

SUTTON CONSERVATION COMMISSION

May 18, 2016

MINUTES

Approved: _____

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

Public Hearing (Cont.)

7:00pm 15 W. Sutton Road/Paul Hutnak, Andrews Survey
DEP# 303-0796 Paul & Lynn Dahlin, owner NOI filed
This has been continued to August 17, 2016 at 7:00pm

Motion: To continue with the applicant's permission to August 17, 2015 at 7:00pm, by D. Moroney
2nd: W. Wence
Vote: 5-0-0

Discussion:

7:02pm 51 Burbank Road

Present: Glenn Krevosky, Wetland Scientist, Peter Sangermano, owner

J. Smith explained what she found on the site visit, which was beyond the approved line of disturbance or allowed area.

Motion: To ratify the Enforcement Order, by D. Moroney
2nd: L. Rothermich
Vote: 5-0-0

G. Krevosky explained what they propose for restoration. The area in question would be restored to the previous elevations and he will check the original lines. He will do a plan for the restorations that need to be done and install wetland markers.

B. Faneuf reviewed the pictures he took from the 2012 filing, which shows the field before the existing house. There was a proposed split rail fence behind the house and wetland signs to mark the limit of work in the original OOC.

J. Smith stated that Mr. Sangermano was at the pre-construction meeting and if he understood the conditions. He stated that he did.

R. Tefft asked what was the time frame for this restoration work?

G. Krevosky explained the work would be done in about one month, but may have to get another survey done, because Mr. Lajoie, who did the survey has joined another company.

R. Tefft would like to see the lawn seeded in the non-jurisdictional area.
G. Krevosky will get us a plan.

J. Smith said the Commission prefers they use 12" wattles and 100% biodegradable materials, not plastic mesh.

B. Faneuf stated the limit of work on the approved plan is at the split rail fence, in line with the wetland signs.

J. Smith said that this Order of Conditions four year extension is good until August 14, 2019.

7:00pm, opened at 7:23pm 332 Putnam Hill Road

No one was present. Another letter would be sent out with a warning ticket enclosed.

Motion: To issue a ticket to 322 Putnam Hill Road, by D. Moroney

2nd: L. Rothermich

Vote: 5-0-0

Public Hearing (Cont.)

7:05pm 68.5 Wilderness Drive

DEP#303-0823

The Public Hearing was opened at 7:25pm

Motion: To waive the reading, by D. Moroney

2nd: L. Rothermich

Vote: 5-0-0

The project consists of Construction of retaining walls, laws, patio, shed and landscaping with associated grading.

Present: Joseph Deliso, owner

Letter Attachment #1 from the owner

J. Deliso represented himself explaining from the USB given to the Consultant for tonight's review. He has an arborist letter pertaining to the hemlock trees, see attachment #1. Mr. Deliso passed out drawings that are different plans from what was submitted with the application.

J. Smith stated that plans need to be in at least one week prior to the meeting to be evaluated.

B. Faneuf commented on the information from the last meeting that Mr. Deliso could not attend, to keep the vegetation buffer next to the lake as possible, pull the grass area back let the vegetation grow next to the lake instead of the grass.

R. Tefft replied the Commission needs a plan showing grades that shows what will be done in the construction not just the pictures of the area.

B. Faneuf summarized the information from the last meeting, which was sent to E. Bazzett.

Motion: To continue to June 15, 2016 at 7:00pm, by D. Moroney

2nd: W. Wence

Vote: 5-0-0

Public Hearing (New)

7:20pm 159 Dodge Hill Road

No DEP# RDA filed

W. Wence stepped down from Conservation to fill in as the representative for Mr. Paletta.

The Public Hearing was opened at 8:08pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of demolishing a 35 x 50 barn with attached 9 x 25 shed.

Present: William Wence, representative for Barry Paletta, owner

W. Wence explained using the pictures taken and the GIS. The barn is in disrepair along with the shed. They would like to remove both. All the materials would be removed off site and the area graded. They would use straw wattles in the resource areas in question.

B. Faneuf summarized his report of the area. He suggested they install the erosion controls or some kind of barrier so the equipment doesn't go in any resource area during the raising of the buildings.

R. Tefft asked what they would do with the foundation.

W. Wence replied they would take the foundation out, fill in the holes, and grade the area because the lot would be sold.

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

2nd: L. Rothermich

Vote: 4-0-1 W. Wence

Motion: To issue a Negative Determination of Applicability contingent upon the erosion controls then seed the area when complete, by L. Rothermich

2nd: D. Moroney

Vote: 4-0-1 W. Wence

Public Hearing (New)

7:35pm 172.5 Manchaug Road

DEP#303-08

The Public Hearing was opened at 8:12pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of replacing a septic system with a tight tank.

Present: Liz Dupre, Clear Waters Env. LLC, Mark Frankian, owner

L. Dupre explained the replacement of the existing septic system with a tight tank. The septic system would be abandoned and back filled with materials. Their Board of Health meeting will be on May 25, 2016.

B. Faneuf summarized his report and said the work to be done was ok and the installation is necessary.

The site will be accessed through the Bronson property.

Motion: To continue with the applicant's permission to June 1, 2016 at 7:15pm, by D. Moroney

2nd: L. Rothermich

Vote: 5-0-0

Public Hearing (Cont.)

7:50pm 65 Century Farm Road
DEP#303-08

The Public Hearing was opened at 8:20pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a single family house, appurtenances and septic system.

Present: Mike Yerka, Civil Site Eng., Matthew D'Anello, owner

M. Yerka explained the changes on the new plan, showing they moved the house out of the buffer zone. They would like to put the utilities underground but have not heard from National Grid. The existing cart path, intended to be used from the other filing would be abandoned and the new grading would cut it off from any kind of use. They need to go to Planning Board to get the cut in the stone wall for the new driveway because there is no access to the public way. 16 trees would be removed, 10 trees would be replaced along with 14 shrubs.

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

Motion: To issue an Order of Conditions, by D. Moroney
2nd: W. Wence
Vote: 5-0-0

Public Hearing (Cont.)

8:05pm 11 Dudley Drive

The Public Hearing was opened at 8:30pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a single family house, appurtenances and septic system.

Present: Paul Hutnak, Andrews Survey, Gianni Romeo, owner

P. Hutnak explained the changes in the revised plans. The LOD was extended on the south side, signs included, and a note about invasive species eradication.

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

Motion: To issue an Order of Conditions, by L. Rothermich
2nd: R. Tefft
Vote: 5-0-0

Public Hearing (Cont.)

8:20pm 289 Putnam Hill Road
DEP#303-0828

The Public Hearing was opened at 8:35pm.

Motion: To waive the reading of the hearing notice, by L. Rothermich
2nd: W. Wence
Vote: 4-0-0

The project consists of a common driveway to access two single family dwellings, with grading, wetland crossing and replication area.

Present: Shelley Hultgren, JH Eng. Group LLC, Scott Morrison, Eco Tec, Gianni Romeo, owner

S Morrison reviewed the information and the changes for these three lots for this filing. They reduced the amount of fill and the replication area. The grassy wetland area could be conditioned to have the home owners mow this grass once a year to maintain it.

They are aware that this needs to come out of Chapter 61A and they need to go to the Planning Board to have the lots split, so they would like to continue to the next meeting.

B. Faneuf explained there needs to be individual filings on the houses. The Commission could put mowing the wetland area in the Order of Conditions as a condition.

Motion: To continue with the applicant's permission to June 1, 2016 at 7:30pm, by D. Moroney
2nd: W. Wence
Vote: 5-0-0

Public Hearing (Cont.)

8:25pm 290 Putnam Hill Road

DEP#303-0829

The Public Hearing was opened at 8:50pm.

Motion: To waive the reading of the hearing notice, by L. Rothermich
2nd: W. Wence
Vote: 4-0-0

The project consists of a common driveway to access three single family dwellings, with associated grading.

Present: Shelley Hultgren, JH Eng. Group LLC, Scott Morrison, Eco Tec, Gianni Romeo, owner

S. Morrison reviewed the changes for this filing. There is an area that could be registered as a vernal pool. There is a roadside culvert/swale to keep water from flowing onto the street. They would remove the catch basin, and do the mitigation with the possibility of bird boxes or bat houses.

B. Faneuf explained that the certification of the vernal pool couldn't be done until next year or after. There were four egg masses seen this year.

R. Tefft questioned identifying the backside of the wetlands.

S. Hultgren replied there is no work proposed in that area.

S. Morrison requests that they continue to the next meeting.

Motion: To continue with the applicant's permission to June 1, 2016 at 7:35pm, by L. Rothermich
2nd: D. Moroney
Vote: 5-0-0

Public Hearing (New)

8:40pm 28 Hemlock Drive

The Public Hearing was opened at 8:55pm. J. Smith read the hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consists of construction of a septic tank, pump chamber and force main.

Present: Paul Hutnak, Andrews Survey, Kelly Salmon, owner

P. Hutnak explained what they are proposing to remove the existing tank and cesspool. The new tank would be 1500 gallons to a septic system outside the 200' area. They are here only for the removal of the old tank and cesspool. One hardwood diseased tree would be removed and they would replant a red maple, oak, or river birch. Erosion controls would be used in the necessary area to protect the lake.

Motion: To continue with the applicant's permission to June 1, 2016 at 7:50pm, by D. Moroney

2nd: W. Wence

Vote: 5-0-0

Discussions:

9:00pm 224 Manchaug Road

Present: Mike McGovern, builder, Jessica & Ben Britnell's, owners

J. Smith stepped down

B. Bicknell explained what they no longer want to do the Conservation Restriction.

J. Bicknell said they didn't understand what they were agreeing to. They are willing to move the house back even though some grading has been done.

J. Smith explained conservation restrictions are taxed as if the property was in 61A, and you can put any conditions on it that you want.

M. McGovern asked if there was a way to not do the Conservation Restriction?

R. Tefft explained that Conservation is the local issuing authority for DEP, and things need to be replaced in kind. If they can come up with another form of mitigation for the work in the resource area, the Board could consider the change.

B. Faneuf explained the newly proposed application check list, which is still in draft form only, and referred to the guide shown on the screen as a guideline for mitigations.

M. McGovern will return with a revised plan.

Project Update:

9:30pm P & W Rail Road ROW

B. Faneuf explained the trees that had been cut down by the P & W RR, are supposedly exempt from the Conservation bylaws per the Rail road. He confirmed this on the State and Local, but not on the Federal laws. They still have to file a water quality application. This paperwork would be forwarded to us as soon as it's received by the P & W. The request is that Concom send a response to the DEP.

Unexpected Business:

9:35pm 78 Torrey Road an email letter asking to move boulders for safety issues across areas on this property to stop the 4 wheelers from entering.

Motion: To approve the minor field change with the trees and boulders, by D. Moroney
2nd: W. Wence
Vote: 5-0-0

BOARD BUSINESS

Minutes: The Board approved the Minutes of April 4th, April 20th, and May 4th, 2016

Motion: To accept the minutes of April 4th, April 20th, and May 4th, 2016, by R. Tefft
2nd: D. Moroney
Vote: 5-0-0

Complaints: **51 Burbank Road** – see 7:00pm above in these minutes

The Board reviewed the Routing Slip for Planning Board revised **Chase Rd/Tefta Drive**, to have a Wetland Scientist to come in to review this filing.

The Board reviewed the Routing Slips for Board of Health - **41 Putnam Hill Road** – needs to file with the Conservation because of resource area of Casey Brook.

454 Central Turnpike – also needs to file due to a wetlands area.

Site Visit for a C of C for: **280 W. Sutton Road/Dam** – a site visit needs to be done for their Certificate of Compliance to be signed at the next meeting.

Request for C of C: **12 Southwick Road/DEP#303-283** - the Board needs the letter from the Wetland Scientist before signing the Certificate.

The Board reviewed:

Correspondence & Track Sheet Review, The site visit list, The Letters sent out to the list below

First letters sent to. We are still waiting for return items for these Certificates.

6R Torrey Road/M. Flagg, 08-07-15 - Plan changes for Certificate of Compliance

34 Bond Hollow Road/D. Maoris – Conservation needs an As-Built plan to issue the Certificate of Compliance, not the septic As-Built 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.

Motion: To adjourn, by D. Moroney
2nd: W. Wence
Vote: 5-0-0
Adjourned at 10:00pm.