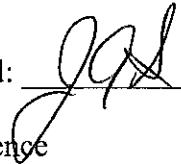


SUTTON CONSERVATION COMMISSION

September 5, 2018

MINUTES

Approved: _____



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

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

Public Hearing (RDA Continuation from 08-15-18)

7:00 pm 68 Wilderness Drive

DEP #303-0861

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: 4-0-0

The project consists of rebuilding deteriorated stone wall along the lake shore.

Present: James and Brenda O'Brien, owner

J. O'Brien reviewed the rebuild and raising of the stone wall and the hand drawn sketch, showing

J. Smith questioned the elevation of the wall.

J. O'Brien replied, not much higher than it is now, to match the rest of the wall.

B. Faneuf said, Mr. Bengston was to write a letter as to how the wall would be built.

J. O'Brien replied it would be about 16" high on one side and 12" high on the other side. The extra materials from the existing wall and extra stones, would be used for the top of the wall to even it off.

J. Smith asked for the sketch as to where the erosion controls would be.

B. Faneuf said he had the notes from the last meeting, to get Mr. Bengston to write a letter and sketch as to how the wall would get built, the elevation as to high the wall would be, so the Conservation can hold him responsible. Dan spoke up and said it was important as to how you tie the wall in at either end. How far back will the fill go back on either side of the wall.

W. Wence questioned the rebuild with added height in the middle of the wall to match the rest of the wall.

R. Tefft questioned the replanting of three shrubs.

B. Faneuf said this can be made a condition.

J. Smith said to use erosion controls to protect the lake, 100% biodegradable with no plastic.

B. Faneuf explained the erosion controls straw wattles.

Motion: To close the public hearing, by W. Wence

2nd: A. DeWolfe

Vote: 4-0-0

Motion: To issue a negative Determination of Applicability with two conditions of three trees and/or bushes are replanted, and 12" 100% biodegradable straw wattles placed off the cement wall and removed by the time the water comes back up in the spring, by W. Wence

2nd: A. DeWolfe

Vote: 4-0-0

Board Business:

7:10 pm

The Board voted on the Minutes of August 15, 2018.

Motion: To accept the minutes of August 15, 2018 by W. Wence

2nd: A. DeWolfe

Vote: 4-0-0

Meeting Date of November 21st,

J. Smith said we cannot meet on this night, as it is the night before Thanksgiving Day, and the Town Hall will close at 12:00 pm, no meeting allowed that night. The options are having only one meeting in November or having two meetings in a row.

The secretary said we can wait until the second meeting in October to decide, so the two weeks in a row would be the 14th or 28th of November, and she would watch for anything new that comes in.

J. Smith explained the site visit that she did for **21 Uxbridge Road**, the 4" of rain caused erosion so it did not pass on the first inspection. They fixed the area and a second inspection was done when the site was stabilized. It was recommended they could take out the silt fence and leave the mulch sock over the winter.

Motion: To issue a Certificate of Compliance for 21 Uxbridge Road, by W. Wence

2nd: A. DeWolfe

Vote: 4-0-0

A letter was sent out, acknowledging that the fence was moved at **10 Partridge Hill Road**/J. Jenese, owner. Another letter is to be sent asking when she would agree to a site visit to confirm the signs have been moved to the correct locations. No response has been received.

Public Hearing (New NOI Filing)
7:15 pm 315 Central Turnpike
DEP #303-0872

The Public Hearing was opened at 7:15 pm. J. Smith read the Public Hearing as it appeared in the Millbury Sutton Chronicle.

Motion: To waive the reading of the hearing notice, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

The project consist of construction of a driveway and overhead utilities for a future single-family house.

Present: Ron Tubman, Guerriere & Halnon, and John Fredrico Engineer for Rafferty & Rafferty Builders, owner.

J. Smith read the routing slip from Highway Department, to remove the replication area out of the roadway. It was also asked if they had been before any other boards.

R. Tubman replied they were in front of Planning and were approved for the work they were doing with the stone walls.

B. Faneuf explained the revised plan with the replication area relocated along the driveway. The replication area can be put anywhere that will work. He reviewed his notes from the last meeting of July 18th to relocate the driveway.

R. Tubman replied he moved the driveway away from the wetlands and protected one more tree, not to be taken down. He will send the PDF on this plan.

B. Faneuf said to bring three sets of plans to the next meeting.

J. Smith explained that they were a no-show at the last meeting, so if they cannot make the next meeting they need to notify us.

B. Faneuf requested they extend the limit of disturbance to the property lines with no open ends, with the 100% biodegradable erosion controls. There was an issue with the pipe at the end of the driveway/roadway.

R. Tefft questioned the 24' culvert under the driveway, and is concerned with the restriction.

R. Tubman said if there was going to be a restriction it would already be happening, he explained this type of pipe that the owner would like to install under the driveway is a better ABS 24' pipe, which is stronger and a much lighter pipe that doesn't need to be pieced together, instead of using concrete.

J. Smith there was a previous discussion about the number of signs.

R. Tubman replied they have a detailed suggesting an 8" plastic/survey marker with 2 rods that go through the

sign with a hollow pipe, easy to install but very difficult to pull up, marked however the Commission would like. The owner is concerned with the 22 markers using fence posts. He showed the Board what it looked like, but needs to know what information is needed.

W. Wence replied the problem is that others have had to use the fence post with the wetland signs instead of discs.

B. Faneuf said there were two versions, the traditional sign that sticks up 3 to 4' above the ground, and the disc on the concrete 2' above the ground.

R. Tefft replied this would be in the special conditions for mowing the area however, the discs are not very high and would be lost in the grass and not serve any purpose.

J. Smith leans towards the standard signs.

B. Faneuf reviewed the construction details, and explained what was needed for the revised plans, to move replication area on the property, he recommend trying to find an open area so they don't have to cut down any trees, extend the LOD to property lines, and update the signs details and straw wattles.

J. Smith replied to get their Resume's in.

Abutter:

Leonard Ackerman, 137 Uxbridge Road, is questioning the buffer zone area between the houses, is there going to be some kind a screen, and is this going to be in his back yard.

R. Tubman showed the buffer area on the proposed plans, to the abutter.

Motion: To continue, with the applicant's permission, to September 19, 2018 at 7:30 pm, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

Public Hearing (New ANRAD filed and continued from 08-15-18 to be re-opened on Sept. 5, 2018)
7:30 pm 211 Boston Road
DEP #303-8773

The Public Hearing was opened at 7:35 pm.

Motion: To waive the reading of the hearing notice, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

The project consists of an Abbreviated Notice of Resource Area Delineation for T.J. Hannon.

Present: Scott Jordon, Eco Tec, or T.J. Hannon, owner

J. Smith explained the ANRAD, which was just to delineate the wetlands, nothing else, just to make sure the

wetland lines are accurate. She checked off the new meeting check-list and asked a few questions. S. Jordon reviewed the revised plans from the last meeting.

F. Faneuf explained the two streams and where they flow, the natural forest and stone walls, and the emphasized the importance of leaving the large red oak trees.toward the back of the property.

Abutters:

Gerald Kelley, 7 Wainwright Drive, questioned the trees, are they significant to this area?

Tim Connors, 38 Tournament Way, is concerned with the brook area.

S. Jordan explained the wetland boundary and how they were flagged, and why.

B. Faneuf used the map to explain where the streams are located.

Motion: To issue an Order of Resource Area Delineation for 211 Boston Road, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

Public Hearing (NOI Continuation from 08-01-18)
7:45 pm Merrill Ponds WMA W. Sutton Road
DEP #303-0867

The Public Hearing was opened at 7:52 pm

Motion: To waive the reading of the hearing notice, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

The project consists of removal of Welsh Pond Dam and Putnam Pond Dam, and replace a culvert.

Present: Daniel Buttrick, Craig MacDonnell, Mass Dept. Fish & Game, Caleb Slater, Mass Wildlife
See attachment #1 GeoSyntec

D. Buttrick reviewed the revised plans, which will be sent to the Commission, showing the dry hydrant in Adams Pond. They will remove 75 cubic yards of sediment for this pump to be put in. No large trees would come down so this is the best place to install the pump.

J. Smith stated there are 2 public safety issues: 1) the hazardous dam 2) a more immediate safety issue of water for the fire truck

J. Smith asked if this would get done before Welsh Pond breaching of the dam .

D. Buttrick replied both would be done at the same time.

R. Tefft questioned the grades from the hydrant.

C. MacDonald replied ten feet with the sediment off site, but would have to be moved and dewatered. There isn't much land area in this location.

Abutter:

Paul Kawolis, 95 W. Sutton Road is concerned with the site lines, and feels this is a safety hazard with the trucks, the road is so narrow they need a place to be off the road. And is concerned with public safety also. He said if additional algae blooms, would the state help with the cost?

J. Smith would like to see more access to fishing at Adams Pond.

W. Wence questioned the cost to rebuild the Dam at Welsh Pond. He feels that a lot of people that are down-stream will be affected.

C. MacDonald replied the state wants less liability.

D. Buttrick said they will file separately to do the other work at Adams Pond.

B. Faneuf read the Environmental Protection 10:01 #2 with the eight points purpose

J. Smith feels this is still a public safety issue, however the fishing and Fire Dept. issues have been addressed.

W. Wence said if we don't approve tonight the state will over-ride the Conservation Commission.

B. Faneuf explained how the appeal works for DEP and the Bylaw with the cost on both sides.

C. MacDonald was told the state doesn't have to comply with the local bylaws, but they do it as a curtesy.

B. Faneuf explained what would be put in the Special Conditions to the Order of Conditions. Adverse impact to flood control, storm damage protection and prevention of pollution, possibility of impacting the lake and recreational possibilities.

A.DeWolfe replied he would change his opinion of they raised the pond two feet or over.

Motion: To close the public hearing, by W. Wence

2nd: A. DeWolfe

Vote: 4-0-0

Motion: To issue an Order of Conditions for the pond with conditions for the hydrant, by W. Wence

2nd: R. Tefft

Vote: 2-0-2

J. Smith & W. Wence / R. Tefft & A. DeWolfe

A tie vote means the motion is denied.

Public Hearing (New NOI filing)

8:00 pm 85 Gilmore Drive

DEP #303-0874

The Public Hearing was opened at 8:45 pm.

Motion: To waive the reading of the hearing notice, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

The project consists of construction of a 140,000 s.f. manufacturing facility with a 40,000 s.f. office, associated grading and utilities.

Present: Steve O'Connell, Andrews Survey, King Revera LLC, purchaser, Sutton Outlook Ventures, LLC, owners, Dave Crossman, Wetland Scientist, flagging, Mike Denco, developer for Prime Metals

S. O'Connell explained what transpired from the last meeting, shown on the plans that he re-did the property line according to what he and Mr. Faneuf discussed.

B. Faneuf replied he would put all this information in the Order of Conditions.

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

Motion: To issue an Order of Conditions for 85 Gilmore Drive, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

Public Hearing (New NOI filing)

8:15 pm 7 Whitins Road,

DEP #303-0876

The Public Hearing was opened at 8:50 pm. J. Smith read the Public Hearing as it appeared in the Millbury Sutton Chronicle

The project consists of construction of a single-family house within the 100' buffer zone of a BVW.
Present: Margaret Bacon, Civil Site Eng., Heather Gosnell, owner

M. Bacon explained the proposed 3 bedroom house plans with the wetland flagged. This is also tied into water and sewer. There are invasive species to be removed and they will remove the materials to restore the wetland area. The concrete slab would be removed, red maple trees will be re-planted. 6 large spruce trees would be removed that are being choked by invasive bittersweet. These trees will be replaced by 8 red maples and 14 shrubs. The limit of disturbance would go across the peninsular area and not include it.

B. Faneuf reviewed and explained the pictures he took during his site visit. There was a plywood cover with a drain and pipe underneath. Since this structure is directly under where the proposed house, more information is needed to determine if it is functioning.

R. Tefft was concerned with the concrete area, and would like to see it all go back to nature.

B. Faneuf replied this would be adequate mitigation if its peninsular is left to grow in.

Motion: To continue, with the applicant's permission, to September 19, 2018 at 7:45 pm, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

Project Update: bushes re-plantings

8:30 pm 13.5 Sunrise Drive/Suzanne Turner, owner

J. Smith explained her first site visit that was done for all three sites, and will do the site visit to check the three Blue berry bushes planted near her stone wall.

15 Sunrise Drive/Susan Smith, owner,

J. Smith will do the site visit to check the planting are in.

16 Sunrise Drive/M. Mulhane, owner

J. Smith did the site visit on all three and will return to do the last site visit after everything has been planted.

Public Hearing (New NOI filing)

8:45 pm 125 Lincoln Road

DEP #303-0875

The Public Hearing was opened at 9:25 pm. J. Smith read the Public Hearing as it appeared in the Millbury Sutton Chronicle

The project consists of construction of an addition to and existing single-family home, and driveway, associated grading and landscaping in a BVW.

Present: Scott Jordan, Eco Tec, Patrick Gaffney, owner

J. Smith asked for the impact Avoidance and Minimization form, and there was an issue with the incorrect fees submitted with the NOI.

B. Faneuf reviewed the fees schedule for this filing, it is a Category 1, \$500.00 base fee and \$1.50 per linear foot along the wetlands.

Secretary replied all the fees and revised plans have been received.

S. Jordan reviewed the revised plan using the photos from Mr. Faneuf.

B. Faneuf replied, the concern was with the runoff from the new driveway, and would like to see the limit of disturbance all around the driveway, because this area has already been disturbed.

S. Jordan said the Impact Avoidance & Minimization statement wasn't included in the NOI package, but he red-lined the plans from the information received by Mr. Faneuf.

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

Motion: To issue an Order of Conditions for 125 Lincoln Road, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

Board Business

See above at 7:10 pm for more information

*The Board voted on the Minutes of August 15, 2018

7:10 pm

Motion: To accept the minutes of August 15, 2018 by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

***Meeting Date of November 21st** and issue, we cannot meet on this night, as it is the night before Thanksgiving Day, considered a holiday, and the Town Hall will close that day at 12:00 pm

*A letter was sent out acknowledging that the fence was moved at **10 Partridge Hill Road/J. Jenese**, owner. Another letter is to be sent asking when she would agree to a site visit to confirm the signs have been moved to the correct locations.

Motion: To issue a Certificate of Compliance for 21 Uxbridge Road, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

Enforcement Order for: 134 Leland Hill Road/Grant Woodward, owner

The property that is affected by the silt is at **131 Leland Hill Road**.

J. Smith stated she and B. Fanruf did a site visit, and took pictures. The silt in the Wetlands belonging to Leland Hill Estates, will need to be removed.

Grant Woodward was requested to come in with a restoration plan.

Motion: To issue an Enforcement Order by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

The OOC was Extended for: **182 Manchaug Road/Tom Berkowitz**, owner, Mike Salmon, Contractor

S. O'Connell reviewed the revised plans on the 2000 gal. tight tank to be replaced. They will be swapping the well with the tight tank, putting the deck on the side with the attached garage. They will be filing for an amended order of conditions after the extension.

Motion: To extend the Order of Conditions for 3 years, by W. Wence
2nd: A. DeWolfe
Vote: 4-0-0

The Board signed the Planning Board Review for **25 Oakhurst Road** – solar extension on what is already there.

Request C of C for **219 Manchaug Road**/Steven Strassner, owner, was not signed, the paperwork has not been received.

The Site Visit for C of C for **184 R Manchaug Road**/Island/Marcus Andrews, owner, will be done by Mr. Faneuf as soon as the drawdown allows him to cross to the island.

Note to the Commission:

Concom Restriction for: **198 Manchaug Road**/K. Steele, owner, The Selectmen will sign this at their next meeting on September 11, 2019.

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: 4-0-0

Adjourned at 10:10 pm

Conservation Sign in Sheet

Date: 9-5-18

Name	Address & or Email	Agenda Address
Brade & Juer abner	68 Wickers Rd Sutton	68 Wickers Drive
Samantha Barros	143 Oxford Rd Sutton	315 Central turn Pine
Robert Barros	" " "	315 Central turn Pine
Marcia Barros	143 Weybridge Rd	315 Central turn Pine
Stephen Clinnell	104 Norton St., Weybridge	85 Gilmore Drive Sutton
Scott Jordan	Essex	211 Boston, 105 Lincoln
Del Tresssey	7 Wainwright Dr.	211 Boston
Gerald Kelley	7 Wainwright Dr	"
Caleb Slater	Caleb Slater @ state.ma.us	199 W. 11 Ponds
Dan Southwick	4 Waltham @ nylaband.com	Merrill Ponds
Paul Kewers	95 West Sutton Rd, Sutton	" "
Heather Rachael Tim	7 Jarvis Avenue Sutton	7 Wainwright Rd
Patrick Gaffney	105 Lincoln Rd Sutton	105 Lincoln Rd. Sutton
Harvard Burr	82 Maple Douglas	7 Waltham Rd
SUSAN E SMITH	susan.smith11@gmail.com	15 Sturges

Myra St. Michaels to Wainwright Dr. 16 Wainwright