

SUTTON CONSERVATION COMMISSION

January 24, 2018

MINUTES

Approved: 

Present: Daniel Moroney, Chair, Joyce Smith, Co-Chair, Andrew DeWolf, Robert Tefft, and William Wence

Staff: Wanda M. Bien, Secretary
Brandon Faneuf, Consultant

Public Hearing (New NOI Filing)

7:00 pm 159 Dodge Hill Road

DEP #303-0853

William Wence stepped down.

The Public Hearing was opened at 7:00 pm D. Moroney read the Public Hearing notice publicized in the Millbury Sutton Chronicle.

The project consists of construction of a single-family home, private well, and septic, paved driveway, associated grading and utilities.

Present: Travis Brown, Andrews Survey, Stockwell Farm LLC, Co-Trustees

T. Brown reviewed the proposed construction of the single-family home plans. The house is outside the 50' buffer zone with the septic in front of the house, 69' from the wetlands in the back. They proposed an extra row of straw wattles and a slurry pit where that well would be drilled. There are two Cultec units for roof runoff on the two back corners of the house. There will be signage at 50' intervals in the wetland buffer area. For mitigation, the two fuel tanks on the other lot there were removed, along with the ground oil, and the soil was cleaned up per the DEP requirements.

B. Faneuf replied this is a wooded lot with a healthy forest and no invasive species. The family did the clean-up of the oil is still within the same property right now so. Would the Commission accept this as mitigation for this filing? This could offset the mitigation for the entire subdivision, as it was quite a large clean up. He reviewed the Commission's policy stating the mitigation needs to be on the property in question and within the jurisdictional area. He reviewed the area and where the tanks were removed that were within 100' of the wetland. That brings up two questions: would they consider the clean-up done at the barn lot, which is still part of this property or would they consider this as mitigation for this project? The barn lot was already in a disturbed area, so they asked for the Cultec units for the roof runoff.

D. Moroney asked how many other lots were going to be on the other project?

T. Brown replied potentially four more lots.

B. Faneuf asked how many would require Conservation approval?

T. Brown replied a portion of the road way and two of the lots would need approval.

B.Faneuf explained he feels this is like a river-front area, and explained why. If they accept that the clean-up of the gas tanks is a legitimate form of mitigation, then would this be pre-subdivision mitigation toward this lot or the other lots?

D. Moroney suggests they do this all at once and not split it up. Come back in a year for other permits.

B.Faneuf asked what the scale of the clean-up was, what was involved, and what was the cost. The Commission can then get an idea and weigh the importance of the mitigation.

W. Wence, 4 Dodge Hill Road, replied they believed there was still a gas tank on the property, so they had the tank removed in 2016. They were told no problem because it was not a gas tank it was kerosene/oil diesel to keep the barn bottle washer warm. They knew there was another tank, but found that it was under the road, which they thought was on their property. They did that removal in June of 2017, they found that the kerosene tank didn't leak but the tank in the roadway did leak, which lead to a larger cost of \$62,000 to clean that up. They are still cleaning and the cost yearly could be \$18,000 to \$20,000 a year. They have to test 9 underground wells, which could be one to 4 years of testing. They have probably spent \$100,000.00 on clean up from these tanks, and they are not done, however they found out that this tank is on town property.

Mr. Wence explained that the other four lots would be and open space development with Conservation Restrictions. They just need permission from the gas line to cross over their property, they don't know when this will happen.

B.Faneuf believes that the Commission accepts the mitigation for this lot only.

A. Allen explained that the mitigation will be in the form of replanting trees cuttings and may use this clean up as a portion for the other lots.

W. Wence explained that this project is still under 159 Dodge Hill Road and is all one parcel, until the paperwork has been submitted, the address will be changed at that time.

B.Faneuf stated the mitigation may be accepted for the gas clean up on this same property, however the buffer zone work still remains for the other four lots.

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

Motion: To issue an Order of Conditions for Lot 2 159 Dodge Hill Road, using 10% of the cost clean-up and the removal of the tanks for mitigation , by A. DeWolfe
2nd: W. Wence
Vote: 5-0-0

Public Hearing (NOI Continuation)

7:10 pm 11 Pleasant Valley Road/Galaxy Pass LLC

DEP #303-0851

The Public Hearing was opened at 7:40 pm

Motion: To waive the reading of the hearing notice, by W. Wence
2nd: A. DeWolfe
Vote: 5-0-0

The project consists of one commercial building within the buffer zone and one commercial building outside the buffer zone, with associated parking, drainage and other infrastructure.

Present: Patrick Doherty, Project Mgr., Arthur Allen, Eco Tec

P. Doherty reviewed the revised plans showing lot #2 used as a staging area. There will be a chain link fence along the curve line and placards on fence posts along the wetland buffer area. The entrance width changed from 20' to 24' at the main in/out entrance. The other entrance will be smaller, for cars only, off the bridge area. They modified the trash area, which would be enclosed. Storm water inlet is on the south side of the site, at the excess ponding area they added under-ground chambers with no over flow to the lot area. Lights were added to each building, per the planning board's request, and they moved the bike rack over. The monitor well from Wilks water is 14' below near the in/out front entrance building. They kept the 25' no disturb zone, some areas are more than 25' away. The north side of the stream is to be maintained and cleaned, also designated open space.

B.Faneuf stated at the January 3rd meeting, under the bylaw, that the stream was considered intermittent, which stops at Pleasant Valley Road. The soccer field was always mowed, not abandoned for five years. His other concern is that they have 198 total parking areas, and only 169 are required.

P. Doherty replied they have 30 extra parking spaces, some would be used as snow storage.

D. Moroney questioned the grade drop from 421' at Pleasant Valley Road to 414' that is a 5' drop?

R. Tefft questioned the catch basins 5' diameter.

P. Doherty replied they have 4' basins not 5' basins.

J. Smith's concern is the water coming from upstream. Above stream washed out some of the changes on 146\,. She would like to see the building moved south, away from the stream. She showed pictures of this area. She asked how much water would come from the area above.

R. Tefft replied the restaurant will flood, its 2 feet lower than the retail building area.

P. Doherty replied the water would go out the driveways area.

A.Allen replied the culvert was oversized when it was built and gave a list of native species and plants that would be good for that area. He noted a few non-natives on the list that were in the buffer zone.

D. Moroney stated the emergency outfall next to the stream is eroding the banks. Deep holes would be good to do now opposed to later.

R. Tefft replied this would be to their benefit to do the deep holes now. Then they wouldn't have to come back and re-design this.

B.Faneuf said if they maintain this section from Boston road and leave the stream as a wet meadow and only mow once a year, it will have increased habitat value.

A.Allen suggested an annual mowing outside the breeding season, between September and April.

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

Motion: To issue an Order of Conditions for 11 Pleasant Valley Road/Galaxy Pass with the two fields Mowed, north of the stream, once a year between September and April, by W. Wence
2nd: A. DeWolfe
Vote: 5-0-0

Project Update

8:25 pm 219 Whitins Road

Present: Bryan Andrews, Andrews Survey, Christopher Windle, owner

B.Anderson reviewed the proposed 4 and 5 bay buildings. They are looking for the Commission's opinion on the parameter for this project. This wooded area has some 5" caliper trees that would have to come down. There is town sewer and water but no gas, and a 35-foot strip between the wetlands and the buildings.

B.Faneuf asked what the buildings would be for.

C.Windle replied contractor rentals.

A.DeWolfe replied no outside salt storage.

R. Tefft said no grading within the 25' no disturb area and 10' buffer

Board Business

The Minutes were tabled to the next meeting

The Board signed the DOA for **43 W. Sutton Road**/David Marois, owner, from closing the Public Hearing on January 3, 2018.

The Board did not sign the Certificate of Compliance for **23 Golf Ridge Drive** #303-47, #303-174, #303-464, on this old filing, they still need a letter from an engineer.

The Board did not sign the Certificate of Compliance for **Lot 36 –Off McGuire Road**/Attorney Katie

Hennessy – a 1988 subdivision, which is partially in Northbridge. They need to go to the Northbridge Conservation Commission to get this particular Certificate of Compliance.

Correspondence & Track Sheet 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.

Motion: To adjourn, by A. DeWolfe

2nd: W. Wence

Vote: 5-0-0

Adjourned at 9:20 pm

Conservation Sign in Sheet

Date: 1-24-18

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