond, which is behind the 16th green. This is an isolated large pond and the water goes down to the 16th green and destroys the area, so they try to manage the water flow. He explained about the dam that was there years ago and how the water flows. There is no release to this pond so there is no control over the flow to the 16th green. He would come back with the proper application to do the work around this water issue.

J. Sheehan told Mr. Gordon to get his professional consultant on this and get back to the Commission within a meeting or two.

BOARD BUSINESS

Wetland Project Updates:

10 Point Way/John Esler, owner

Present: Paul Lavoie, tree removal

The secretary said she contacted Mike McGovern and they were supposed to come back with a plan to take down the trees next to the dock. However, yesterday she spoke to Mike and he said that they were not going to do anything with the trees at this time.

P. Lavoie said that he spoke to Mr. Esler today and he would talk to M. McGovern and have him give the Commission something. Mr. Lavoie said he would let Mr. Esler and Mr. McGovern take it from here.

M. Briggs said that without a plan they can't amend the OOC.

42 Bond Hollow Road

J. Smith read B. Faneuf, Consultant's report. She explained what took place over the weekend during the rain storm.

M. Briggs suggested to forward the Consultant's report to the applicant, and in the transmittal to the applicant inform them to do a better job on the erosion control.

The secretary will send the report and information by email to the applicant.

The Board tabled the Minutes of April 4, 2012 and April 18, 2012.

The Board signed the routing slips for National Grid, 5 Forest Hill Drive, and 65 Century Farm Road.

No update for **72 Wilderness Drive**/Michael Dunne, until the next meeting when the Consultant returns. J. Smith said the address should be **66 Wilderness Drive**/Steven Dunne, where the hemlock trees were cut.

M. Briggs has concerns with 72 Wilderness Drive because of a flat area that has been cleared and all the trees that have been cut down near that wetland. He suggests issuing a cease and desists and Mr. Dunne should come back with a replanting plan.

J. Sheehan said there has been work activity in the buffer zone area of the wetlands.

The Commission issued a cease and desists. The Enforcement Order would be mailed out on Thursday morning.

Discussions:

The discussion on **West Side Connector** for the Vernal Pools certification information is needed from the Consultant for this certification.

Wetland Updates from site visits: **71 Torrey Road** was done by A. Aubin.

The Board will do a site visit on April 28, 2012 at 9:00am at **43 Eight Lots Road**, to check on the trees that were replanted.

A second letter would be sent for the replanting on **7 Point Way C. Windle**. A letter was sent to include a billing reminder for **14 Wheelock Road/G. Caya**, which no reply has been received as of yet.

The Board reviewed the Correspondence.

M. Briggs read the correspondence/letter received from Linda Dzicek, **16 Carr Street**. He stated no action can be taken by the Sutton Conservation Commission to address her concerns except to monitor the situation. Mr. Briggs read the second letter from Herman Nydam, **8 Burdon Pond**, and stated this is beyond the Sutton Conservation Commission's jurisdiction of the drawing of the water from the pond. The secretary was then asked to send both letter to the DEP in Worcester asking for advise as to how the Sutton Conservation Commission should respond.

FYI: On May 8, 2-12 at 7:00pm the Conservation Commission is invited to attend the Board of Health meeting to discuss the routing slip concerns. Hopefully everyone can attend.

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 9:00pm.