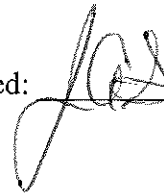


SUTTON CONSERVATION COMMISSION

June 6, 2018

MINUTES

Approved: \_\_\_\_\_



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

Unavailable: Daniel Moroney, Chair

Staff: Wanda M. Bien, Secretary

Brandon Faneuf, Consultant

**Public Hearing (NOI Continuation from 05-16-18)**

**7:00 pm 47 Carrier Lane**

DEP #303-0852

The Public Hearing was opened at 7:00 pm

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

Z. Couture explained they needed the distance between the wetland and the garage, which is now 26.1. They reviewed the flags using the current line and moved the flags 7'.

B. Faneuf re-checked the flags and put the flags back where they were before, but checked all the flags (especially #12). They have addressed everything they were asked to do.

R. Tefft questioned the wetland signs.

B. Faneuf replied this would be conditioned in the order and show where the edge of the woods are and the big drop area.

Z. Couture replied they would go along with what Conservation wants, and the owner is ok with the signs.

R. Tefft wants to see the erosion controls with a silt fence and wattles as a better visual barrier.

Z. Couture replied they would use both in every location with erosion controls.

Motion: To close the Public Hearing, by W. Wence

2nd: A. DeWolfe

Vote: 4-0-0

Motion: To issue an Order of Conditions with two signs at the wetland boundary area, by W. Wence

2nd: A. DeWolfe

Vote: 4-0-0

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

**7:15 pm 137 Dodge Hill Road**

DEP #303-0865

W. Wence stepped down.

The Public Hearing was opened at 7:15 pm

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 minor revisions from the last meeting: the diversion ditch, the limit of disturbance was added at the bottom of the slope, and the revised details on the drain with part of the grass swale.

T. Brown suggested that it was best to turn the 19.5 acres of open space over to the town.

A.DeWolfe asked if it was a good area for walking trails.

Owner:

W. Wence, 154 Dodge Hill Road, replied there is a walking path there now and people come in from the old Keown property.

A.DeWolfe asked where can people park, and asked about an alternative for the property.

B. Faneuf replied there is a 50' strip along lot 4 that could be used as parking.

W. Wence replied they could do a Home Owners Association but would like to keep it as open space.

R. Tefft asked if this was approved by the Planning Board?

T. Brown replied yes.

B. Faneuf asked the Commission if they wanted to be the caretakers to over-see this property, then recommended to speak to the Town Planner about the parking spaces.

He also noted that #1 The road could not be built until all the NOI's for the house have been submitted.

#2. The invasive plants need to be removed 100' from the buffer zone.

#3. The O & M plans is in perpetuity as a condition on the Order.

# 4. Mitigation from the first filing is to be added to this as 25/25/25 in the AWRA of the buffer zone

R. Tefft replied and the grading of the lots needs to be done, and the detention pond within the 25' buffer zone needs to be fixed.

Motion: To continue, with the applicant's permission, to June 20, 2018 at 7:30 pm, by W. Wence

2nd: A. DeWolfe

Vote: 3-0-0

**Public Hearing (NOI Continuation from 05-16-18)**  
**7:30 pm 382 W. Sutton Road**  
DEP #303-0864

The Public Hearing was opened at 7:35 pm, but was moved to the end of the meeting to wait the arrival of the engineer.

Present: Steven LeFleur, owner

**Project Update**  
**7:35 pm 11 Pleasant Valley Crossing**

Present: Patrick Doherty, Midpoint Eng.

P. Doherty reviewed the changes on the plans for the construction of the under-ground chamber system. He submitted the plans, reviewed by Graves Engineering, showing the site drains going into the underground 9 x 14' chamber system. This area would be monitored, along with the test pits. The parking lot would be raised 1.5' for this project. The Contractor requests to replace the water quality equipment and change to a different type. This building would be occupied by a medical use area, and a play area for kids. They would start the construction on the buildings in July.  
field change.

B. Faneuf asked if this changes the O & M or the underground system they would use.

P. Doherty replied no, and said this system has been installed in Sutton before and it works good.

R. Tefft questioned the water quality of this structure, and asked if the loam will go off site.

P. Doherty replied the loam would be trucked out and some would be used on site.

Motion: To accept this as a minor filed change, by W. Wence  
2<sup>nd</sup>: A. DeWolfe  
Vote: 4-0-0

**Public Hearing (NOI Continuation from 05-02-18)**  
**7:45 pm Merrill Ponds WMA W. Sutton Road**  
DEP #303-08

The Public Hearing was opened at 7:45 pm

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

No one available: Daniel Buttrick, Tighe & Bond, Craig MacDonnell, Mass Wildlife owns this property

Motion: To continue, with the applicant's permission, to July 18, 2018 at 7:00 pm, by W. Wence  
2<sup>nd</sup>: A. DeWolfe  
Vote: 4-0-0

**Public Hearing (NOI Continuation from 05-16-18)****7:30 pm 382 W. Sutton Road**

DEP #303-0864

The Public Hearing was opened at 7:35 pm, and moved to this time at 7:50 pm.

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 reviewed the changes on the plans, showing the placards along the boundary 50' apart. A suggested modification of 4" x 4" granite monuments placed with a wetlands boundary placard glued on the top would be acceptable, placed along the limit of grading. A slurry sump has been added before the well has been drilled. Trees to be planted are 2.5" caliper red maples to replace red spruce and white ask. They would move the stone-wall keeping with the scenic roadway. This field would be called a hay field, instead of a mowed field, so there isn't any question that it turns into a lawn, which would only be mowed from July 15<sup>th</sup> to August 15<sup>th</sup> to protect ground nesting birds. There were three to four different invasive plants identified to be removed. Roof infiltration would put the water back into the ground.

B. Faneuf replied he needs to use the word in perpetuity, and they are all set with the Riverfront issues. The bottom of the grade is up 6" with the Granite stone markers.

G. Krevosky replied he would use two-phase glue adhesive to the stone to keep the placard it in place.

All Commissioners agree with the gluing of the stone.

B. Faneuf is ok with everything else that they were asked to do, with the plans that were revised on May 15, 2018.

Motion: To close the Public Hearing, by W. Wence  
2nd: A. DeWolfe  
Vote: 4-0-0

Motion: To issue an Order of Conditions for 382 W. Sutton Road, by W. Wence  
2<sup>nd</sup>: A. DeWolfe  
Vote: 4-0-0

**Public Hearing (New NOI filing)****8:00 pm Manchaug Pond Aquatic Treatment**

DEP #303-08

W. Wence stepped down, as a member.

The Public Hearing was opened at 8:00 pm. D. Moroney read the public hearing as it appeared in the Millbury Sutton Chronicle.

The project consist of the Aquatic Management Program to control nuisance and non-native plant growth

utilizing treatment with USEPA/MA State registered aquatic herbicides, algaecides, diver-assisted suction harvesting, and other BMP's.

Present: Matthew Salem, Solitude Lake Management, BOS Jesse Limanek, Dave Smythe, President of the Pond Association, and Phyllis Charpentier, Clerk, Secretary to the Association.

M. Salem explained what they would be doing and how they would do this work. They would be doing diving to hand harvest the weeds.

Oversite: The USPDA and Natural resources approving every 15 years, they make sure this treatment is done correctly and using the correct herbicides.

J. Smith asked if this is the first time that they are using this method.

B. Faneuf replied this is their first NOI to treat the pond. He asked if this has ever been done on this lake.

M. Salem replied, not to his knowledge.

P. Charpentier provided some history. Back in 1990 she spoke about a survey that was done back then about the lake level at drawdown. Now they want to get back to the drawdown matching the rule curve. They are requesting the permit to do the NOI for the draw down and for the treatment of the invasive species.

J. Smith asked if this is a yearly plan.

The Conservation Secretary explained how Lake Singletary does their yearly extensions, by contacting the office by email, and the extension is typed up then is put on the next agenda to be signed.

B. Faneuf questioned if they have a rule curve, but are not using it correctly, which is causing the invasive species to be so active. He said it would be good if they can avoid using the herbicides. If lowering the water enough took care of the invasive species back then, could they still do this now?

M. Salem replied they are looking to actively manage this water body and the invasive plants.

B. Faneuf asked what the impact would be.

D. Smythe, replied the weeds are an issue so they need to do this treatment because the weeds are moving towards the docks and the coves in this lake.

P. Charpentier replied there are three campgrounds that get these weeds in their coves. Boats also spread these weeds and some weeds come from other lakes via the public boat ramp. The town will bring the boards down to the rule curve levels, however there is a fish kill sometimes due to the drawdown.

B. Faneuf asked how this plan makes sure anything would not be impacted?

M. Salem replied the consultant prepared this plan, so if there is no direct benefit through EPA, they would be the ones to figure what herbicides would be used.

B. Faneuf asked what time of the year would this take place.

M. Salem replied in June, as the growing the dose would be less. However in mid-July, they use more herbicides to kill the roots so they don't spread.

B. Faneuf reviewed the superseding Order of Condition, and explained the drawdown that is related to the lowest and highest drawdown due to hurricanes starting 3 days before and after. The Highway people do the board removal since the town received the Dam a few years ago.

P. Charpentier replied this needs caution to insure it is done properly.

J. Smith asked if someone understands this process.

B. Faneuf replied the Town of Douglas knows about the drawdown also.

R. Tefft said they should close out the old Order of Conditions with a Certificate.

B. Faneuf said they should update the Order of Conditions for the management of the new conditions.

R. Tefft replied they need a policy as to what would be done, and where it is to be done, and spell out the oversight, with who is responsible for what.

M. Salem replied this is already in the hands of the State lawyers.

R. Tefft asked if the town could be copied on the same forms that the state receives, is this a 1, 2, 3 or 5 year Order of Conditions?

B. Faneuf replied that the Order of Conditions is only for 3 years, but the Commission can make it for 5 years.

M. Salem requested the Board to issue the Order for up to the 5 years.

Motion: To continue, with the applicant's permission, to June 20, 2018 at 7:30 pm, by A. DeWolfe  
2nd: R. Tefft  
Vote: 4-0-0

### **Project Update**

#### **8:50 pm 10 Partridge Hill Road**

Present: J. Jenese, owner, Attorney Paul Vozella, John Burns, Sub-division Developer

P. Vozella explained the owner is facing a hardship to move the fence with the expense of the move and making the yard unusable. He is asking what the alternatives are and if there is a hardship waiver. He also questions modifying the fence.

J. Smith replied to modify, would be to move the fence out of the wetlands.

P. Vozella asked if putting the fence in front of the markers is all that's needed.

J. Smith stated they have pictures showing the original lines of the Erosion controls.

B. Faneuf showed the pictures where the signs were and the location of the erosion control fence line.

W. Wence and the other members agree that someone moved the signs.

J. Burns stated he did the erosion control fence line, on lots 44 through 52 with 75 to 100 foot road frontage, and the wetlands were surveyed. The work was all done at once, according to his Order of Conditions.

J. Smith replied you could see in the pictures that the line is straight.

B. Faneuf stated that it seems like a bump out shows in that straight line of erosion controls.

J. Smith replied that the Commission gave the requested extension to July 1<sup>st</sup> to move the fence.

W. Wence did the site visit on the neighbor's fence, and the fence is fine, not in the wetland area.

B. Faneuf stated that this area was a buffer zone restoration area that Mr. Burns needed to maintain when he took over this sub-division. He explained the sub-division plan for lot 50 is where the fence is in the buffer zone restoration area, this is the bumped out area. The fence needs to be brought back to the original area. The 2013 pictures shows the original location of the signs and fence.

J. Smith noted the different signs.

R. Tefft asked for an As-Built for this Certificate of Compliance.

J. Burns replied that the plan he has is for the building foundation, and he has the Certificates for lots 45 through 52, but yet not for lot 50 because of the fence.

P. Vozella asked if the As-Built plan was completed.

J. Burns said the bottom of the hill was surveyed for lots 44 – 52 and there were no issues for the Certificates. He noted that Mrs. Jenese got her own landscaper to do the work, which he mentioned at the last meeting he attended.

J. Smith stated this the is the 3<sup>rd</sup> meeting, and the decision has not changed.

J. Burns explained Mrs. Jenese used his surveyor that he had for the whole sub-division, which was Lance Anderson from Heritage Design. This hill was created during the sub-division work itself. Conservation needs to take to the landscaper.

J. Smith said to pull the fence back out of the 25' no touch area.

W. Wence replied the grass slope was changed.

J. Jenese replied the slope is bad, she only had it fixed.

P. Vozella questioned where the signs should be?

J. Jenese said she buried the silt fence under her mulch because it was still there.

W. Wence stated Mr. Burns didn't do wrong, he did what he was supposed to do

B. Faneuf said the bump out in the fence was noticed, so a plan by Heritage Design Group would show where the fence should be.

J. Smith said if they all agree to move the fence the 24' by July 1, 2018, the Commission will be happy. She then read the minutes from March 24, 2015.

### **Board Business**

The Board signed the Minutes of May 2, 2018, and May 16, 2018

Motion: To accept the minutes of May 2, 2018 and May 16, 2018, by W. Wence  
2<sup>nd</sup>: A. DeWolfe  
Vote: 4-0-0

Both these will be put back on the agenda when more information has been received for **87 Duval Road**/Guerriere & Halnon Inc., and **9 Harback Road**/New Covenant Partners IV, LLC, owner

J. Smith did site visits for:

**5.5 W. Sutton Road**/P Hellstrom, owner, a letter would be sent to the owner to Cease and Desist for the installation of a driveway without a permit.

**13.5, 15 & 16 Sunrise Drive** – to check the bushes that were to be replanted, a letter would be sent to the owner of 16 Sunrise Drive, who was the contact person for all trees removed on these properties.

**30 Tuttle Road/Marion's Camp** for erosion control inspection.

B. Faneuf did a site visit for **44 Lackey Road**/Michael & Cynthia Zilioli, owners, and found the knotweed has re-deeded itself, and will contact the owners.

### **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](http://www.suttonma.org).

Motion: To adjourn, by W. Wence  
2<sup>nd</sup>: A. DeWolfe  
Vote: 4-0-0

Adjourned at 9:35 pm





**TOWN OF SUTTON**  
**PLANNING BOARD & DEPARTMENT**

**CERTIFICATION**

I, Joyce A. Smith, hereby certify that I have viewed the online video of the Sutton Conservation Commission meeting of

June 20, 2018

I certify that I have complete knowledge and understanding of all elements contained therein.

Joyce A. Smith  
Signature

7-10-18  
Date

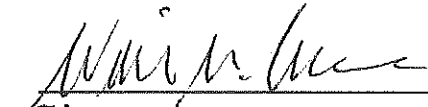


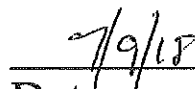
**TOWN OF SUTTON**  
**CONSERVATION COMMISSION**

**CERTIFICATION**

I, William Wence, hereby certify that I have viewed the online video of the Sutton Conservation meeting of 6/20/18.

I certify that I have complete knowledge and understanding of all elements contained therein.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

## Conservation Sign in Sheet

Date: 6-20-18

[illegible]