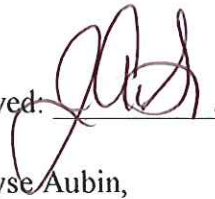


SUTTON CONSERVATION COMMISSION

May 7, 2014

MINUTES

Approved: _____



Present: Mark Briggs, Chairman, Joyce Smith, Co-Chair, arrived at 7:20pm, Alyse Aubin,
Daniel Moroney, Robert Tefft
Staff: Wanda M. Bien, Secretary
Brandon Faneuf, Consultant

NEW PUBLIC HEARING

None at this time

Project Updates

None at this time

CONTINUATIONS

62 Lackey Road

DEP#303-0780 from 04-16-14

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 construction of a driveway to a single family home.

Present: Stephen O'Connell, Andrews Survey, William Matukaitis, owner

S. O'Connell explained the revisions done on the plans and the updated Notice of Intent. He refreshed the wetland flags, and reconfigured the replication area.

M. Briggs questioned the storm water concern where the driveway intercepts the roadway.

S. O'Connell replied with what was shown on the plans from the field visit, showing that the drainage ends 200' above the driveway and not down the road far enough near the intersection of the driveway where it cuts in. There is a berm and or hump noted on the plan in this area.

R. Tefft was also concerned with the water coming down the roadway and into the driveway. He also reviewed the policy of receiving the plans the week before the meeting so the Board can review it before the meeting.

B. Faneuf summarized his site visit report. He reviewed the nine revisions on the plans and what needed to be on the next revised plan.

See Attachment #1 Ecosystems Solutions

Motion: To continue, with the applicant's permission, to May 21, 2014, by J. Smith

2nd: A. Aubin

Vote: 5-0-0

May 7, 2014

39 W. Millbury Road

DEP#303-0776 from 02-19-14

The continuation was opened at 8:00pm. 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 associated septic system, well, grading, driveway, and wetland crossing, a portion in the BVW and adjacent the Buffer Zone.

Not Present: Brian MacEwen, Graz Eng., Tamam & Zena Jaber, owners NOI filed

This has been continued, with the applicant's permission to May 21, 2014.

Motion: To continue, with the applicant's permission, to May 21, 2014, by J. Smith

2nd: A. Aubin

Vote: 5-0-0

33 W. Millbury Road

DEP#303-0777 from 2-19-14

The continuation was opened at 8:03pm. 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 associated septic system, well, grading, and driveway, a portion in the Buffer Zone to a BVW.

Not Present: Brian MacEwen, Graz Eng., Tamam & Zena Jaber, owners NOI filed

This has been continued, with the applicant's permission to May 21, 2014.

Motion: To continue, with the applicant's permission, to May 21, 2014, by J. Smith

2nd: A. Aubin

Vote: 5-0-0

Unexpected Project Update

83 Griggs Road

DEP#303-0614

Present: Michael & Maggie Meagher, new owners

Mr. Meagher explained that the Order of Conditions is expiring and this already has an extension. He is trying to get this extension in his name, now that he has bought the property. They would like to build within the next few months with the engineered plans that have been permitted. However they have a different footprint for the house and would like to turn it slightly from the position that it is on the original plans permitted. They would like to start as soon as possible to put in the driveway and foundation to the house.

The Board reviewed the original plans and the new owner's plans.

M. Briggs agrees with the extension but with conditions. He feels that a peer review is needed for the proposed changes with what they would like to do. He is also concerned with the grades and the driveway entrance area. When they are ready to go forward the Commission can act on their revision after the peer review has been done.

May 7, 2014

B. Faneuf questioned the changes on the footprint of the house and how it would change.

Mrs. Meagher replied that their proposed house would be a single story house with a small footprint change, not a two story house that is on the original plans permitted. Everything else would remain the same that was permitted in 2006.

There will be a review done, that will come back to the Commission for the changes.

BOARD BUSINESS

Wetland Concerns and Updates:

42 Bond Hollow Road - this area is stable for the winter, however the extension was permitted for one year going forward.

Motion: To extend the Order of Conditions to one year with the erosion control repair, at the far side of the bridge, by D. Moroney
2nd: A. Aubin
Vote: 4-0-0 J. Smith stepped down

The Board voted on the minutes of April 16, 2014.

Motion: To accept the minutes of April 16, 2014, by J. Smith
2nd: A. Aubin
Vote: 4-0-1 D. Moroney

The Board endorsed permits for:

10 Point Way, John Esler explained what they were doing, however there is an issue with the docks. It is unclear whether they are permitted under the Chapter 91 permit in Mr. Triola's name, or do they need to be permitted with the state. The by-law states only one dock per lot, not two. They will need to decide which dock they want to retain.

Motion: To issue the Complete Certificate of Compliance as drawn on the Order of Conditions, by D. Moroney
2nd: A. Aubin
Vote: 5-0-0

A Certificate of Compliance was issued for **Off Pond View Drive/Wilkinsonville Waters District**, and **24A Cold Spring Brook**. The Board did not sign the permit for: **51 Pierce Road** – the paperwork was not received in time for this meeting.

The Board had no Routing Slips to sign at this meeting.

Discussions:

A site visit was done at **78 Torrey Road** on April 17, 2014 and reviewed by B. Faneuf. **Putnam Hill Road/Mass DOT** – is dealing with another beaver issue at the Dam site.

Sutton Conservation Commission

May 7, 2014

7 Point Way – has not filed a Notice of Intent and will receive another letter to do so.

National Grid/Route 146 – ROW – information was received as to when they will be starting the Phase II part of this project area at the Pleasant Valley Crossing site.

Robinson's Pasture Forestry Cutting – This has a Cease and Desist on the cutting operation, but no papers have been received from the DCR.

236 Manchaug Rd/Subdivision – The EPA permit was received for the clearing of one acre.

The Site Visit for a Certificate of Compliance for 66 Wilderness Drive will be completed for the May 21st meeting.

Anyone interested in purchasing the DVD for any public hearing at this meeting, please contact Pam Nichols in the Cable office or you can view the minutes and video at www.suttonma.org.

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

Adjourned at 9:45pm.

Brandon B. Faneuf, Conservation Consultant
Sutton Conservation Commission

Application Type: Notice of Intent
Project Location: 60 & 62 Lackey Road*
Map 42, Parcels 84 & 85
Applicant: William Matukaitis
Owner: Same*
Representative: Andrews Survey & Engineering, Inc.
Stephen O'Connell, P.E. & Paul Hutnak, P.E. representing
Plan Date: 5/5/14
Memo Date: 5/7/14

*The original application was for 62 Lackey Rd., but the alterations to wetland resource areas are at 60 Lackey Rd.

I have reviewed the revised plans, dated 5/5/14 for the above-referenced properties. I have also reviewed the revised NOI form and have the following comments, with a base outline from my 4/16/14 memo.

1. The proposed crossing will be on Parcel 84, which is owned by the applicant's sister and her husband-Christina and Michael Heinl. NOI Form 3 only referenced Parcel 85, which is owned by Mr. Matukaitis. Applicant stated that they will revise NOI Form 3 to include Parcel 84 and the Heinl's info. as co-applicants. This info. will be sent to the ConCom and DEP.

The Applicant has responded by changing WPA Form 3 to substitute 60 Lackey Rd. (Map 42, Parcel 84) for 62 Lackey Rd. (Map 42, Parcel 85). All work and alterations to wetland resource areas will take place at 60 Lackey Road. The proposed house is still at 62 Lackey Rd., and has been depicted on Sheet 2 of the site plan, but is outside of jurisdictional areas as depicted. Given this change, the Order of Conditions will not include the house and work at 62 Lackey Rd., but only the driveway crossing at 60 Lackey Rd. The work at 62 Lackey Rd. will be considered as part of the total build-out so the Commission could see if alterations to resource areas would take place (the first submission did not depict full build-out at 62 Lackey Rd.), and will be referenced in the Findings of Fact, but will not be approved in the OOC. If the Applicant wishes to include 62 Lackey Rd. in this NOI, both properties must be referenced on the same NOI form.

Further, a "future single-family dwelling," "future well," and "conceptual leach field" have been proposed at 60 Lackey Rd., completely outside of jurisdiction. Without specifics on grading, erosion controls, complete septic system components, and how stormwater from roof runoff will be contained, the house cannot be considered for approval in the Order of Conditions. Unless these things are done, the dwelling and ancillary structures will be considered conceptual and part of an overall build-out

plan to prove that a house could be built on-site, but not approved as part of the OOC.

2. NEW- WPA Form 3 references the site plan dated 4/3/14, but given the revisions, the most recent revision date is 5/5/14. A minor point, but with the change in applicants, this could have been addressed.
3. Everyone agreed that accessing Parcel 85 from its own frontage on Manchaug Rd. is not reasonable due to steep slopes and extensive ledge. The applicant confirmed that a common driveway was approved from Lackey Rd., across Parcel 84 into Parcel 85, but that the permit has expired and they need to go back to Planning Board.
4. Applicant will include the build out of Parcel 85 on the site plan, which is only partially depicted on the current site plan.

Completed. However, see comment 1 regarding its applicability as part of the OOC.

5. The existing cart path was created during logging operations (unknown date) and left as-is.
6. BVW flagging is old and most are missing. Applicant will refresh flagging so the Commission's consultant can confirm flagging.

Having received the revised site plans on the Tuesday afternoon before a Wednesday meeting, I will review the flags before the meeting.

7. Applicant has agreed to have flags 17 through 28 verified. Only those flags will be verified in the OOC. All others will be stated to *not* have been verified.
8. The applicant stated that the existing cart path over the BVW was not used because:
 - a. The stream has formed at the existing crossing, while there is no stream at the proposed "new" crossing.
 - b. The existing crossing would require more excavation and a three sided culvert, which would be more expensive.
 - c. Much less excavation would need to be done at the 'new' crossing location due to the fact that you wouldn't need a culvert.
 - d. There was also talk about depth to ledge at each location- shallower to ledge at proposed crossing location and deeper at the existing cart path. Brandon asked if they have data on this. The answer was "no," but the Commission didn't push the issue.

9. Applicant will completely enclose the Limits of Work, discerning between permanent and temporary disturbance areas.

There is a Limit of Work line, but the differentiation between Permanent Work areas associated with the driveway, and Temporary work areas associated with the replication area and cart path planting has not. I have included a mark-up of the plan showing how this could be done. I have added a larger area on the east side of the replication area, between the cart path and the proposed driveway because I don't see how it will be practical to stay out of that area during construction. As such, the Applicant will still have to minimize impacts to that area, and stabilize and/or plant the area when work is finished. The exact remediation for the area will be determined by the Conservation Consultant when work is complete.

10. Applicant will mitigate for work in the 100' AURA associated with the proposed crossing/driveway by planting trees in the existing cart path for its length within the 100' AURA.

11.

This has not been shown. Only the wetland replication area has been depicted. Even so, I think that the number of plantings in the replication area could be reduced to 30 total shrubs from 54 total shrubs. In turn, 14 shrubs could be planted within the portions of the cart path that are in the 100' AURA. A portion of the cart path is in the wetland and a portion is in the upland, so some upland shrub species will be needed. This will require a cart path specific planting plan. The performance standards for coverage in the cart path will be the same as the replication area.

12. Applicant will mitigate for stormwater shedding off the proposed bituminous driveway and make sure it will not flow unimpeded into the BVW. Discharge into the street wasn't as big an issue because the driveway for the most part grades away from the road.

I can't see what the Applicant has done differently from the first site plan in order to prevent stormwater on the driveway from discharging directly to the BVW. A written narrative to go along with this is required.

13. Applicant will also show a plan to capture roof runoff associated with the house.

There are no plans that I could see to capture roof runoff from the house at 62 Lackey Rd, but again, per comment 1 above, 62 Lackey Rd. is no longer the subject of this NOI, and is a moot point because work at 62 Lackey Rd. is outside of the 100' AURA or 200' Riverfront District Associated with Manchaug Pond.

14. Mark Briggs wanted to see reflectors on the sides of the driveway in the 100' AURA and BVW crossing as a safety precaution. This will guide cars from going off the driveway and into the woods.

This was done and depicted on the site plans.

15. Applicant will re-visit the wetland replication design. There is a lot of cutting into the hill required for the current replication configuration. Given that there is shallow-to-ledge conditions here, it may not be feasible. Commission recommended trying to replicate in more level areas, like between flags 17 and 19, that won't require as much excavation. That way Brandon can perform soils analyses to determine if the replication areas are suitable. Applicant will also stake out proposed replication areas so Brandon knows where to sample.

Having received the revised plan and NOI form a day before the public hearing, Brandon will have to perform the analysis immediately before the meeting.

16. Applicant will clarify what erosion/sedimentation controls will be used and where they will be used.

This has been done. For the most part, straw wattles are proposed, but silt fence has been specified around the wetland replication area.

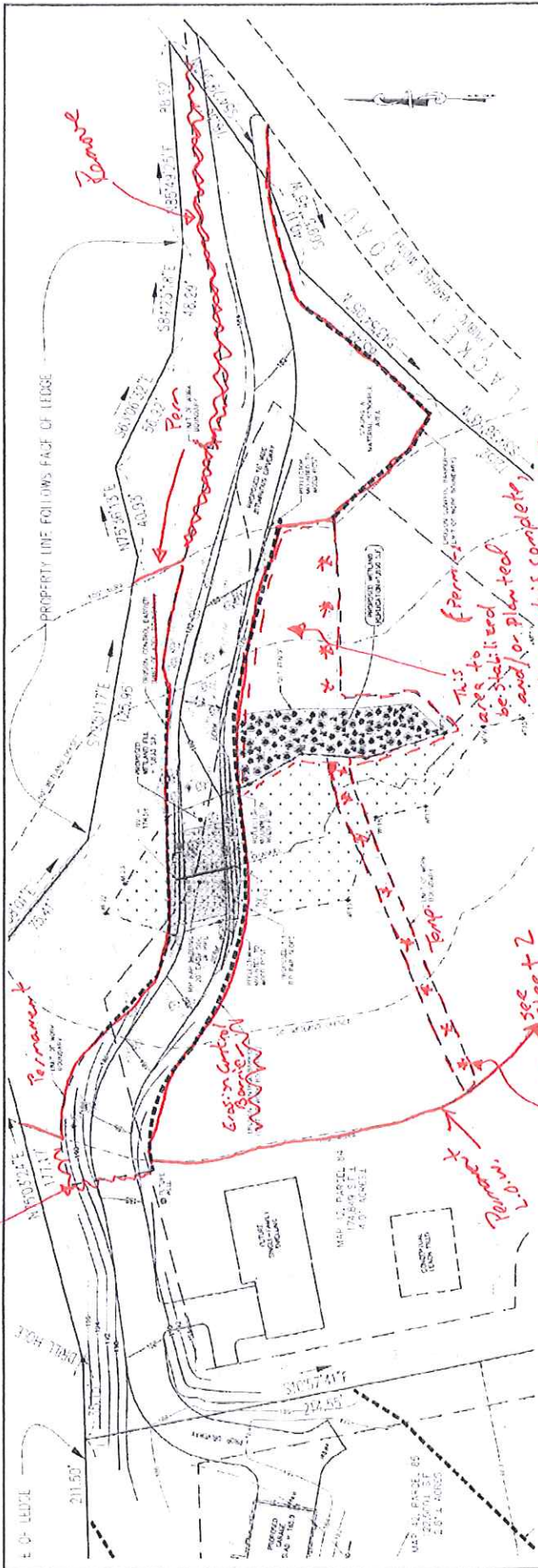
17. The property was bought from Ed Leonard.

18. At this point all BVW alteration is under 5,000sf. With replication and mitigation to the 100' AURA in the existing cart path, the Commission raised no hard objections to the overall proposal that would result in a denial. However, the Commission made it clear that this would be the one and only crossing allowed on Parcel 84. If and when a house or other structure or work is proposed on Parcel 84, the driveway permitted through this OOC will be the *only* access allowed across the BVW, in perpetuity. Otherwise, a second crossing will constitute adverse impact under the Bylaw, at a minimum.

19. This will be an important point made in the OOC and Special OOC.

Sincerely,
Ecosystem Solutions, Inc.
Brandon B. Faneuf, M.S., Principal
PWS, RPSS, CPESC, CWB





1. ROADWAY CROSSING PROFILE
2. SINGLE SLURD DETAIL
3. SECTIONAL ELEVATION

CONSERVATION SITE PLAN
 OF LAGNEY ROAD, SUDBURY, MA
 PREPARED BY
 WILLIAM K. MATHEKATIS, MICHAEL A. CHRISTINA, DEEPA
 1 CEDRON AVENUE SUDBURY, MASSACHUSETTS 01876
 978-244-4444
 MAP NO. 1001-2012
 DATE: 05/10/12

PROJECT DATA	
NO. DRAWING	1001-2012-01
DATE	05/10/12
SCALE	AS SHOWN
PROJECT NO.	1001-2012
DATE OF PLAN	05/10/12
PROJECT NAME	CONSERVATION SITE PLAN
CLIENT	TBD
PROJECT ADDRESS	LAGNEY ROAD, SUDBURY, MA
PROJECT NO.	1001-2012
DATE OF PLAN	05/10/12
PROJECT NAME	CONSERVATION SITE PLAN
CLIENT	TBD
PROJECT ADDRESS	LAGNEY ROAD, SUDBURY, MA

LEGEND

PROPERTY LINE
 EXISTING ROAD
 PROPOSED ROAD
 EXISTING UTILITY
 PROPOSED UTILITY
 EXISTING STRUCTURE
 PROPOSED STRUCTURE
 EXISTING CURB
 PROPOSED CURB
 EXISTING SIDEWALK
 PROPOSED SIDEWALK
 EXISTING DRIVEWAY
 PROPOSED DRIVEWAY
 EXISTING DRIVEWAY CURB
 PROPOSED DRIVEWAY CURB
 EXISTING DRIVEWAY SIDEWALK
 PROPOSED DRIVEWAY SIDEWALK
 EXISTING DRIVEWAY DRIVEWAY
 PROPOSED DRIVEWAY DRIVEWAY

NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.

2. THE PROPOSED DRIVEWAY SHALL BE CONSTRUCTED TO THE EXISTING DRIVEWAY CURB.

3. THE PROPOSED DRIVEWAY CURB SHALL BE CONSTRUCTED TO THE EXISTING DRIVEWAY DRIVEWAY.

4. THE PROPOSED DRIVEWAY SIDEWALK SHALL BE CONSTRUCTED TO THE EXISTING DRIVEWAY SIDEWALK.

5. THE PROPOSED DRIVEWAY DRIVEWAY SHALL BE CONSTRUCTED TO THE EXISTING DRIVEWAY DRIVEWAY.

6. THE PROPOSED DRIVEWAY DRIVEWAY CURB SHALL BE CONSTRUCTED TO THE EXISTING DRIVEWAY DRIVEWAY CURB.

7. THE PROPOSED DRIVEWAY DRIVEWAY SIDEWALK SHALL BE CONSTRUCTED TO THE EXISTING DRIVEWAY DRIVEWAY SIDEWALK.

8. THE PROPOSED DRIVEWAY DRIVEWAY DRIVEWAY SHALL BE CONSTRUCTED TO THE EXISTING DRIVEWAY DRIVEWAY DRIVEWAY.

9. THE PROPOSED DRIVEWAY DRIVEWAY DRIVEWAY CURB SHALL BE CONSTRUCTED TO THE EXISTING DRIVEWAY DRIVEWAY DRIVEWAY CURB.

10. THE PROPOSED DRIVEWAY DRIVEWAY DRIVEWAY SIDEWALK SHALL BE CONSTRUCTED TO THE EXISTING DRIVEWAY DRIVEWAY DRIVEWAY SIDEWALK.

REVISIONS

NO.	DATE	DESCRIPTION
1	05/10/12	ISSUED FOR PERMITTING

SCALE

AS SHOWN

DATE

05/10/12

PROJECT

CONSERVATION SITE PLAN

CLIENT

TBD

PROJECT ADDRESS

LAGNEY ROAD, SUDBURY, MA

PROJECT NO.

1001-2012

DATE OF PLAN

05/10/12

PROJECT NAME

CONSERVATION SITE PLAN

CLIENT

TBD

PROJECT ADDRESS

LAGNEY ROAD, SUDBURY, MA

