

SUTTON CONSERVATION COMMISSION

August 3, 2016

MINUTES

Approved: 

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

Project Update

7:00pm 234 Manchaug Road

Present: Mike McGovern, owner

M. McGovern explained the 8' x 10' Jet ski dock that he would like to install.

D. Moroney requested that he put reflectors on the dock.

All agreed that this was a field change.

Motion: To accept the field change for the floating dock, by J. Smith

2nd: L. Rothermich

Vote: 5-0-0

Public Hearing (Cont.)

7:05pm 68.5 Wilderness Drive

DEP#303-0826

The Public Hearing was opened at 7:05pm.

Motion: To waive the reading of the hearing notice, by L. Rothermich

2nd: D. Moroney

Vote: 5-0-0

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

Present: Erick Bazzett, Heritage Design, Joseph Deliso, owner

E. Bazzett the work to be done. The scaled back plans do not include the patio and landscaping now. They would remove the dead hemlocks and put in the seasonal dock. He explained that it is 40' to the water's edge and they would replace any tree that was taken down.

It was brought to the attention of the Commission that this was filed as 68.5 and 70 Wilderness Drive. The secretary will check with the DEP office if this can be done on the same Notice of Intent.

Motion: To continue with the applicant's permission to August 17, 2016 at 7:50pm, by W. Wence

2nd: L. Rothermich

Vote: 5-0-0

Public Hearings (Cont.)

7:20pm 224 Manchaug Road/Robert Murphy, Murphy Associates
DEP#303-0834 Ben & Jessica Britnell, owners

J. Smith stepped down.

The Public Hearing was opened at 7:20pm.

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

The project consists of developing a single family residence within the AURA Zone, no work is proposed within the wetland resource areas.

Present: Robert Murphy, Murphy Associates, Ben & Jessica Britnell, owners

R. Murphy reviewed the revised plans and added the mitigation information with the created phases. In Phase I the well was drilled and tested by BOH, the base work for the driveway was done. In phase II they would re-grade the area in front of the previous house location. The new location is outside the 200' jurisdiction. In Phase III the house foundation and all structures would be put in, and then all the plantings would be installed ASAP. They may have to bring in some loam for this. In Phase IV loaming, seeding and landscaping would be done.

They would like to close the hearing with the conditions on the order with a deck over the wetlands, with no digging or soil removed. It would cross in the same place as the first approved plan. They would work with the consultant to do the crossing over the wetlands, and ask for a waiver on the length of the dock to get over the rocks. The trees to be planted would be 2.5" caliper trees.

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

Motion: To issue an Order of Conditions for 224 Manchaug Road with conditions to be discussed with the Consultant and waivers of the dock with 2.5" trees as replacement trees, by L. Rothermich
2nd: D. Moroney
Vote: 5-0-0

Public Hearing (Cont.)

7:35pm 289 Putnam Hill Road
DEP#303-0828

The Public Hearing was opened at 7:35pm

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

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

No one available: Jeff Howland, JH Eng. Group LLC, Scott Morrison, Eco Tec, Gianni Romeo, potential owner

This was continued, with the applicant's permission, to August 17, 2016 at 7:35pm.

Motion: To continue with the applicant's permission to August 17, 2016 at 7:35pm, by D. Moroney
2nd: L. Rothermich
Vote: 5-0-0

Public Hearing (Cont.)

7:40pm 290 Putnam Hill Road

DEP#303-0829

The Public Hearing was opened at 7:40pm.

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

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

No one available: Jeff Howland, JH Eng. Group LLC, Scott Morrison, Eco Tec, Gianni Romeo, potential owner

This was continued, with the applicant's permission, to August 17, 2016 at 7:40pm.

Motion: To continue with the applicant's permission to August 17, 2016 at 7:40pm, by L. Rothermich
2nd: D. Moroney
Vote: 5-0-0

Project Update:

7:55pm Lackey Dam Road/Pyne Sand and Gravel

No one Present: James Telvy, Casella Organics.

This was continued to August 17, 2016 at 8:15pm

Discussion:

7:32pm 362 Putnam Hill Road/Hazardous Waste DEP Permit BWP HW 05

Present: Andrew Nedoroscik, Dennis Laforce, Manchaug Water District

A. Nedoroscik read the letter from the Manchaug Water District, J. Smith read the letter from the Conservation Commission, both letter would be sent to the Strategic Environmental Services Inc.

See attachments #2 MWD #3 CC

Motion: To send J. Smith's letter of comments to DEP, by L. Rothermich
2nd: D. Moroney
Vote: 5-0-0

BOARD BUSINESS

Minutes:

The Board approved the Minutes of July 20, 2016

Motion: To accept the minutes of July 20, 2016, by L. Rothermich

2nd: D. Moroney

Vote: 5-0-0

Site visit for C of C, who can do these:

10 Old Common Road/Judy Briggs The Board signed this to be issued.

These three are all on hold:

1 Ramshorn Road/James Catusi

85 Eight Lots Road/Paul Gilbody

107 W. Millbury Road/J. Adams – Needs Book & Page Numbers to issue C of C

The Board signed the C of C for **32 Horne Drive/Cindy Charest**, to be issued.

The Board reviewed the Correspondence & Track Sheet Review

Second letters sent to: **6R Torrey Road/M. Flagg**, 08-01-16 - Plan changes for Certificate of Compliance

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: L. Rothermich

Vote: 5-0-0

Adjourned at 8:15pm



ROBERT G. MURPHY & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS
214 Worcester Street
No. Grafton, Massachusetts 01536

rgmenviron@verizon.net
rgmenvironmental.com

Phone (508) 839-0310
Fax (508) 839-5914
Cell (508) 826-1859

Mitigation of Impacts within the AURA

224 Manchaug Road, Sutton, MA

The applicants, Ben & Jessica Britnell propose to build a Single Family House, driveway and associated landscaping as shown on the attached site plans. The project is located on the easterly slope adjacent to Manchaug Pond within the 200 foot Adjacent Upland Resource Area (AURA) as defined in the Sutton Wetlands Bylaw. This narrative applies to the proposed mitigation procedures required to repair the recent impacts to areas within the AURA as shown on the referenced site plans. This document is intended to supplement the previously submitted Environmental Impact Narrative that was included with the original Notice of Intent.

During the course of developing the original plans for this property, the applicants had hoped to locate their new home within the 200 foot AURA zone along the easterly shoreline of Ramshorn Pond. The decision of the Sutton Conservation Commission to require a Conservation Restriction within the property conflicted with their future plans to grow fruit trees and vegetables along the view corridor.

As a result, the applicants have requested this office to redesign the site plan in a manner that would move the house outside of the AURA zone, thus reducing the need for the previously referenced restriction. Since the project had already been started following the original Order of Conditions, a site walk was conducted to determine the feasibility of an amended Order. A careful review of the land clearing activities revealed that an excess of trees had been removed in the area adjacent to the view corridor. It was therefore determined that a new Notice of Intent would be required along with a revised set of site plans.

The revised Site Plan and Mitigation Plan now show the existing conditions where the topography and vegetation were altered during the land clearing phase of this project. The area where the original house was proposed is to be regraded with topsoil and subsoil in a manner consistent with the adjacent uplands. It should be noted that no excavated soil has been removed from this site during the initial construction. The previous removal of a substantial amount of large boulders and stumps will result in the need to truck in additional loam to supplement the altered soil profile. Several of the boulders are to be replaced during this phase of restoration.

Once the erosion controls have been installed and approved as per the new Order of Conditions, the restoration of the vegetated slopes within the AURA shall commence. All of the plantings of native trees and shrubs shall be completed as part of Phase 2. Specifications for the transplanting of the trees and shrubs are found on the Site and Planting Plan. As stated on the approved plans, all plant species are to be locally grown and warranted for one year. It is highly recommended that a professional landscape service be engaged for this phase of the project.

Mitigation (cont.)

It is anticipated that the restoration of the AURA vegetation will occur during the month of September once the Order of Conditions has been recorded. It is imperative that all of the plants be properly watered during the first 6 weeks prior to the fall rains. Access to water will be the responsibility of the owner. There are currently 2 wells on the property as a viable source.

Following the phasing schedule as outlined on the Mitigation Plan, all of the plantings are to be completed and inspected prior to the initiation of phases 3 and 4. This will allow time for the seasonal acclimation or "hardening" of the plants in preparation for the harsh winter conditions. Placing a minimum of 3 inches of composted bark mulch with a radius of 18" around the base of the plants will serve to limit the impacts of desiccation and freezing. Once the plantings have been completed, the entire area should receive an additional 2" cover of bark mulch. At this time the conservation seed mix should be spread over all the restored areas following the specific density requirements. A light coating of fine sandy loam will reduce the seedling mortality.

All of the native planting areas are to remain in their natural condition once they have been stabilized during the completion of one full growing season. In order to assist in the protection of these restoration areas, an approved set of signs is to be installed as shown on the Mitigation Plan. These signs are to be referenced in the recorded Order of Conditions and maintained as permanent markers by the owners of the property.

It is the professional opinion of this office that the combined measures as outlined within this mitigation report will serve to increase the biodiversity found within this property and to avoid and minimize the long term impacts to the adjacent wetland resource areas. For this reason, I believe that sufficient protection of the resource areas can be gained without the need for a conservation restriction.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rob. G. Murphy", written in a cursive style.

Robert G. Murphy, Wetland Scientist

Manchaug Water District
Post Office Box 173
Manchaug MA 01526

August 1, 2016

Dear Members of the Sutton Board of Health,

The Manchaug Water District is the sole source of water for more than 168 customers, residential and commercial, in the village of Manchaug. When the water district was first established over 130 test wells were drilled to find an adequate source of water to supply our district. Of the 130 test wells, none were deemed to be exceptional and the current location of our three wells was the only area of all the locations tested that was deemed to be adequate.

Should our water source become contaminated the district has no alternative source of supply and no alternative water system to which we could connect. Therefore the Manchaug Water commissioners are very concerned with anything that will affect the quality of our water. All of the chemicals and materials listed on the "License to Transport Hazardous Waste" application form have the potential to render the water undrinkable, unusable and unsafe.

Our specific areas of concern which we would like to have addressed are:

1. How is the waste packaged?
2. Will hazardous materials be stored on site and if so for how long?
3. What precautions are in place in the event of a spill or leaching of hazardous waste into the water or surrounding area?
4. If there is to be long term storage what kind of containment area will the waste be stored in?

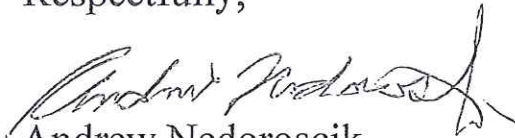
The Manchaug Water District is an equal opportunity service provider and employer.

5. Does the company have an approved emergency response plan?
6. Are the employees of the company required to have training and hold licenses for hazardous waste removal and the proper methods of that removal?

Public and private water supplies are always under threat of contamination. Should even minuscule amounts of any contaminants be released into Tucker Pond or the surrounding areas it will most assuredly reach our water supply. While we are in no way proposing that a permit should be denied to a local business, we do request an answer in writing to our questions and that every safeguard available be employed to keep our aquifer safe.

Thank you for your consideration and attention to our concerns.

Respectfully,



Andrew Nedoroscik



Denis LaForce



John Tower

Manchaug Water Commissioners

Attachment #3
William Wence, Chair
Lauren Rothermich, Co-Chair
Daniel Maroney
Joyce Smith
Robert Tefft



Sutton Town Hall
4 Uxbridge Road
Sutton, Massachusetts 01590
Telephone: (508) 865-8728
Fax: (508) 865-8721

W. M. Bien
Secretary

TOWN OF SUTTON CONSERVATION COMMISSION

Mass DEP
BWP Business Compliance Division
One Winter Street
Boston, MA 02108

August 3, 2016

Dear Mr. Henry:

It had recently come to the attention of the Sutton Conservation Commission that the Sutton Board of Health has received a copy of an application from Strategic Environmental Services, Inc., for a license to transport Hazardous Wastes. The company is to be located at 362 Putnam Hill Road, Sutton MA. A public notice was placed in the Millbury-Sutton Chronicle on 7/21 and the 45 Day comment period has begun.

The Conservation Commission has serious concerns about the location and potential for hazardous waste contamination of very important resources. No contact has been made to the Sutton Conservation Commission for any kind of filings.

Of major concern is the Public Water Supply of wells that supply the Manchaug Water District, as the sole source of water for 168 residential and commercial customers. There is NO ALTERNATIVE WATER SOURCE FOR THE VILLAGE OF MANCHAUG if there should be an accidental release of hazardous wastes.

There are many questions that need to be answered. What materials will be stored there? Are there any plans for containment of possible leaks? What if there is a flood? If there are any leaks, are there plans for supplying the Manchaug Water District with usable water? Are there any future plans for the property? How many trucks will be allowed? Who will monitor the area and will it be done on a daily basis? Is there any other location where the proximity to such a critical area could be avoided?

This area is the headwaters of the Mumford River, which eventually joins with the Blackstone and into Narragansett Bay. There are implications for many downstream areas in both Massachusetts and Rhode Island.

The Sutton Conservation Commission concludes that without further information and assurances, we would not be in favor of the proposal.

The Sutton Conservation Commission
William Wence – chair, Lauren Rothermich - co-chair
Daniel Maroney, Joyce A. Smith, Robert Tefft

Date: 8-2-16

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