

SUTTON CONSERVATION COMMISSION
May 16, 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 (NOI Continuation from 02-21-18)

7:00 pm 47 Carrier Lane

DEP #303-0852

The Public Hearing was opened at 7:00 pm

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

The project consists of raising existing single-family dwelling, construction of single-family dwelling with associated grading, utilities and site work.

Present: Zac Couture, HST Group, Timothy Britt, owner

Motion: To issue an Certificate of Compliance for 47 Carrier Lane DEP #303-0696 for work
never started, by W. Wence
2nd: A. DeWolfe
Vote: 5-0-0

Z. Couture reviewed and explained the plans of the demo of the house, sheds and carport. The new plans showed the grading and site work. The first plans were not detailed. He showed what he added to the new revised plans and what would be done on this project.

J. Smith suggested the trees that needed to be replaced, must be 2.5 caliper native trees.

Z Couture replied they would put the two trees in the area of the existing carport and one next to the house, and replacing two trees near the water. The second page of the plans shows the area to loamed and seeded, including where the gravel driveway is to be removed. The existing well will be capped, according to the Board of Health. This is a two bedroom house with a septic tank, which is a big factor as to where they could put the house. They required ZBA approval for the setbacks.

B. Faneuf replied the wattles need to be 12" 100% biodegradable, and stated to keep all alterations away from the resource area as much as possible. The house is only 8' from the lake and asked if they could move the house in a different angle.

Z. Couture replied the Title V required 10' from the tank to the house and the area needs 2 – 5' of fill with the foundation wall. Which is 8' from the lake.

B. Faneuf replied he needed to allow 10', not less, with adequate space for maintenance around the house.

Z. Couture said, if they need to stay out of the 25' buffer area they need to go back to the Building Department. He said the wetlands were re-flagged and they moved closer to the house.

B. Faneuf said he would do another site visit to re-check the house especially the Northern corner of the house, to see if the house can be shifted 6' to the South. They also need 3 wetland signs.

Motion: To continue, with the applicant's permission, to June 6, 2018 at 7:00 pm, by W. Wence

2nd: J. Smith

Vote: 5-0-0

Public Hearing (New NOI Filing)

7:15 pm 137 Dodge Hill Road

DEP #303-0865

W. Wence stepped down.

The Public Hearing was opened at 7:25 pm D. Moroney read the Public Hearing notice publicized in the Millbury Sutton Chronicle.

The project consists of developing a 4-lot sub-division, roadway, storm water drainage with associated grading and utilities.

Present: Travis Brown, Andrews Survey, Stockwell Farm LLC, owner

T. Brown reviewed the four-lot subdivision and the area along Leland Hill Road in the buffer zone. All the flow of water would go into a culvert, with sheet flow over the existing lawn.

B. Faneuf replied no trees were coming down, as this is an existing field. The removal of the gas tank at 159 Dodge Hill Road would be used as 25% mitigation, with the remaining 75% mitigation for the basin and storm water runoff for the subdivision. (see the O & M plan.)

R. Tefft said there needs to be details on the plans where they propose to protect the area with erosion controls on the 2 – 1 slope and for the swale.

T. Brown told the Board that he would be filing an NOI for each house. This filing is for the subdivision.

D. Moroney replied they will not do any construction until all the house NOI's are filed.

B. Faneuf stated to put in all the erosion controls on each individual NOI filed, and make sure the limit of disturbance has no open ends,. Put the line up the hill side on the slope going East. He also explained all the water would shed to the buffer zone and questioned the diversion ditch on the top of the hill for the construction. Erosion controls include the 100% biodegradable erosion controls, blanket or jute mesh for the hillside.

He then reviewed the details for the conditions on the NOI's

Motion: To continue, with the applicant's permission, to June 6, 2018 at 7:15 pm, by J. Smith
2nd: A. DeWolfe
Vote: 4-0-1 W. Wence

Public Hearing (RDA Continuation from 05-02-18)

7:30 pm 38 Horne Drive

No DEP# RDA

The Public Hearing was opened at 7:55 pm

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

The project consists of installing one new single wooden utility pole 8-9, to service two new homes on Electrical Utility Easement.

Present: Theresa Portante, BSC Group, Inc. Mass Elec. Co Utility Pole installation

T. Portante explained they would be removing one pole and replacing one pole in a slight different location for the two houses on this street. No trees would come down.

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

Motion: To issue a negative Determination of Applicability, by J. Smith
2nd: A. DeWolfe
Vote: 5-0-0

Public Hearing (NOI filing Continuation from 05-02-18)

7:45 pm 382 W. Sutton Road/648 Central Turnpike

DEP #303-0864

The Public Hearing was opened at 8:00 pm

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

The project consists of construction of a single-family home with associated septic, driveway and well.

Present Glenn Krevosky, EBT Env. Steven LeFleur, owner

G. Krevosky explained they pushed everything as far as possible from the stream and resource area, which this stream never ran dry. So this would be considered a riverfront area.

B. Faneuf questioned why the work was allowed in the riparian zone of the 100' no touch?

G. Krevosky explained the 1930's non-conforming area, owned by the same person, which merges the area to make it conforming. They found three trees that are 70% dead, red spruce with a double stock, white ash, and a smaller 6" white ash.

S. LeFleur asked if he could replace these in a different area.

Motion: To continue, with the applicant's permission, to June 6, 2018 at 7:36 pm, by W. Wence
2nd: A. DeWolfe
Vote: 5-0-0

Public Hearing (New NOI filing)

8:00 pm Merrill Ponds WMA W. Sutton Road

DEP #303-08

The Public Hearing was opened at 8:00 pm D. Moroney read the Public Hearing notice publicized in the Millbury Sutton Chronicle.

The project consists of removal of Welsh Pond Dam and Putnam Pond Dam, and replacing a culvert on W. Sutton Road.

Present: Daniel Buttrick, & Melissa Coady, Tighe & Bond, Craig MacDonnell, Mass Wildlife owns, Dr. Caleb Carter, Biologist for Fisheries, Kinda Morgan, pipeline Co.

D. Buttrick explained the pond system from the past and the condition the Dams are in now, along with the culvert in the roadway that blocks up and has created a sinkhole in the Dam and on Hutchinson Road. Welsh Pond and Putnam Pond will re-vegetate after the project is done. He also reviewed the site prep plans for 103 W. Sutton Road's driveway repairs.

D. Moroney asked what would happen in the future after this has been done?

D. Buttrick said the O & M plan will be in place, and the State will fund their side of this and maintain the area.

B. Faneuf asked about the 401 process, the how's and why's this project will comply with the Ecological project.

M. Coady explained how it complies. They will restore this area and explained the habitat area involved.

R. Tefft questioned the water back up, the rise in the Welsh pond, if the State doesn't keep up with the headwork.

D. Buttrick replied water goes around W. Sutton Road. The culvert will slow down the water flow, especially near 103 W. Sutton Road driveway. They would use the new crossing standards with a four sided natural bottom. The pond area would be monitored for two years formally, after the dam was removed, but informally it would be three years.

B. Faneuf questioned the Town of Sutton Bylaw and the use of the areas by the public as recreational use of these ponds.

D. Buttrick said Putnam Pond doesn't provide much recreational value. In Welsh Pond there is shore line fishing but you can't park there on W. Sutton Road and the State isn't looking to promote this area. The Dams are difficult to maintain in their present state. Its twice the cost to replace the Dam then it is to remove it.

Dr. Carter explained how the culvert would be utilized and some changes that would occur.

A.DeWolfe asked what will happen to Lake Singletary in a 10 year storm or 15 year storm.

D. Buttrick replied nothing will happen to the lake as it will have a greater flow from Welsh Pond with nutrients.

R. Tefft questioned the 18' pipe to the box culvert, will more water go down.

D. Buttrick replied the big storms are reduced flow to Lake Singletary.

A.DeWolfe asked if they abandon the Dam at Hutchinson Road will the Town be responsible after that?

D. Buttrick replied they will regrade and fill in with concrete which will reduce the maintenance. However they may find pipes and tunnels.

J. Smith explained the colonial times of the water wheel at the Putnam mill.

Abutters:

Paul Kawolis, 95 W. Sutton Road, President of the Singletary Lake Association, questioned the 5 ponds in the system and the breaching 4 of the 5.

Arnold and Adams Pond will become a swamp, Adams has deeper water, Schoolhouse pond would be removed. Putnam Pond would be breached, but they are more concerned with Welsh Pond and the removal of this Dam, which would reduce this area back to swamp land. Its a scenic pond and it should be protected.

Donald Swatik, 18 – 21 Grace Ave, agrees with Mr. Kawolis, this will take away from the Town of Sutton's love for Lake Singletary, the water quality and delicate balance. He is concerned with the trees on the lake and who will be there to fix the algae growth after all this ends, the State should take care of this. Now they want to remove the Dams.

D. Buttrick replied there is a phosphorus issue and it's very forested, as a pond ages the settlement accumulates and turns into a bog, so there are no nutrients left. At Welsh Pond the sun shining on to of it, warming will happen and it will vegetate more. The trees that they need to remove will be replanted. Tighe & Bond was hired to remove the dam.

Abutter:

Lynn Wayland, 21 Winwood Lane, is concerned with the overgrowth and impact of the pipelines.

P. Kawolis would like to see these ponds saved.

D. Buttrick replied under the Dam Safety orders they were served, the Dams were found deficient.

B. Faneuf stated the aesthetics, the local public interest under the Bylaw.

B. Faneuf explained the habitat using the meadow that this will create. The special conditions would include 310 CMR and the Bylaw, and what the Commission could take into consideration, the stream continuity project, public safety, and that no significant impact would occur downstream to Singletary Lake.

R. Tefft asked if the Singletary Lake Association had a view on this.

P. Kawolis replied they are ok with the breaching of the other dams, but they do not agree with the breaching of Welsh Pond dam, they would like to see it repaired.

Motion: To continue, with the applicant's permission, to June 6, 2018 at 7:45 pm, by W. Wence
2nd: A. DeWolfe
Vote: 5-0-0

Board Business

Project Update

Neither of these people from 44 Mable Road or 65 Gilmore Drive came to the meeting. These will be removed from the Agenda until further information has been received.

8:15 pm 44 Marble Road/Cindy Campbell – (Jude Griffin, purchaser - Mill question

8:20 pm 65 Gilmore Drive/Life Song Church/Pastor Phil Rainbow – landscaping

The Board tabled these Minutes of May 2, 2018 to the next meeting.

25 Harback Road/Charles Colorio, owner – pushing materials in Marble pond

J. Smith explained she didn't find any violation on this site visit to Harback Road.

Sutton Falls Campground/Roger Gringras, owner, and **Old Holbrook Campground/Linda Nelson**, owner
Manure smell, brown line in Manchaug Pond

A. A. DeWolfe did a site visit but he did not find any evidence of what was reported in the complaint.

The Board would not sign the C of C for **87 Duval Road/Guerriere & Halnon Inc.**, until a report has been received for the replication area. They did not sign the C of C for **9 Harback Road/New Covenant Partners IV, LLC**, owner.

B. Faneuf will contact both for the reports.

A site visit was done for the Board to sign a C of C for **31 Douglas Road**.

Motion: To issue a Certificate of Compliance for 31 Douglas Road, by J. Smith
2nd: A. DeWolfe
Vote: 5-0-0

J. Smith reviewed the pre-construction meeting she did for **103 W. Sutton Road**, and for **50 – 52 Lackey Dam Road**, while Mr. Faneuf was unavailable.

See 2017 Site Visits to do list,

A site visit to check for invasive species is needed for **44 Lackey Road**/Michael & Cynthia Zilioli, owners.

W. Wence did a site visit at **141 Lincoln Road** to check on the trees removed, and reported everything looked very good.

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 W. Wence

2nd: A. DeWolfe

Vote: 5-0-0

Adjourned at 10:40 pm