

SUTTON CONSERVATION COMMISSION

September 17, 2014

MINUTES

Approved: 

Present: Daniel Moroney, Chairman, Joyce Smith, Co-Chair, Lauren Rothermich, Robert Tefft
Unavailable: William Wence
Staff: Wanda M. Bien, Secretary
Brandon Faneuf, Consultant

Public Hearing (New)

132 Eight Lots Road

DEP303-0798

The Public Hearing was opened at 7:00pm. D. Moroney read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of installation of a septic system, with associated excavating, grading, loaming and seeding within 100' of a BVW.

Present: Fredrick Lapham, Shea Engineering, Inc. Estate of Barbara Commo, by Elizabeth Bain, Rep.

F. Lapham reviewed the plans and the revisions needed for the meeting. He explained the repair for the existing septic for the three bedroom house. There is a slope or ledge area and they are waiting for the decision and approval from the Board of Health. They have been able to design this to be 50' away from the wetlands and to avoid the ledge area. They would like to do the work as soon as possible before the winter starts, and would stabilize the area for spring growth.

B. Faneuf summarized his report on the property.

See Attachment # 1 Ecosystem Solutions

Motion: To close the Public Hearing, by J. Smith

2nd: L. Rothermich

Vote: 4-0-0

Motion: To issue an Order of Conditions, by J. Smith

2nd: L. Rothermich

Vote: 4-0-0

Public Hearing (Cont.)

7 W. Sutton Road

No DEP#303-0794

The Public Hearing was opened at 7:15pm. D. Moroney read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of removing the existing garage and carport, replacing it with a new garage and connecting addition to the existing house.

Carol Redden, HS & T Group, Kevin McCarthy, owner

This has been continued, with the applicant's permission, to October 15, 2014 at 7:00pm.

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Motion: To continue, with the applicant's permission, to October 15, 2014 at 7:00pm, by J. Smith
2nd: L. Rothermich
Vote: 4-0-0

Public Hearing (Cont.)

15 W. Sutton Road

DEP303-0796

The Public Hearing was opened at 7:16pm. D. Moroney read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of demolition of existing house and construction of a new single family house, driveway, septic system, grading and utilities.

Paul Hutnak, Andrews Survey, Paul & Lynn Dahlin, owners

This has been continued, with the applicant's permission, to October 1, 2014 at 7:00pm.

B. Faneuf summarized his site visit on the property.

See Attachment # Ecosystem Solutions

Motion: To continue, with the applicant's permission, to October 1, 2014 at 7:00pm, by J. Smith
2nd: L. Rothermich
Vote: 4-0-0

Public Hearing (New)

213 Burbank Road

DEP303-0797

The Public Hearing was opened at 7:50pm. D. Moroney read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of work associated with a single family house within the 100' buffer zone, with utilities and grading for the septic system.

Present: Mike Yerka & Margaret Bacon, Civil Site Engineering, Timothy Morse, owner

M. Yerka explained the project that has an approved septic system from the Board of Health, but the system was designed by another company. They also have the variances from the ZBA. They are just using the same plan with overlaps of the 100' buffer zone. This land has a forestry cutting plan, but has also been cleared.

B. Faneuf summarized his site visit on the property.

See Attachment #1 Ecosystem Solutions

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

September 17, 2014

Motion: To issue and Order of Conditions contingent on the legend on the plans, upgrading the driveway and labeling the BVW, by J. Smith
2nd: L. Rothermich
Vote: 4-0-0

BOARD BUSINESS

Project Updates – none at this time.

The Board voted on the minutes of August 6, 2014, August 20, 2014, and September 3, 2014.

Motion: To accept the minutes of August 6, 2014, August 20, 2014, and September 3, 2014, by J. Smith
2nd: L. Rothermich
Vote: 4-0-0

The Board Endorsed the Permit for Route 146 & Boston Road.

Discussions:

The Board signed the Bond for Pleasant Valley Crossing. The board reviewed the Bylaw.

The Board reviewed the Forestry Cutting Plan for Duval Road . They reviewed the Tracking Sheets
for on-going projects.

Correspondence

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 J. Smith
2nd: L. Rothermich
Vote: 4-0-0

Adjourned at 8:40pm.

ATTACHMENT # 1

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| Brandon B. Faneuf, Conservation Consultant Sutton Conservation Commission |
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Application Type: Notice of Intent
Project Location: 213 Burbank Road
Applicant: Timothy Morse
Owner: Same
Representative: Michael Yerka; Civil Site Engineering, LLC
Inspection Date: 9/8/14
Memo Date: 9/16/14

Introduction

The location is 213 Burbank Rd. which is on the west side of the road approximately 170' south of the Town line with Millbury. The amount of frontage this parcel has on the road is minimal. It is an undeveloped lot that was harvested for wood products via a DCR approved Forest Cutting Plan in 2012 (DCR file no. 290-5956-13).

Wetland Resource Areas

1. Bordering Vegetated Wetland (BVW) w/ 100' Buffer Zone and Adjacent Upland Resource Area (AURA)

The wetland delineation is accurate as depicted on the site plan.

Public Interests significant to Wetland Resource Areas under 310CMR 10.00 and the Bylaw

BVW & AURA: Public and Private Water supply (both)
 Groundwater protection (both)
 Flood Control (both)
 Erosion & Sedimentation Control (Bylaw only)
 Storm Damage Prevention (both)
 Water Quality & Level Water Pollution Control (Bylaw only)
 Fisheries (both)
 Wildlife Habitat (both)
 Wild and Aquatic Life Habitats (Bylaw only)
 Recreation & Aesthetic Values (Bylaw only)

Current Proposal

The primary project is to construct a new, single-family house with a septic system and well. A portion of the driveway will be paved, near the house. The existing driveway leading into the site from Burbank Rd. is noted on the plan as being an "existing asphalt driveway." I noticed during my site visit that there was what looked like recycled asphalt in the driveway, but grass and weeds had

taken over and were dominant than asphalt in many locations. There is a 15" CMP that goes under the driveway just north of flag WF-3. Water drains from the field off-site to the north to the on-site wetland to the south. If no further improvements are proposed, then I believe the culvert can remain as-is until such a time that a repair is required because it is an existing structure that is not proposed for alteration.

Compliance with 310CMR 10.00

The house is located >100' from the BVW. The leach field proper (pipes and drain field) is also >100' from the BVW. Grading associated with the leach field encroaches into the BZ/AURA by $\pm 5'$, and the construction limits/erosion controls encroach into the BZ/AURA by $\pm 18'$ at the widest.

This is buffer zone work >50' from the BVW and the performance standards in this case is to simply prevent sedimentation of the BVW. With the proper installation and maintenance of erosion and sedimentation controls until the ground is stable, this project can be considered in compliance with 310CMR 10.00.

Compliance w/ Bylaw

Again, the house and leach field proper are >100' away from the BVW and therefore non-jurisdictional. The jurisdictional part comes in with the encroachment of the fill perimeter associated with the septic system comes into the AURA, with the construction limits/erosion controls coming $\pm 18'$ into the AURA.

At the location where the encroachment into the AURA is proposed, the vegetative cover consists of overgrown grasses and weeds. They provide some wildlife habitat value, but not significant enough, in my opinion, to cause Adverse Impact. Still, the question remains is whether the system could have been placed, in its entirety, outside of the AURA. I believe this could have been done. Still, with the proper mitigation the Commission *may* consider allowing the grading with the system to remain in its current location. I would recommend planting a number of trees and/or shrubs with wildlife habitat value to avoid Adverse Impact to the AURA.

Further, temporary impact associated with an underground electric utility line is proposed in the AURA near the driveway. Again, this area is in the open and being a temporary disturbance, stabilizing it with vegetation when done is enough to prevent Adverse Impact.

Recommendations

1. Completely enclose the project with a Limit of Work (LOW). Extend it to Burbank Rd. on the south side of the driveway, and extend it to the northern Property boundary on the west side of the house. The LOW and

erosion controls may be at the same location, but the erosion controls can stay in their current configuration.

2. Either move grading associated with the leach field entirely outside of the AURA, or propose some mitigative plantings in the LOW where it encroaches into the AURA. Make sure they are plants that are suited to dry conditions and have wildlife habitat value.
3. State and depict how stormwater associated with the house will remain out of the Buffer Zone/A.U.R.A. If a dry well is proposed, depict a cross-section on the plan.
4. Add A.U.R.A. after the 50' and 100' Buffer Zone markings so it reads, for example: 100' Buffer Zone/ A.U.R.A.
5. Label the "Wetlands" as "Bordering Vegetated Wetland."

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



Conservation Sign in Sheet

Date: 9-17-14

[illegible]