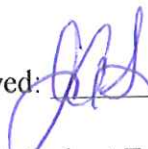


SUTTON CONSERVATION COMMISSION

April 1, 2015

MINUTES

Approved: 

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

Project Update

**7:00pm 80, 88R, 111R, 137R Barnett Rd.
DEP#303-0542**

The Public meeting was opened at 7:00pm.

The project consists of installation of a subdivision roadway, storm water management devices, and wetland replication.

Present: Lori Funari, project owner, Jack Sheehan, abutter

L. Funari reviewed the project information with the new Board members to ask if they would extended the Order of Conditions for another year. This project was on hold and in court because of two parcels of unknown ownership.

Abutter:

J. Sheehan, 26 Jones Road, questioned if the wetland flags had been renewed, as according to the Special Conditions these flags were supposed to be maintained throughout the extended permits in the past. He also suggested that the new Board members review the delineations, and asked if the Vernal Pools had been certified, as this was the time of year to do that.

L. Funari replied she was not aware of needing to maintain the wetland flags, but would make sure they were re-flagged.

Motion: To renew the permit with the caveat of the wetlands flags being renewed, by J. Smith
2nd: W. Wence
Vote: 5-0-0

Public Hearing (Cont.)

**7:30pm 192 (AKA Lot#1 @ 208) Manchaug Road
DEP#303-0807**

Motion: To waive the reading of the hearing notice, by W. Wence
2nd: L. Rothermich
Vote: 5-0-0

The Public Hearing was opened at 7:20pm.

The project consists of construction of a single-family house and driveway, with associated grading, septic system components, well and utilities, view corridor down to the pond, permanent walking path to the pond, 200 square foot recreation area adjacent to the wetland along the pond, and removable dock.

Present: Lance Anderson, & Eric Bazzett, Heritage Design Group, Porter & Stacy Stephens, owners,
Attorney Edwin Typlie

L. Anderson explained they sent in the narrative to the Consultant with the details of how the swales work and the mitigation they did outside of the Riverfront.

B. Faneuf reviewed his report for this site and agrees with the engineering for the swales. He doesn't think that the applicant has adequately mitigated for the wildlife habitat for this project and doesn't feel that this has complied with the current bylaw. Due to the "unmolested nature" of the site, he would like to see a Conservation Restriction, as a form of mitigation, put on this site to offset permanent impact to Wildlife Habitat.

P. Stephens feels that what was proposed in the Eco Tec report is sufficient mitigation and addresses all the concerns, as there no endangered species on the site. Mr. Faneuf disagreed.

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

Motion: To deny the project within the 200; buffer zone, by J. Smith
2nd: None
Did not pass

Motion: To allow the house to be built according to the drawings, providing they make some
provisions to improve the water quality by the stream, by R. Tefft
2nd: W. Wence
Vote: 3-0-2

B. Faneuf said they need a mitigation plan to perform water quality on the stream, and an engineered plan on the ditch from the road with a narrative with how the system will work, and the best management practice.

Public Hearing (Cont.)

7:45pm 198 (AKA Lot #2 @ 208) Manchaug Road
DEP#303-0808

The Public Hearing was opened at 8:05pm.

The project consists of construction of a single-family house, driveway, well, utilities, and septic system with associated grading, view corridor down to the pond, permanent walking path to the pond, 200 square foot recreation area adjacent to the wetland along the pond, and removable dock.

Present: Lance Anderson & Eric Bazzett, Heritage Design Group, Mr. & Mrs. Kevin Steele, owner, and
Attorney Tom Wickstrom.

L. Anderson reviewed the information from the last meeting and explained what the changes were that they made on the new plans.

B. Faneuf explained about the adverse impact in regards to the Wildlife Habitat and its loss. He recommends that the Commission deny this Order for a lack of mitigation for proposed activity within the 200' jurisdictional area unless a Conservation Restriction is put on the property. Mr. Faneuf stated that due to the unmolested state of the property, there are no alternative mitigation projects other than a Conservation Restriction that could off-set permanent impacts to Wildlife Habitat, and unlike 192 Manchaug Rd., there is no place to perform a "water quality improvement project." He referred to the Bylaw information.

T. Wickstrom, Attorney, presented their plan and explained why he feels that the Conservation Restriction is unnecessary because the area would be protected by the buffer zone restrictions. B. Faneuf stated that although the current Commission wouldn't allow more work in the AURA/Buffer Zone, they are restrictions that are only limited by who is on the Commission at the time an application is received, that the Bylaw is also subject to change long-term and that a Conservation Restriction is the only way to permanently preserve areas on the property.

J. Smith and L. Rothermich agree on the loss of the Habitat. J. Smith asked if they would consider pulling the house back 25 feet.

D. Moroney questioned the water quality.

R. Tefft questioned the amount of trees within the 200' buffer zone

E. Bazzett reviewed the storm water and explained that they went above and beyond the state qualifications.

As suggested by B. Faneuf, the applicants asked for a ten minutes recess to table this hearing and to return with another proposal.

Motion: To table this hearing for ten minutes, by J. Smith
2nd: W. Wence
Vote: 5-0-0

Upon return for the public hearing a plan was presented to widen the view corridor by 10 feet, which would bring them slightly above the 25% total disturbance policy, but that they would then put a Conservation Restriction on the portions of the 100' AURA north of the view corridor. A motion was made to accept the new proposal plan.

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

Motion: To issue an order of conditions accepting the latest proposed plan with widening the view corridor by ten feet and placing the area north of the view corridor, within 100' of the pond, in a permanent Conservation Restriction, with a contingency that a revised plan showing the new area of the view corridor and the Conservation Restriction be submitted. by J. Smith

2nd: L. Rothermich
Vote: 5-0-0

Public Hearing (Cont.)

8:00pm 1 Ramshorn Road
DEP#303-0809

The Public Hearing was opened at 8:35pm and continued to April 15, 2015 at 7:15pm.

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

No one available

Motion: To continue, with the applicant's permission, to April 15, 2015 at 7:15pm, by J. Smith
2nd: W. Wence
Vote: 5-0-0

BOARD BUSINESS

Discussions:

7:10pm

Bylaw review:

The Bylaw was returned from Town Council for review for the Town Meeting.

Motion: To accept the changes in the Bylaw, by J. Smith
2nd: W. Wence
Vote: 5-0-0

7:15pm

The Board approved the minutes of March 18, 2015

Motion: To approve the minutes of March 18, 2015, by J. Smith
2nd: W. Wence
Vote: 5-0-0

7:18pm

33 & 39 West Millbury Road

B. Faneuf summarized his site visit concerning the driveway and hydrology changes.

Create a Wetlands Pamphlet – tabled until more research has been completed.

8:36pm 18 Tuttle Road

DEP#303-478

Present: Robert Murphy, Wetlands Environmentalist

R. Murphy explained he was looking for the Certificate of Compliance for the work on the wall, to

close out this filing for the owner.

Motion: To issue a Certificate of Compliance for 18 Tuttle Road, by J. Smith
2nd: W. Wence
Vote: 5-0-0

No site visits until the ground is more stable, however the list was reviewed.

The Correspondence and the Tracking Sheets were reviewed.

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: W. Wence
Vote: 5-0-0

Adjourned at 9:05pm.

Conservation Sign in Sheet

Date: 4-1-15

[illegible]