SUTTON CONSERVATION COMMISSION
February 19, 2020
MINUTES

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

Pledge of Allegiance

Public Hearing (NOI Continued from 01-08-2020)
6:30/6:40 pm 21.5 W. Sutton Road

The Public Hearing was opened at 6:30 pm.

Motion: To waive the reading of the hearing notice, by Z. Peloquin
2nd: J. Smith
Vote: 4-0-0

The project consists of constructing a single-family house, septic system and associated landscaping within
100’ buffer zone.

Present: Robert Murphy, Murphy Assoc. Steven Venincasa, owner

Motion: To table at a later time, by J. Smith
2nd: Z. Peloquin
Vote: 4-0-0

The Public Hearing was re-opened at 6:40 pm.

R. Murphy stated they were rethinking the whole design for this project. The house is to be moved toward the
street. The gravity seep septic system, with 2 - 3’ high retaining walls, would be below the new house in the
same location of the old house. Since the State owns along the lake, they corrected the survey. He then
explained the complete history of the property. The filled 50’ of land belongs to the State. They had to
move the house further away from the State lot line.

B. Faneuf commented the design Mr Murphy revised is preferred. He asked if they were taking down trees.

R. Murphy replied he will have the letter from the Arborist, who said 5 pine trees are dangerous and will need
to be removed with a crane. There are also 2 oak trees in the location of the driveway to be removed and all
would be replaced, which would be shown on the revised plans.

B. Faneuf questioned the roof drainage.

R. Murphy replied it would be the same trench drains around the house with 2” stone and a 3’ trench. All the
runoff would infiltrate into the ground, which is on the previous plans.

B. Faneuf questioned the walkway and asked if there would be steps.

R. Murphy explained the wall and the 2 steps down from the 2’ wall, these would be submitted with the revised plans. He said the wall needs to be approved from the Board of Health, Building Department and ZBA.

J. Smith replied this filling was prior to the Wetlands Protection Act of 1982. She said they need to get an approval from the ZBA and BOH.

R. Murphy agreed it was 80 years ago. They will need to determine the issues from the Conservation, ZBA, and BOH, as they are dealing with all three boards to make a decision. BOH is ok with the wall which is 18” off the lot line. They reduced the height and size and cost of the well.

M. McGovern questioned the set-backs of 40’ in the front and 15’ on the sides, 28’ in length and 50’ across.

R. Murphy replied this is a non-conforming lot.

M. McGovern questioned the front and side set-backs, and asked if these were lot lines. The trees that are coming down, are they on this properties lines? They need this information on the revised plan. They also need to clean up the area for the construction and do the erosion controls to go forward.

R. Murphy replied the two large oak trees are on the property line, but the pines are all on the property along with the erosion controls.

M. McGovern asked what was on the property now.

R. Murphy replied a one-bedroom house, with erosion controls all around the property.

M. McGovern said it sounds like a two-phase project, tear down the house, clean up the lot. Set up the erosion controls for the construction to do the cellar hole pad, and keep the area nice.

Abutters: Ronnie Engstrand, 21 W. Sutton Road, questioned the stairs would be very close to our stairs. He questioned the septic, but they ended up with 2 septic systems and 2 wells. They had to put a 4’ wall to secure it. How would they control the water in the springtime and water that comes up from under the road way?

Joel Loyko, 22 W. Sutton Road, said the Board of Health was not approved yet.

B. Murphy replied about the heavy block designed, which need to be placed with a crane. The blocks weigh 2500 lbs. each, so they would have to construct a pad for the crane to sit on to deliver the blocks.

Joel Loyko said if these blocks are water tight, where is the spring time water going? Will it back up into his basement?

B. Murphy replied interceptor drain footings would go all around the foundation from the house and drain away outside to the lake area.
W. Wence stated all abutters properties would be dry.

M. McGovern questioned mitigation and asked how the roof top water would drain. It shows the perimeter on the revised plans. The swale would not allow the water to drain the property.

Alan Engstrand, 21 W. Sutton Road, questioned the big oak trees. He said he took 4 down 20 years ago, and the stumps are 5’ across. He asked if this would disturb the water table.

M. McGovern replied these are all BOH issues. Our consultant would look at these plans.

Motion: To continued, with the applicant’s permission, to March 4, 2020 at 7:20 pm, by M McGovern
2nd: Z. Peloquin
Vote: 4-0-0

Public Hearing (NOI Continued from 01-22-20)
6:40 pm 26 Mallard Way
DEP #303-0915

The Public Hearing was opened at 7:16 pm.

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

The project consists of adding a garage, breezeway, well, and deck to and existing single-family dwelling.

No one available: Karen Keegan, Guaranteed Builders, John Murray, owner

This was continued to March 4, 2020 at 7:10 pm

Motion: To continue, with the applicant’s permission, to March 4, 2020 at 7:10 pm, by J. Smith
2nd: M. McGovern
Vote: 4-0-0

Public Hearing (New ANRAD Continued from 02-05-20)
6:50 pm 101 Central Tpke, 8, 10, & 14 Lincoln Road
DEP #303-0922

The Public Hearing was opened at 7:17 pm.

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

The project consists of an Abbreviated Notice of Resource Area Delineation.

Present: Norman Hill, Land Planning, Marty Green, owner
N. Hill said he flagged all the wetlands on the property.

B. Faneuf stated he did the site visit and explained what he saw which is now on the plans.

N. Hill said he made changes to the property lines, and showed the Board the revised plans.

W. Wence asked if there were only three lots now that were approvable.

M. McGovern said as long as he meets all the requirements.

B. Faneuf questioned if there was a flood zone on the property.

Z. Peloquin asked what will be done with the larger portion.

N. Hill replied they may end up with an open space area.

B. Faneuf said they would end up with the third lot being unbuildable. He explained what happened with the forestry and that they were cutting in the wetlands.

M. McGovern asked how Conservation stops the bad cuttings from the forestry.

B. Faneuf read the memorandum of the cutting plan activities.

Abutter:

Richard Crosby, 107 Centra. Turnpike, is concerned about the water that comes across the street into the stone culvert, which was a stream. Now this culvert was taken out when they cut the forest and they took out the stone walls. The culvert was blocked at the end.

W. Wence said someone needs to contact Matt Stencil in the Highway department about the culvert.

Richard Fisette, 7 Lincoln Road, questioned the stream coming through. He said that Lincoln Road floods in a big storm.

M. McGovern questioned why the other lots were non-buildable.

N. Hill replied it was labeled non-buildable because they need to cross the wetlands.

B. Faneuf said the “tire lot” as shown was done before the lots were divided.

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

Motion: To issue an CRAD, by J. Smith
2nd: M. McGovern
Vote: 5-0-0
Minor Field Change (Continued from 02-05-20)
7:40 pm 480 Boston Road
Present: Christine Emery Goodwin, owner

M. McGovern stepped down.

C. Goodwin told the Board she paid the back taxes for the Chapter 61. She explained the perk test was done in 2010, and she has always updated this. She also has the revised plans showing the house.

B. Faneuf showed the plans on the TV. The barn was ok with the agricultural plans, but the change to a single-family house with a septic system and a well, is more than a request for a minor field change. Since the area is now disturbed, should they could do an amendment or a minor field change. It is up to the Commission.

J. Smith has a problem with the minor field change, and more comfortable with an amendment. With the amendment, the abutters would be re-notified and they are not with the minor field change.

Z. Peloquin said there were complaints with the wetland crossing on the first plans, if outside the 100’ this shouldn’t hold up.

B. Faneuf said if this is a minor field change, the lawn vs hay field should have low signs.

Motion: To Close the Public Hearing, by J. Smith
2nd: A. Peloquin
Vote: 3-0-1

Motion: To approve the minor field change, subject to the erection of four granite bounds at the limit of disturbance and every 50’ with a 4” placard on top of the granite stone, by Z. Peloquin
2nd: J. Smith
Vote: 3-0-1

B. Faneuf replied they can red line the plan tonight and use as a final plan.

Project Update
7:10 pm 9 Silver Ledge Drive
Present: Matthew DeNittis, owner

J. Smith said that they made their decision at the last meeting and can’t go forward with this extension.

M. McGovern explained why they didn’t extend the Order of Conditions for another three years.

W. Wence said that this now falls under the new Bylaw.

M. DeNittis told the Board there was no change to the wetlands from three years ago.
J. Smith suggested he request a complete Certificate of Compliance on the work that has been done to close this Order out and take the lien off the property. That may make the property easier to well without a lien. They can re-apply when the house needs to be built.

M. McGovern said to get a letter of completion for the work that has been done and then file for the house to be built.

**Board Business**

**7:20 pm**

**Minutes:** The Board approved the Minutes of February 5, 2020

Motion: To approve the minutes of February 5, 2020, by Z. Peloquin

2nd: J. Smith

Vote: 4-0-0

**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. Still waiting on As-Built plans.

B. Faneuf explained why the need an As-Built plan, and that the retention walls were not shown.

The Board signed the Certificate of Compliance at the February 5th meeting for **41 W. Sutton Road**/S. Mong, owner – retaining wall for parking area. This was listed in error at this meeting.


B. Faneuf did the site visit and agreed that everything was done according to the plans.

Motion: To issue a Certificate of Compliance for **214 Worcester Providence Turnpike**, by M. McGovern

2nd: Z. Peloquin

Vote: 4-0-0

The Board signed the Certificate of Compliance for **234 Manchaug Road**/A. McGovern, owner - house

B. Faneuf did the site visit and agreed that everything was done according to the plans.

Motion: To issue a Certificate of Compliance for **234 Manchaug Road**, by Z. Peloquin

2nd: J. Smith

Vote: 4-0-0

The Board signed the Certificate of Compliance for **654 Central Turnpike**/J. Snook, current owner – Title V septic system.
B. Faneuf did the site visit and agreed that everything was done according to the plans, and that the new owners were the second owners since the work was completed.

Motion: To issue a Certificate of Compliance for 654 Central Turnpike, by Z. Peloquin
2nd: M. McGovern
Vote: 4-0-0

Permit Primer update would be further discussed at the next meeting on February 19, 2020.

Departmental Sign-off:

The Board signed the reviews for both 82 Eight Lots Road/Bilal, Jaber - Common Drive and the review for Worc. Sand & Gravel, Earth Removal/Hatchery Road/ off Providence Road operation.

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 J. Smith
2nd: Z. Peloquin
Vote: 4-0-0

Adjourned at 8:35 pm
I, Nichole C. Aubin, certify that I have examined all evidence received at the missed session of the Conservation Commission on 2/19/2020, (Board/Commission/Committee) (Date of missed meeting) which evidence shall include an audio or video recording of the missed session or a transcript thereof.

Signature 2/27/2020  date signed

This written certification shall be part of the record of the hearing.
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**Date:** 3-19-2020

Conservation Sign in Sheet