

CONSERVATION COMMISSION

MONDAY, DECEMBER 18, 2023

RESOURCE ROOM

Attendance: Vice chair Katiegrace Dudley, Joe Fitzpatrick, Mike Greco, Mark Mungeam, Jim Foran, Brandon Faneuf  
Conservation Agent

Absent: Chair Tracy Sharkey, & Eric Harris

Katiegrace Dudley called the meeting to order at 7:01 pm.

1. (0:27 TS) Mail/Orders to be signed:

- o **Letter from Highway Department-** Katiegrace Dudley read the letter stating delays due to weather.
- o **Whitin Reservoir Water Readings**
- o **Master Plan Volunteer(s)-** Katiegrace Dudley requested more info before possibly volunteering.

1. (3:10 TS) Meeting Minutes: May 8, 2023, June 5, 2023, June 26, 2023, July 17, 2023 & August 7, 2023  
– Possible Votes

The board has not had time to read the minutes. They passed over them until the end of the meeting.

(4:06 TS) Chair announcements:

Vice Chair Katiegrace Dudley announces that Tracy Sharkey has resigned from the board. Mr. Faneuf updates them on the reconfiguring process.

1. **Updates**

- (6:29 TS) Oak Street Solar Project (DEP #143-0989) – Possible Votes  
Mr. Faneuf says he was alerted to an issue on the site by Mark McGovern, Sutton’s Conservation Commission Vice Chair.  
Mr. Faneuf alerted the building inspector and Community Development.  
(9:20 TS) Art Allen from Eco Tech is the Oak St site monitor. He updated the board on his take away from a site visit on 12/11/2023 Pictures were presented.  
(15:18 TS) Representatives from the Oak Street project: Greg Morehouse project manager with Mill Creek Renewables, Pat Mahan civil contractor with J Bates & Son, Jason Smith representing the owner of Blue Wave Solar spoke to the work that is going on and the restoration plan.  
Mr. Faneuf asks if they have land owners’ permission to access their land for clean-up. Mr. Mahan states he does not and is looking for help to get that information.  
(29:07 TS) Devin Harrison Certified wetland scientist with Weston and Sampson visited the Oak St site on 12/12/23 and gave an update on what she saw and she mapped GSP points on the effected the areas. She also provided & shared a restoration plan.  
Mr. Mahan said that priority is getting basin 5 to capacity.  
(31:58 TS) Mr. Faneuf recommends cleaning the Northeast culvert.  
(39:01 TS) Joe Fitzpatrick ask questions of the project team and suggested that they make the site more stable before digging basin 5. Mr. Fitzpatrick also asked what is the plan for cleaning the sediment out of the pond? Ms. Harrison said the sediment unfortunately has settled and not possible to clean it out.  
(42:40 TS) Mark Mungeam comments that he would like the construction team to look at the area above the worksite and help control the run off.  
(47:00 TS) Katiegrace Dudley requested that the team to revisit the stormwater calculations.  
(50:16 TS) Lisa Mosczynski 60 Oak St. She requests the commission to go look at the site. She also would like to know who is the contact person for the town? She would also like samples taken of the sediment, imported materials and have them tested for heavy metals.  
(55:02 TS) Lori Hough 41 Oak St Would like to request a new engineered plan.

(59:11 TS) Phyllis Charpentier president of the Manchaug Pond Foundation wants immediate action. She also wants the commission to be aware that there was brown water flowing and ending up in Manchaug Pond, Stevens Pond & Kings Campground. She is concerned that for the cold-water fishery and wildlife. There is a basin that is in needs to be emptied in front of the of the grey house.

She would like water testing for bacteria & nutrients from the run off.

3 Catch basins that were constructed with a 319 (impaired waters) grant she would like them pumped out.

(1:16 TS) Site walk date & time is discussed. The commission would like Art Allen to be there. Scheduled 12/23/23 8am.

(1:20 TS) Audience member asks (not identified) if they are allowed to attend the site walk. Discussion with Mr. Faneuf states it would be up to the land owner to give you permission. Representatives for the project said they will ask and report back to the commission tomorrow.

(1:21 TS) Lisa Moczymski 60 Oak St. Is looking for the point person for the town if she sees issues? Mr. Faneuf says he is. Business cards were passed out.

(1:23 TS) Mr. Faneuf asked Ms. Moczymski if the construction team has permission to go on her land for sediment clean-up and she states, "no, not until we see the plan and how it coordinates with Sutton's plan."

(1:24 TS) Shirley Moczymski 60 Oak St. "There is water seeping through stone walls and driveways"

(1: 25 TS) William Rossi 41 Oak St. Water is running from the site, across his property and disturbing some of the backyard.

- (1:27 TS) CRG, 105 & 123 Gilboa St (DEP #143-1042)  
Art Allen from Eco Tech gives update. Basin 1 has failed.  
(1:32 TS) Robert Mesker Superintendent from Clayco, the water breached the road and it collapsed. Both sides of the road were shut down. Mr. Mesker is waiting for direction from his civil engineer Todd Morey from Beals & Associates.  
(1:39 TS) Katiegrace Dudley tells Mr. Mesker that the commission will want a new design than the original one. He stated he will pass on the information.  
(1:39 TS) Mark Mungeam asked if the soils under the catch basins & infiltration chambers were tested for the infiltration rate before construction. Mr. Mesker did not know. Updated plans should be available by the end of the week.
  - (1:42 TS) Brian Keevan, 41 Pine Street Donation from 2014  
Signage is needed. Commission also wants an update from Open Space. Keep on agenda for next meeting.
  - (1:43 TS) Lakeshore Drive Enforcement Order – Possible Votes  
Mr. Faneuf gives an update.  
(1:53 TS) Robert Moran 56 Lakeshore Dr. His updates on the road are: Jack Goodison installed 3 culverts to help with the water problem. He also stated 2 additional lots have been cleared.  
(1:57 TS) Paul Knapik, a consultant for Mr. Moran in a letter dated July 24, 2023 reported he felt the stormwater standards are jurisdictional.  
(2:02 TS) Katiegrace requests a letter to be written to all the Homeowners on Lakeshore stating Con Com would like a stormwater management plan. Mr. Faneuf stated he would do so.  
(2:03 TS) Dave Cahill States the clearing of the lots does not affect the road.  
(2:06 TS) Sharon Moran 56 Lakeshore Dr. She comments that she and Mr. Moran spent money on an engineering plan. She expresses her frustration with only 3 homeowners in the Homeowners Association.
- 1. (2:11 TS) Request for Certificate of Compliance, (DEP #143-1054), Jeff Gagnon, ROGJEF INC., 48 Walnut Street Lot 1, Map 262 Lot 3.2, 5 - Possible Votes**  
Steve Balcewicz Land planning Inc- Update on project is that the structural components are in order as the as built.  
Mr. Faneuf recommends only granting a partial COC due to the fact the grass has not grown and will not now because its winter.  
(2:14 TS) Motion to grant a partial COC made by Joe Fitzpatrick, 2<sup>nd</sup> by Mike Greco. Roll Call vote- Joe Fitzpatrick, Mike Greco, Jim Foran, Mark Mungeam all in favor. Katiegrace does not vote.
- (2:15 TS) 69 Woodland Rd, DEP #143-0932, Map 237 Lot 22, Minor Modification – Possible Votes**  
David Sadowski Principle of DJ and Associates & the land owner Mr. Silva present with updated plans.  
(2:20 TS) Vice Chair asks for Mr. Faneuf's thoughts.  
(2:21 TS) Mark Mungeam makes a motion to accept the minor change, 2<sup>nd</sup> by Jim Foran. Roll Call vote- Joe Fitzpatrick, Mike Greco, Jim Foran, Mark Mungeam all in favor. Katiegrace does not vote.

**(2:22 TS) 31 North Street, Possible Violation, Update – Possible Votes**

Tania Marcano 31 North St speaks. Through Mr. Faneuf she presents a video & photos of the stone placed on the area in question. End results, Homeowner needs to file an RDA.

**1. (2:37 TS) 35 Wallis Street, Site Plan Discussion of Possible Violation – Possible Votes**

Mr. Faneuf states the building commissioner tipped him off to possible violations and he visited the property. There was no representative available to speak for the land owner. Open NOI from 5/24/21. Board is concerned about recently cut trees and a stockpile of wood chips. Mr. Faneuf will reach out to the contractor and set up a walk of the site.

**New Business:**

**8. (2:46 TS) 7:00 PM (ANRAD – DEP #143-10XX) PUBLIC HEARING: Abbreviated Notice of Resource Delineation: Otwood Investment Group, LLC., 33 & 38 Caswell Court, Map 137 Lots 6 & 8 – Possible Votes**

Margaret Bacon with Allen Engineering representing the land owner. Mr. Faneuf recommends a 53G peer review at the applicant's expense. Motion by Joe Fitzpatrick to request a quote for peer review, 2nd Jim Foran. Roll Call vote- Joe Fitzpatrick, Mike Greco, Jim Foran, Mark Mungeam all in favor. Katiegrace does not vote.

(2:52 TS) Vice chair Katiegrace Dudley realizes she never opened the public hearing for (ANRAD – DEP #143-10XX) She reads the notice, motion to continue the public hearing by Joe Fitzpatrick, 2nd by Mike Greco. Roll Call vote- Joe Fitzpatrick, Mike Greco, Jim Foran, Mark Mungeam all in favor. Katiegrace does not vote.

**9. (2:54 TS) 7:00 PM (NOI – DEP #143-10XX) PUBLIC HEARING: Notice of Intent: Deer Crossing Development LLC, Woodland Road, Map 250 Lot 6 – Possible Votes**

Vice Chair opens the public hearing. Margaret Bacon with Civil Site Engineering representing the land owner who is remotely participating.

(2:56 TS) Drainage analysis and stormwater discussed.

(3:02 TS) Jack Nealon Deer Crossing owner talks about how much of the road is approved.

(3:06 TS) Mr. Faneuf asks Ms. Bacon if she has a stormwater checklist? He also questions the planting plan, and recommends a seed mix.

(3:13 TS) Mark Mungeam asks about the grade of grate #10.

(3:16 TS) Motion to continue the public hearing by Jim Foran, 2nd by Mike Greco. Roll Call vote- Joe Fitzpatrick, Mike Greco, Jim Foran, Mark Mungeam all in favor. Katiegrace does not vote.

**10. (3:17 TS) 7:00 PM (NOI – DEP #143-1088) PUBLIC HEARING: Notice of Intent: Daniel Burrows, 57 Manchaug Street (Septic Upgrade), Map 143 Lot 30 –Possible Votes (Emergency Certificate Issued, due to Septic Fail)**

Vice Chair opens the public hearing.

(3:18 TS) Tim Callahan representing the homeowner.

(3:20 TS) Mr. Faneuf questions the compost socks.

(3:21 TS) Mr. Mungeam questions why the septic being moved so much closer to the wetland. He is concerned about the placement.

(3:29 TS) Motion to close the public hearing by Joe Fitzpatrick, 2<sup>nd</sup> by Jim Foran. Roll Call vote- Joe Fitzpatrick, Mike Greco, Jim Foran, Mark Mungeam all in favor. Katiegrace does not vote.

Motion to approve the NOI with conditions by Mike Greco, 2<sup>nd</sup> by Joe Fitzpatrick. Roll Call vote- Joe Fitzpatrick, Mike Greco, Jim Foran, KG Dudley all in favor. Mark Mungeam abstained.

**11. (3:30 TS) 7:00 PM (NOI – DEP #143-10XX) PUBLIC HEARING: Notice of Intent: Brad Reardon, 36 Birch Hill Road (Single Family), Map 284 Lot 20 – Possible Votes**

Vice Chair opens the public hearing.

(3:31 TS) Les Stevens 31 Brookside Rd and. Bruce Wilson from New England Environmental Design representing the homeowner. Waiting on DEP #. New SFDU, updated septic to be done. Removal of shed, deck and possibly the garage. Looking for two setback wavers. No stockpile will be on site. Materials will need to be trucked in.

(3:37 TS) Mr. Faneuf questions the size of the home and requests a copy of the updated plan.

(3:39 TS) Mr. Faneuf questions the wood line and if trees will be coming down. Katiegrace states the commission wants to be updated in the fate of the garage, she also questions if there is a driveway.

(3:43 TS) Motion to continue the hearing to January 8, 2024 by Joe Fitzpatrick, 2<sup>nd</sup> by Jim Foran. Roll Call vote- Joe Fitzpatrick, Jim Foran, KG Dudley, Mark Mungeam all in favor. Mike Greco is not in the room at the time of the vote.

**Old Business:**

**12. (3:44 TS) 7:00 PM (NOI – DEP #143-1086) PUBLIC HEARING CONTINUED: Notice of Intent: Nicholas & Marybeth Mello, 209 Southwest Main St (Single Family Home & Tight tank replacement) Map 227 Lot 34 – Possible Votes**

(3:44 TS) Margaret Bacon with Allen Engineering representing the homeowner. Mark Mungeam is recusing himself from this discussion because he is an abutter. She updates the commission on the septic project.

(3:47 TS) Set back waiver will be requested from the Board of Health.

(3:49 TS) Mr. Faneuf shows photos and questions if the dock will remain.

(3:51 TS) Mark Mungeam 20 Depot St requests a continuance as the plan was just presented to the commission today and he has not had a chance to review the plan as an abutter at 199 SW Main St. He also questions the flood plain.

(3:56 TS) Mr. Faneuf goes through the notes he had from the last public hearing. Plans need to be updated.

(4:01 TS) Motion to continue the hearing to January 8, 2024 by Joe Fitzpatrick, 2<sup>nd</sup> by Jim Foran. Roll Call vote- Joe Fitzpatrick, Jim Foran, Mike Greco, KG Dudley all in favor. Bills payable

Upcoming Meetings: January 8, 2024

(3:21:45 TS) Motion to adjourn the meeting made by Mike Greco, 2<sup>nd</sup> by Jim Foran.

Roll Call vote- Joe Fitzpatrick, Mike Greco, Jim Foran all in favor. KG Dudley does not vote.

Respectfully submitted,

Jennifer Larson