


SUTTON CONSERVATION COMMISSION

June 7, 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

Discussion:

7:00pm 13 W. Sutton Road - Illegal dock - no permit

Heather Sims, owner

H. Sims said she didn't know she needed a permit for the dock. She showed the pictures of the new dock and its location. She is asking what she needs to do.

J. Smith gave her the RDA to file and said there was a problem about the shape and location of the dock.

B. Faneuf said this new dock is different materials, and a different size and configuration, so he would consider it new construction. It needs to meet the dock policy. Fill out the RDA form and do a hand drawn sketch with the location of the dock.

D. Moroney asked if she was going to take it out in the fall, then she could put it in another location next year.

Project Update:

7:05pm 171 Worc. Prov. Tpke/PV Crossing

DEP#303-0604

Present: Patrick Doherty, Mgr.

P. Doherty at the last meeting he said that he would schedule the cleaning of the pond. They finished the pond and cleaned out all 32 catch basins. They had to plug the connection from the large pond and the small pond, but there is still 26 inches in the large pond so they opened up the bypass valve. They will remove the plug on Friday.

B. Faneuf stated that he measured it at 15 inches today.

P. Doherty stated they scraped out all the organics and top inch of fine sand in the basin and put in about three inches of pea stone on the bottom. They fixed the outlet of the pipe that wasn't designed with riprap, then the gage was installed.

R. Tefft said that they need to maintain some vegetation on the inside of the slopes, so they should possibly look at some fertilizer in the near future.

P. Doherty said the biggest problem is there is no irrigation in that area, its just in the supermarket area. He showed the Board some pictures.

R. Tefft questioned the cat nine tails. B. Faneuf replied he thinks that was designed to be an open infiltration pond.

B. Faneuf stated that he doesn't have any reports from Eco Tec for year end. He asked if they can get a report in now and then one in around November.

R. Tefft said that he likes the cat tails in that area, he just doesn't know whether this changes the whole balance of the whole system there. If he could get a written opinion that the cat nine tails would not affect the design of the pond, then we would have it for the files.

P. Doherty said the problem they are having is the infiltration rate. He said that he also looked up the expiration on the Order of Conditions and found that on August of 2015 it was extended for three years so this is good until August of 2018.

R. Tefft said that he will have to re-apply for Phase III.

P. Doherty said that the Condo was never approved. The roadway is complete, but that would change too. They are working on the soccer field now and they were going to re-fix the road and angle it different, now that they own the soccer field.

Motion: To rescind the Enforcement Order, by J. Smith
2nd: D. Moroney
Vote: 5-0-0

Public Hearing (Cont.)

7:20pm 227 Putnam Hill Road/BNGC

No DEP# RDA filed

The Public Hearing was opened at 7:20pm W. Wence read the public hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consist of constructing an 8' diameter Flag Pole, Antenna and 5 associated equipment sheds within and existing parking lot.

Unavailable: Michael Gordon, owner

B. Faneuf said that he hasn't seen a revised plan or heard from him, so could they table this to the end to see if he comes in.

Motion: To table to the end of the meeting, by J. Smith
2nd: D. Moroney
Vote: 5-0-0

No show at the end of the meeting.

Motion: To continue to June 21, 2017 at 7:05pm, by D. Moroney

2nd: J. Smith
Vote: 5-0-0

Board Business

7:22pm

These Letters were sent out to the wrong address for: **192 Manchaug Road**/Stephen Porter, and **198 Manchaug Road**/Kevin Steele – a second letter would be sent out for the next meeting.

62 Lackey Road/W. Matukaitis - A letter was sent to Mr. Matukaitis, to refresh the erosion controls and he also needs to come in front of the board at the next meeting. No information received for this meeting.

Updates on:

7:24pm

289 Putnam Hill Road

B. Faneuf reported that the owner said he couldn't get a machine down in the area because it got stuck in the field. So the replication area was half full of water and unable to be done.

290 Putnam Hill Road

B. Faneuf said there was a potential vernal pool in the back, and he found 3 Salamander egg masses, unfortunately you need to have 5 to qualify for certification. However if one egg hatches and he sees one tad pole swimming around this qualifies for certification.

7 Overlook Drive

B. Faneuf said there was an application for the road and lot layout. This NOI is only for the road and drainage. The original Order of Conditions from 1980's said that certain lots would have to file for house construction. But he saw nothing for this particular lot. The lawyer selling the house had a question on how to handle this because the owner needs some kind of documentation to get the Certificate of Compliance.

J. Smith remembers going to hearing about putting in a detention pond when the subdivision was created from Sherman Estate property.

B. Faneuf showed the GIS on the TV, which he reviewed the special conditions on the original Order of Conditions. This was just for the septic system on 7 Overlook Drive. There is no information on having to file on each individual house lot. The Board can issue a partial Certificate of Compliance for this particular lot #303-17, but there is no record of an NOI for this lot but this would satisfy the legal aspect.

D. Moroney said the lien is still in effect as recorded.

B. Faneuf replied at the next meeting Wanda will probably have the C of C for us to sign

B. Faneuf showed the email chain that was emailed to the lawyer Lebeck for the request for the C of C.

Public Hearing (New)

7:35pm 37 W. Sutton Road

No DEP# RDA filed

The Public Hearing was opened at 7:35pm W. Wence read the public hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consist of removing and replanting two decayed and dead trees.

Present: Karen Norlin, owner

The notice read by W. Wence was corrected, as this is an RDA not a Notice of Intent.

K. Norlin has two trees on the property that are gradually dying and she now has to do something. This spring a branch fell through her deck. If this tree falls it will take out her house and her neighbors house. The other tree is a maple on the shore of the lake that has an infestation and needs to come down.

D. Moroney asked if she got a letter from the Arborist?

K. Norlin replied that she has the letter signed by the Arborist.

B. Faneuf said the next question is replacing the two trees.

K. Norlin said she will replace both trees. She is going to use Sky Hook to do the work, and Imagine Landscape company to provide and put the trees in.

B. Faneuf replied the conditions of the Determination would be to replant two trees, in or around the same location of the two removed.

K. Norlin said that Sky Hook said they could take the trees down two weeks after she gets the permit. She wants to get this done by the end of June.

Motion: To close the Public Hearing, by L. Rothermich

2nd: D. Moroney

Vote: 5-0-0

Motion: To issue a Negative Determination of Applicability and replant two trees approximate location, and native to the location by, D. Moroney

2nd: L. Rothermich

Vote: 5-0-0

Project Updates

7:40pm J. Smith said she went to the Industrial Park because of the addition to Ross Express at 39 Gilmore Drive. She feels they should file and RDA to be legal. Their addition is toward the wetlands and was construction without an NOI from Conservation.

W. Wence suggest that Wanda send out the letter.

7:45pm 44 Marble Road

B. Faneuf said that **44 Marble Road** is ready for a Certificate of Compliance, to have Wanda send them the request.

7:52 200 Worc. Prov. Tpke

Present: Glenn Krevosky, EBT

G. Krevosky said they were very close to doing the work but will wait until the end of the Summer to

lower the dam. They still want to get the dam 3" lower than it is now. The client wants to remove a tree next to a shed. The contractor did not complete his obligation of removing the trees. The stumps were removed, the land is flat now so he just wanted the Commission to be aware that the stumps were removed. The area was loamed and is now green. They do have a surveyed plan showing everything they are doing. The pond is deep so some areas will not become marsh. This will become a narrow channel as it was in the past. He will have the NOI into the Office within the next two weeks. He showed the Board the pictures taken with a drone.

Public Statement

B. Faneuf said he would like to make a public statement. If there are any issues from Strategic Environmental on Putnam Hill Road, he will have to recuse himself because he is in a sub-contractor with them doing a Mass DOT project in the Town of Norwell. He wanted to let this Commission know he is working with them as a sub-contractor and will recuse himself for projects in the future.

Public Hearing (Cont.)

7:50pm 1 Maple Street
DEP#303-0844

The Public Hearing was opened at 7:20pm W. Wence read the public hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consist of construction of a stone wall, stairs to the pond, new lawn area, swing, removal of invasive species, and tree pruning.

Present: Lance Anderson, Heritage Design, John Polucha, owner

L. Anderson said they filed and NOI for 1 Maple Street, but he wasn't at the last meeting, and asked if the Board had any questions that maybe the owner can answer them.

Using the plans, J. Smith had a question about the garage, which was not permitted so should that be on the plans?

J. Polucha replied the garage was there when he bought the house.

L. Anderson showed the plans that had the garage on the plans dated 09-08-2016 when Mr. Gattery owned it.

B. Faneuf replied it isn't on the 2015 plan approved for the septic system, which doesn't show a garage. The garage can now be put on these new plans.

J. Smith said that the garage was not on the Conservation plan that was approved.

L. Anderson said that the garage is on the new plan and was on the septic "As-Built" and was approved.

R. Tefft replied it was included on the septic "As-Built" and the garage was built at the same time, which doesn't cover the Conservation end.

B. Faneuf suggested to bundle it with the current plans for approval. He doesn't see any impact.

J. Smith said the building department approved it but it never came to Conservation. It should have but because the whole project is within our jurisdiction. To make it legal, include the garage on this application so it is on the record.

R. Tefft said that it doesn't cost anything, it's just wording on the application as an addition. The wording should be included on the application.

B. Faneuf said that this doesn't need to be continued, there would be special conditions including controlling the Japanese knotweed .

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

2nd: L. Rothermich

Vote: 5-0-0

Motion: To issue an Order of Conditions with the condition that the plans is revised with the note by, L. Rothermich

2nd: D. Moroney

Vote: 5-0-0

Public Hearing (New)

8:05pm 62 Wilderness Drive

No DEP# RDA filed

The Public Hearing was opened at 8:05pm W. Wence read the public hearing notice as it appeared in the Millbury Sutton Chronicle.

The project consist of installing 1 single wood pole structure near house.

Present: Melissa Caplan, Mass Elec Company, Ginny Picking, one of the owners.

M. Caplan showed pictures of the tree that needs to come down to put the wood pole structure up.

B. Faneuf replied this is after the fact, the tree is down and the pole is up with the lines installed. He reviewed the work that was done, from his site visit of the property. His comment is in the Conservation policy is, if a tree is removed it needs to be replaced with a new tree in a similar location down by the lake for water quality.

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

2nd: L. Rothermich

Vote: 5-0-0

Motion: To issue a Negative Determination of Applicability with the stipulation to plant a native tree in a similar location by, D. Moroney

2nd: L. Rothermich

Vote: 5-0-0

This Section finally done:

BOARD BUSINESS

Minutes

The Board voted on the Minutes of May 3rd, and May 17, 2017

Motion: To accept the minutes of May 3rd, and May 17, 2017, by L. Rothermich

2nd: J. Smith

Vote: 5-0-0

The Board did not sign the Emergency Certificate for **17 Southwick Road**, it was tabled to the meeting on June 21, 2017.

The Board did not re-sign OOC permitted on April 26th that was misplaced for **360R Boston Road**, we were not notified if the original was found yet.

A Site visit was done by B. Faneuf at **11 Horse Pasture Lane**/Jeff & Christine Fant, owners, everything was found to be satisfactory.

See 7:22pm for these **262 Lackey Road/W. Matukaitis** - A letter was sent to Mr. Matukaitis, to refresh the erosion controls and he also needs to come in front of the board at the next meeting. The Board didn't sign the Ext. OOC for **60/62 Lackey Road William Matukaitis**, owner, due on 06-06-17, until the erosion controls are refreshed.

Letters sent out to the wrong address for: **192 Manchaug Road/Stephen Porter**, and **198 Manchaug Road/Kevin Steele** – a second letter would be sent out for the next meeting.

Guideline changes: Sub-committee review: The Sub-committee is working on the guidelines and making changes, but have not completed those changes, and will give an update at the next meeting.

The Board reviewed the Correspondence & Track Sheet Review

The Site Visits list was reviewed for C of C's for several projects, to be seen. Everyone has the list to start to do the site visits and report back to the Board.

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: J. Smith
Vote: 5-0-0

Adjourned at 8:15pm

Date: 6-7-19

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