

SUTTON CONSERVATION COMMISSION

January 6, 2016

MINUTES

Approved: 

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

**Public Hearing (New)**

**7:00pm** 30 Century Farm Road

No DEP# RDA filed

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

The project consists of cutting brush along stone walls and around the entire pond bank.

Present: Martin Linder, owner

M. Linder explained he would like to clean up the brush along the pond area and the stone wall.

B. Faneuf asked if this was normal maintenance for this area, use as grass, and was it going to remain as a field.

M. Linder replied it would stay as a field with the fire pond in the middle.

Motion: To close the Public Hearing, by D. Moroney

2<sup>nd</sup>: W. Wence

Vote: 5-0-0

Motion: To issue a negative Determination of Applicability, by D. Moroney

2<sup>nd</sup>: L. Rothermich

Vote: 5-0-0

**7:05pm**

The Board approved the Minutes of December 16, 2015

Motion: To accept the minutes of December 16, 2015, by L. Rothermich

2<sup>nd</sup>: W. Wence

Vote: 5-0-0

**7:06pm Unexpected Discussion**

The Board reviewed the complaint received for **234 Manchaug Road** and ratified the Enforcement Order sent out on December 28, 2015, and reviewed the pictures taken on December 29, 2015.

Motion: To ratify the Enforcement Order, by D. Moroney

2<sup>nd</sup>: L. Rothermich

Vote: 5-0-0

Motion: To issue a \$200.00 a week fine until a Notice of Intent is filed, by D. Moroney  
2<sup>nd</sup>: L. Rothermich  
Vote: 5-0-0

**Public Hearing (Cont.)**

**7:25pm 224 Manchaug Road**  
DEP#303-0822

The continuation was opened at 7:25pm.

Motion: To waive the reading of the hearing notice, by W. Wence  
2<sup>nd</sup>: D. Moroney  
Vote: 5-0-0

The project consists of single family home within the buffer zone, no work proposed within the wetland resource areas.

Present: Robert Murphy & Assoc., Jessica Britnell, owner  
J. Smith stepped down.

R. Murphy explained the forested area is to remain as is, and there would be a 60' view corridot which is a bit less than 25% of the 250' frontage on the lake. Some trees would be removed along with the dead trees but they will leave the stumps to promote shrub growth. This would allow more sunlight to get into the area. They would mark the protected area with boulders on the plans, signage or a fence instead. The swales would direct the water away from the wetlands.

B. Faneuf replied Mr. Murphy did all that was asked of him. He explained the upland protection zone as a deed restriction that would be recorded on the plans but would not necessarily be permanent.. He asked if this is going to be enough mitigation for permanent disturbance of the jurisdictional area. The house, septic and well could be put outside the jurisdictional area up near the roadway.

All Commissioners would like to see permanent protection for the area to protect the area of the proposed deed restriction..

Motion: To table this hearing for ten minutes to 8:00pm, by L. Rothermich  
2<sup>nd</sup>: D. Moroney  
Vote: 4-0-0

**8:10pm 224 Manchaug Road**

Motion: To re-open this previous hearing at 8:10pm, by W. Wence  
2<sup>nd</sup>: L. Rothermich  
Vote: 4-0-0

B. Faneuf explained the other two YMCA lots, one with a Conservation Restriction and one with storm water improvements to the stream..

R. Murphy asked for the Commission to close the public hearing and accept the red lined plans, with notes as

submitted, with the Conservation Restriction on the front (lake side) two areas described by Mr. Faneuf. They would like the option of using a combination of boulders, signs or fencing.

Motion: To close the Public Hearing, by D. Moroney  
2<sup>nd</sup>: L. Rothermich  
Vote: 4-0-0

Motion: To issue an Order of Conditions with the Conservation Restriction, by D. Moroney  
2<sup>nd</sup>: L. Rothermich  
Vote: 4-0-0

Discussion:

**8:00pm**

**\*171 Worcester Providence Turnpike/Pleasant Valley Crossing** - A. Allen's SWPPP update. A site visit was done on January 6, 2016, which included the Consultant B. Faneuf, J. Smith, Chairperson, A. Allen from Eco Tec, and P. Doherty, to review any of the issues that were not taken care of due to the winter setting in.

B. Faneuf reviewed the outstanding issues with erosion control, and what PVC needs to do to take care of the trash clean-up which is an ongoing issue from the Market 32..

J. Smith replied the A. Allen asked if they could suspend the weekly site visit for the winter months.

**\*277 Central Turnpike/C. Murray/To release the EO-** J. Smith will try to contact the owner too.

**\*17 Burdon Street/Aunt Mary's Restaurant Demolition** – there was no filing done to demolish this building which is within the jurisdiction of the Conservation. A letter would be sent to the owner to file an NOI for any further activities.

Project Update:

**9:00pm 18 Tuttle Road**

DEP# 303-0821

Present: Robert Murphy and Steve Chabot, owner

R. Murphy explained the issue with the wall, which the last repaired was in 2001. They want to repair and re-point it now that the water is down. They would install temporary straw wattles to do this repair.

B. Faneuf read section 12 4A of the Bylaw showing that they don't need to amend the OOC to do the maintenance of the wall in kind.

R. Tefft requested a letter, for the record, from Mr. Murphy as to how and what they would be doing.

**BOARD BUSINESS**

The Board approved the Minutes of December 16, 2015, see page one for motion at 7:05pm.

Complaint: 234 Manchaug Road/M. McGovern: See page one for information.



The Board had no routing slips to sign.

Site Visits- to be done for a Certificate of Compliance for 219 Manchaug Road/S. Strassner, which would be done by B. Faneuf.

The draft Wetlands Guide would be sent by email to all for review before the next meeting.

Unexpected Business:

**34 Bond Hollow Road/D. Marois** – First Amendment was withdrawn.

**Singletary Ave on the Millbury Line at Laurel Heights** – From Singletary Ave there appears to be filling of the wetlands and equipment storage which may be in Sutton. The owner will be contacted for information.

**83 Griggs Road/M. Meager** –site and driveway work, silt in the roadway. Send letter.

**172 Manchaug Road** - There was a question of silt fence being required with the wattles. B. Faneuf will check with the contractor.

**96 or 126 Armsby Road** – There was no work done here. It was work on Burnap Rd.

The Board reviewed the Letters sent out to the list below.

No information has been received on these letters that were sent out:

First letters sent to:

**11 Carr Street/B. Garrett/7-10-15** – letter mailed on 8-4-15. A Letter was sent to explain what is still needed for them to receive their Certificate of Compliance.

**6R Torrey Road - #303-0737/M. Flagg, 08-07-15** to come in to explain Plan changes. Letter to owner who wants a Certificate of Compliance to close out the Lien on this property also.

P. Hutnak emailed the information for **11 Dudley Lane/Gianni Romeo** replied to our letter A letter was received from the wetland scientist who delineated the wetlands in May, 2015. The plans received were not stamped by the scientist verifying that all work is occurring outside of jurisdiction. A letter will be sent requesting a stamped plan.

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](http://www.suttonma.org).

Motion: To adjourn, by D. Moroney  
2<sup>nd</sup>: W. Wence  
Vote: 5-0-0

Adjourned at 9:20pm.

Date: 1-6-16

[illegible]