

SUTTON CONSERVATION COMMISSION

March 15, 2017

MINUTES

Approved: 

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

**Project Update**

**7:00pm Waters Farm Preservation, Inc.**

Present: Ken Kelley, President

K. Kelley presented the Commission with the yearly fee of \$10.00 and his report for the year 2016.

**Public Hearing (Cont.)**

**7:05pm 15 W. Sutton Road**

DEP#303-0796

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

No one available: Paul Hutnak, Andrews Survey, Paul & Lynn Dahlin, owners

This has been continued, with the applicant's permission, to May 17, 2017 at 7:05pm.

Attachment #1 is a book kept In the Conservation office for review.

Motion: To continue, with the applicant's permission, to May 17, 2017 at 7:05pm, by D. Moroney  
2nd: L. Rothermich  
Vote: 5-0-0

**Project Update**

**7:05pm 30 McClellan Road**

Present: Thomas Tomkiewicz/RDA questions

T. Tomkiewicz gave the Commission his report from Eco Tec. Inc. showing the wetlands and work to be done outside of the buffer zone.

The Commission was satisfied and accepted the report.

See Attachment #2

**Board Business**

**7:15pm to 7:30 pm**

The Board was asked to table the Minutes of February 15, 2017 and March 1, 2017 to the next meeting so all could review the corrections.

**Erosion Control pages:** The Commission reviewed the two page instructions that are sent to each applicants when their Order of Conditions has been permitted and mailed to them. There are corrections and additions which will be reviewed at the next meeting for a vote to accept the changes and additions.

**Public Hearing (Cont.)**

**7:30pm 28 Wheelock Road**

DEP# 303-0839

The Public Hearing was opened at 7:30pm

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

The project consist of construction of a single family house, septic and well within 100' buffer zone of a BVW.

Not available: Margaret Bacon, Civil Site Engineering, Timothy Morse, owner

No continuation was received for this filing.

Present: Jennifer Tousignant, abutter

J. Tousignant questioned the process of the 60/40 rule and questioned the ZBA's answer.

B. Faneuf reviewed the 60/40 rule per John Couture from the Building department stating that this lot was grandfathered. A week prior to this meeting he met with M. Bacon to review the wetland boundaries shown on the GIS. M. Bacon will move the wetland lines by 10feet and recheck the two buffer zones on the East and South. A possible mitigation area may be found at the bottom of the property where a shed and junk are located, along with invasive species. They could be removed.

Motion: To continue to April 4, 2017 at 7:50pm, by D. Moroney  
2nd: J. Smith  
Vote: 5-0-0

**Project Update**

**7:50pm Lake Singletary Watershed Assoc.**

DEP#303-503 OOC dated: 06-05-2002

Present: Paul Kawolis, 95 W. Sutton Road, President for the LSWA.

P. Kawolis reviewed the Aquatic treatment that is done every year. The name of the company is Geosyntec from Acton, MA that has been working with the LSWA for years. See the file for their information on this company.

The order of conditions is from Millbury as the dam is in Millbury, not Sutton.

Motion: To accept the minor field change of the locks (drawdown slats removal/replacement)

management plan dated 2014, by J. Smith  
2<sup>nd</sup>: D. Moroney  
Vote: 5-0-0

Motion: To extend the Order of Conditions for three years to 5-18-2020, by L. Rothermich  
2<sup>nd</sup>: J. Smith  
Vote: 5-0-0

**Public Hearing (Cont. )**

**8:10pm 214 Worc. Prov. Tpke**

DEP#303-0840

The Public Hearing was opened at 8:10pm.

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

The project consist of converting the current single family home into a Chiropractic office within the outer riparian zone. Upland and wetland resource area restorations are designed into the project.

No one available: Glenn Krevosky, EBT, Anthony & Jessica Rainka, owners

This was continued, with the applicant's permission, to April 5, 2017 at 7:35pm

Motion: To continue to April 5, 2017 at 7:35pm, by L. Rothermich  
2<sup>nd</sup>: D. Moroney  
Vote: 5-0-0

**Public Hearing (New)**

**8:12pm 14 Old Tavern Lane**

DEP#303-

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

The project consist of restoration of wetlands by removal of boulders, and dirt bulldozed to the edge of a former field separating a BVW from an Isolated Vegetated Wetland, and create a lawn.

No one available: G. Krevosky, EBT, Mathew & Kathryn McGrath, owners

This was continued, with the applicant's permission, to April 5, 2017 at 7:20pm

Motion: To continue to April 5, 2017 at 7:20pm, by L. Rothermich  
2<sup>nd</sup>: J. Smith  
Vote: 5-0-0

**Emergency Certificate**

**8:12pm 188 Manchaug Road**

DEP#303-0724

Present: Andrew Mosher, owner

A. Mosher explained the two dead oak and maple trees that are in the buffer zone, which he wants to take down. He would like the Commission to do a site visit after the trees have been removed, so he can request his Certificate of Compliance.

B. Faneuf stated the Commission can consider this a minor field change instead of issuing an emergency certificate, then close out the entire file with the Certificate after the trees have been replanted. He told Mr. Mosher to just get a letter from the Arborist instead of an As-Built from the engineer.

Motion: To make a minor filed change for the two trees, and replace with two trees, then apply for the certificate within three months, by D. Moroney

2nd: L. Rothermich

Vote: 5-0-0

## **BOARD BUSINESS**

### **Minutes**

The Board tabled the Minutes of February 15, 2017 and March 1, 2017

**Erosion Control** review new sheet page 2, see 7:15pm page 2.

Ext. OOC for: **Lake Singletary Watershed Assoc.** OOC dated: 06-05-02/Extend or new NOI?

Present: Paul Kawolis, President. See page 2 7:50pm.

The Site Visits for C of C's for these projects listed below will be done after the snow melts.

**5.5 Sunrise Drive #303-0786/R.** Patient, owner

**9 Linda Circle #303-430 - 2000 filing/Neil Thibodeau,** owner

**11 Ramshorn Road/#303-0791/R.** Norton, owner

See other list.

### **Project Update:**

**8:20pm Merrill pond system Conservation Comments**

The Comments would be sent in by the deadline once they are completed.

Guideline changes: Sub-committee review:

The Board reviewed the Correspondence & Track Sheet Review

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 J. Smith

2nd: D. Moroney

Vote: 5-0-0

Adjourned at 9:20pm



EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street  
Worcester, MA 01605-2629  
508-752-9666 / Fax: 508-752-9494

March 10, 2017

Tom Tomkiewicz  
T.J. Mitchell Builders  
810 NW Main Street  
Douglas, MA 01516

Re: Lot 4 McClellan Rd., Sutton

Subject: Wetland Certification

Dear Mr. Tomkiewicz:

This letter pertains to the most recent site evaluation, which I performed, on March 9, 2017, for the property known as Lot 4 McClellan Road, Sutton. The lot, along with wetlands and a proposed "Limit of Work Line", is depicted on a "Limit of Work Plan" by Land Planning, Inc., dated July 8, 2004. I sketched revisions onto the Land Planning plan based on my most recent evaluation (see attached). During my evaluation I redelineated the Bordering Vegetated Wetland located at the southwest corner of the property with blue flags labeled EcoTec-1 to EcoTec-7. I also noted an additional wetland area located within 100 feet of the northwest corner of the site. This wetland originates at a municipal stormwater outfall. I installed one blue flag labeled EcoTec-A at the closest point and showed an additional Limit of Work line extending 100 feet from this flag. My evaluation and delineation was performed in accordance with the Massachusetts Wetlands Protection Act (MGL c.131 s.40) and Regulations (310 CMR 10.00) and the Town of Sutton Wetland Bylaw.

It is my opinion that work proposed outside the Limit of Work lines, as shown, will be outside wetlands and the 100-foot wetland Buffer Zone. My only recommendation is to establish a barrier (i.e. orange construction fence or silt fence) at or outside the "Limit of Work Line" to ensure that work does not encroach into the Buffer Zone.

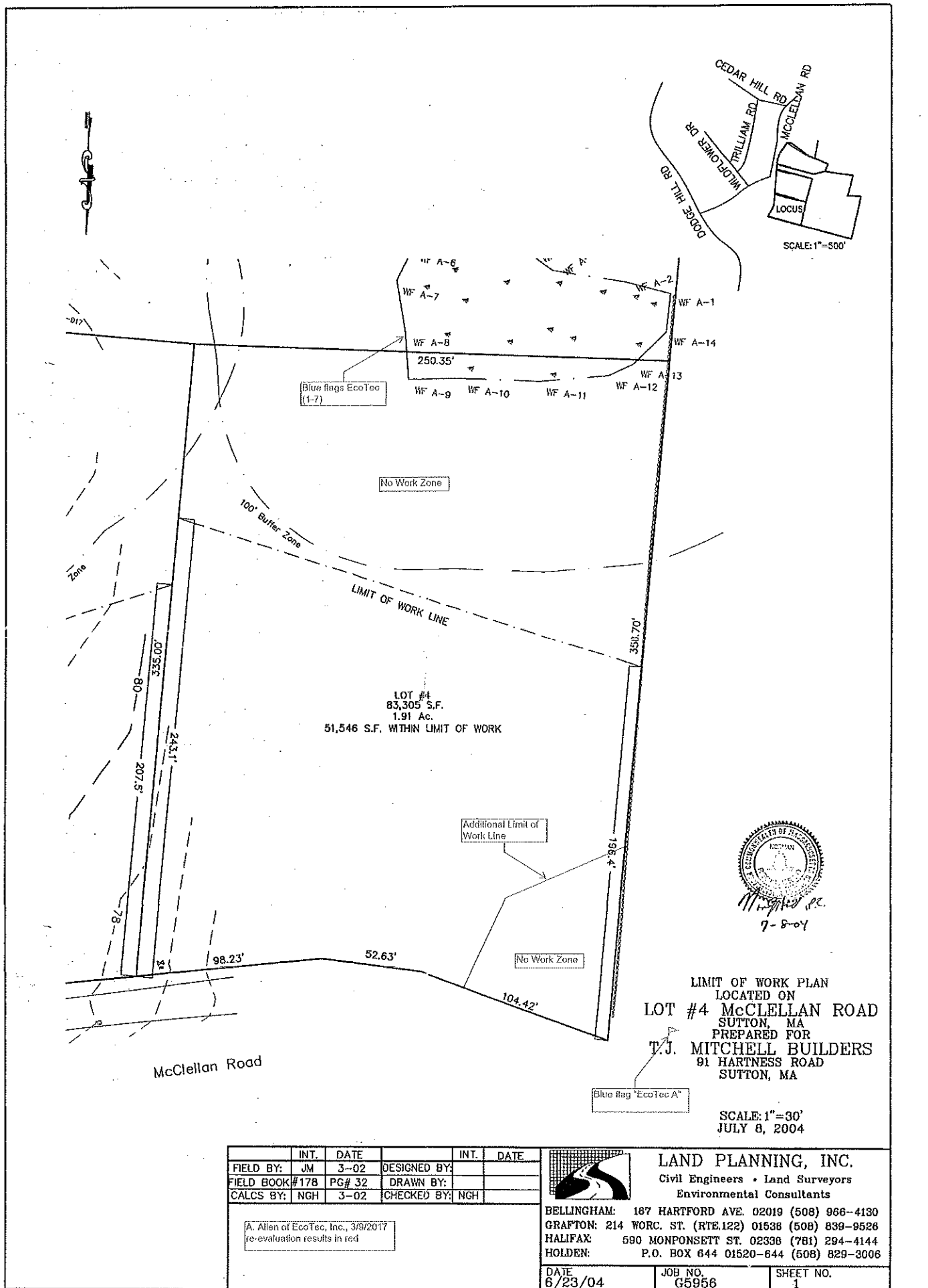
Please be aware that regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. Please do not hesitate to contact me if you have any questions concerning this or other matters.

Sincerely,

Arthur Allen  
Senior Environmental Scientist

attachments (1; 1 page plan)

AA/Wetland/SuttonLot4McClellanReport 3.20.2017



	INT.	DATE		INT.	DATE
FIELD BY:	JM	3-02	DESIGNED BY:		
FIELD BOOK #	178	PG# 32	DRAWN BY:		
CALCS BY:	NGH	3-02	CHECKED BY:	NGH	

A. Allen of EcoTec, Inc., 3/9/2017  
re-evaluation results in red



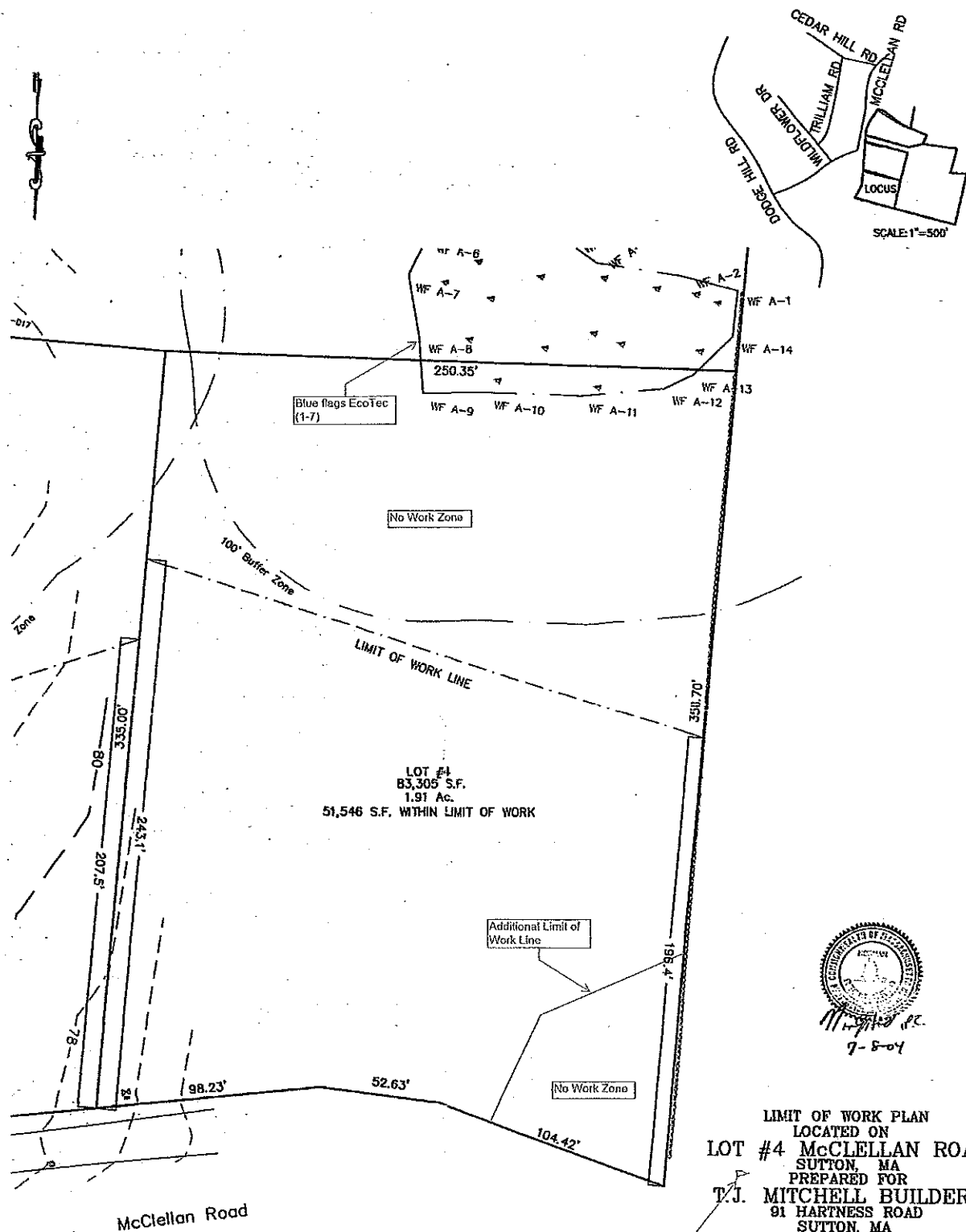
**LAND PLANNING, INC.**  
Civil Engineers • Land Surveyors  
Environmental Consultants

BELLINGHAM: 187 HARTFORD AVE. 02019 (508) 866-4130  
GRAFTON: 214 WORC. ST. (RTE.122) 01538 (508) 839-9528  
HALIFAX: 590 MONPONSETT ST. 02338 (781) 294-4144  
HOLDEN: P.O. BOX 644 01520-644 (508) 829-3006

DATE  
6/23/04

JOB NO.  
G5956

SHEET NO.  
1



LIMIT OF WORK PLAN  
LOCATED ON  
**LOT #4 McCLELLAN ROAD**  
SUTTON, MA  
PREPARED FOR  
**T.J. MITCHELL BUILDERS**  
91 HARTNESS ROAD  
SUTTON, MA

SCALE: 1"=30'  
JULY 8, 2004

INT.	DATE	INT.	DATE
FIELD BY: JM	3-02	DESIGNED BY:	
FIELD BOOK #178	PG# 32	DRAWN BY:	
CALCS BY: NGH	3-02	CHECKED BY: NGH	

A. Allen of EcoTec, Inc., 3/9/2017 re-evaluation results in red			<b>LAND PLANNING, INC.</b> Civil Engineers • Land Surveyors Environmental Consultants	
			BELLINGHAM: 167 HARTFORD AVE. 02019 (508) 966-4130 GRAFTON: 214 WORC. ST. (RTE.122) 01536 (508) 839-9526 HALIFAX: 590 NONPONSETT ST. 02338 (781) 294-4144 HOLDEN: P.O. BOX 644 01520-644 (508) 829-3006	
			DATE: 6/23/04 JOB NO.: G5956 SHEET NO.: 1	



**Date:** 3-15-19

**Date:** 3-15-19

[illegible]