Present: Andrew DeWolfe, Chair, William Wence, Vice-Chair, Joyce Smith, Clerk, Michael McGovern, Zachary Peloquin, and Associate: Nichole Aubin
Staff: Wanda M. Bien, Secretary
Brandon Faneuf, Consultant

Pledge of Allegiance

Discussion
6:00 pm General Bylaw
Policy including the 200’ Aura of Great Ponds

A. DeWolfe explained the possible reduction from 200’ to 100’ topic for this discussion.

People in the audience:
Phyllis Chapentier, 20 Irma Jones Road, said the 200’ gives protection to the lakes same rivers. She would like to see filing fees and a list of native trees & shrubs on the website for people who need to replant.

A. DeWolfe said the Commission could create a Bylaw committee, with one person from each pond Association with one member of the Commission.

Lynn Dahlin, 15 W. Sutton Road, asked why is Sutton different than other towns?
A. DeWolfe replied all towns have 100’.

J. Smith stated that the town Bylaw is 200’ on Great Ponds for extra protection.
A. DeWolfe replied some projects have bad septic systems that need to be replaced.

W. Wence replied to ease some of the cost.

Diane Greenlaw, 20 Newton Drive, Lake Singletary has a lake management plan which doesn’t include tree cover.
A. DeWolfe that is why people on the lake will try to get everything out of the 100’ buffer zone.

Stanley Wilczynski, 12 Newton Drive, people need a simple process for diseased trees and docks.
W. Wence explained, for the record, they require a letter from the Arborist to take trees down.
A. DeWolfe said no anonymous calls are being accepted any longer.

M. McGovern referred to the Bylaw section 12.1 Definitions and 12.2 jurisdiction. What will the 200’ gain,
where does this matter, will this make a difference? There are 300 open filings without Certificates to close the Orders. We can start with the State Regs, then use our Bylaws, then asked who has to enforce these laws?

J. Smith said it is the function of the Conservation Committee to enforce the laws.

A. DeWolfe stated this needs to be changed now, as the seats will change in July. He explained no one on board the Commission are experts, so we need a Bylaw review Committee.

Z. Peloquin, who has a degree in Environmental Biology, agrees it would do no harm to have a Bylaw Committee.

Lynn Dahlin, 15 W. Sutton Road, asked if the meeting would be posted.

Several Board members replied yes.

Mary Ellen Wilczynski, 12 Newton Drive, asked if the committee would decide the 200’ to 100’, and would it be made a policy.

W. Wence replied it has to go to the Board of Selectmen and the Finance first to get on the Town Warrant for the May meeting.

John Charest, 32 Horne Drive said he supports the Clean Water Act, but the State has more knowledge with the 100’ policy.

Lynn Wayland 21 Winwood Road, said the Bylaw would bring up a lot of other issues, get someone to look at the mechanics of the Bylaw.

W. Wence replied that Town Council would have to review the Bylaws.

A. DeWolfe asked where do they start.

M. McGovern said he wants to get it done, they need a committee. This is not just about the 200’, it’s what goes on within the 200’ and around the wetlands. They need to get professionals to do the Bylaws. Change is good, sometimes not very fair though.

J. Smith doesn’t agree with changing 200’ to 100’.

Z. Peloquin and W. Wence agree with getting a committee.

Diane Greenlaw, 20 Newton Drive, said she works for an Attorney, and didn’t feel that another committee isn’t the best call. The she wants to go forward with the Town Warrant.

J. Smith explained that Kim Roth did a presentation on e DEP on Tuesday. She would be willing to come to the Commission to explain the functions of the Conservation Commission. That might clear up some of the questions.
Someone: said people don’t want anything bad on the lake and will comply with what their neighbors complied with the 200’.

W. Wence said they will be at the Town meeting in May for the 200’ to 100’ change and recommends all to be at that meeting.

Motion: To go back to the 100’ jurisdiction on banks, bankfull and great ponds, by M. McGovern
2nd: W. Wence
Vote: 3-0-2 J. Smith and Zac Peloquin not in favor

J. Lemanek asked why there 300 backlog of open orders.

**Minor Field Change**

*6:45 pm 480 Boston Road*

Present: Christine Emery Goodwin, owner

M. McGovern stepped down

C. Goodwin explained the land was already out of Chapter 61.

W. Wence asked if the house was out of the jurisdiction.

J. Smith said they can’t approve of the change.

C. Goodwin said she is here to get the approval, because the land is out of Chapter 61 as of January 2020.

A. DeWolfe replied if we approved for the barn, the driveway is ok.

J. Smith questioned the grading that would need to be done on a house at the 100’ jurisdiction. With a minor field change the neighbors do not have notification.

C. Goodwin showed the plans to the Board.

A. DeWolfe said he would feel better with the Consultant here.

W. Wence is concerned with DEP stopping them.

Motion: To continue to February 19, 2020 at 7:00 pm, by W. Wence
2nd: Z. Peloquin
Vote: 5-0-0

**Public Hearing (New ANRAD filed)**

*6:40 pm 101 Central Tpke, 8, 10, & 14 Lincoln Road*

DEP #303-0922

The Public Hearing was opened at 6:58 pm. A. DeWolfe read the Public Hearing notice as it appears in the Millbury Sutton Chronicle.
The project consists of an Abbreviated Notice of Resource Area Delineation.

No one available:  Norman Hill, Land Planning, Marty Green, owner

This has been continued to February 19, 2020 at 6:50 pm.

Motion: To continue, with the applicant’s permission, to February 19, 2020 at 6:50 pm, by W. Wence
2nd: Z. Peloquin
Vote: 5-0-0

Public Hearing (NOI Continued from 12-18-19)
This will be discussed on March 4, 2020 at 6:30 pm as was planned.

6:42 pm 10 Lincoln Road, Lot #2 /Norman Hill, Land Planning
   DEP #303-0921 Marty Green, MMSJ Investments, LLC, owner

Public Hearing (New NOI filed)
6:50 pm Utility ROW from Providence Street to Oakhurst Road
   DEP #303-0922 Alexandre Echandi, BSC Group, Inc.
   Erin Whoriskey- NE Power/National Grid

J. Smith stepped down as an abutter

A. Echandi explained what they were doing. She showed the plans where the five soil borings would be located. They are across the Town of Sutton starting in Millbury at Providence Street, to Oakhurst Road, ending at the Whitinsville line. National Grid would be using steel poles for this project.

M. McGovern asked about the edge of the wetlands and how many times would they be in the wetland area. He would like to see signs along each side of the road near these wetland areas so they wouldn’t have to reflag each time they are going to work in those areas.

J. Smith, 35 Bond Hollow Road, said signs would not mean they would not have to re-do the wetland flags in the future because wetlands change over time.

Motion: To close the Public Hearing, W. Wence
2nd: M. McGovern
Vote: 4-0-0

Motion: To issue an Order of Conditions for the ROW with the condition of putting signs at each wetland crossing, by W. Wence
2nd: M. McGovern
Vote: 4-0-0
Project Review
7:00 pm 453 Boston Road
Present: Margaret Bacon, Civil Site Eng.

M. Bacon showed the Board the alternative analysis for a Notice of Intent with three designs that she put on plans, to ask the Commission which design would be the lease impact to the wetland area. There would be a house, driveway and septic on the plan.

The Board agrees with the first design shown to be the best.

M. Bacon replied she would do a drainage analysis, replication area and mark the trees that need to come down and be replaced. This information would all be on the Notice of Intent that would be filed.

Board Business
7:10 pm

Letter Request from Town Manager – board to take action

A. DeWolfe read the corrected letter from the Town manager. He said $5,000.00 would be better than $2500.00 for the town to reimburse the account.

W. Wence asked what amount could be used from this account. He would like to see only half of the requested amount of $80,000 used not to leave only a balance of $9,000.00.

M. McGovern asked what protects this land from the Town selling it? He is also not in favor of draining this account and leaving the $9,000.00.

The board has questions for the Town Manager who was not present.

Minutes: The Board approved the Minutes January 22, 2020

Motion: To accept the minutes of January 22, 2020, by W. Wence
2nd: J. Smith
Vote: 5-0-0

6:52 pm
The Board did not sign the 6 Certificates of Compliance for Leland Hill Estates for 3, 5, 7, 11, 15, & 17 Hunters Court. There were issues found with these lots when the Consultant did the site visit before this meeting.
Brandon to contact Eric Bassett, the engineer, about the issues, and have him fix the issues and get the Commission a new set of plans, so the Board can sign the Certificates.

Review for C of C for: 41 W. Sutton Road/S. Mong, owner
Motion: To issue the Certificate of Compliance for 41 W. Sutton Road, by W. Wence
2nd: M. McGovern
Vote: 5-0-0

Extension Request for 9 Silver Ledge Drive/Matthew DeNittis, owner

The Board decided not to issue another extension, but to have him refile under the New Bylaw.

Motion: Not to issue an Extension for 9 Silver Ledge Drive under the old Bylaw dated 2015, by W. Wence
2nd: M. McGovern
Vote: 5-0-0

Permit Primer update would be further discussed at the next meeting on February 19th.

M. McGovern asked how do we address the Enforcement Orders in the Town.

J. Smith explained how the tickets are used with these Enforcement Orders.

Departmental Sign-off: None at this time

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: Z. Peloquin
Vote: 5-0-0

Adjourned at 8:15 pm