



# MILLBURY CONSERVATION COMMISSION

*A Better World Through Conservation*

## Meeting Minutes

**Date: October 6, 2021 | Time: 7:00 P.M.**

Present: Ronald Stead, Paul DiCicco, Christopher Weagle, Jeffrey Raymond, Raymond Keddy

Absent:

7:00 P.M. Chairman Stead opened the meeting at 7:00 PM.

Mr. Stead welcomed the new Commission member, Jeffrey Raymond.

Mr. Weagle made a motion to accept the minutes of the July 7 meeting with the condition that the minutes be revised to correct the names of who made specific motions, seconded by Mr. DiCicco. Mr. Raymond abstained. All in favor, motion approved.

Mr. Weagle made a motion to accept the minutes of the July 7 meeting with the condition that the minutes be revised to correct the names of who made specific motions, seconded by Mr. DiCicco. Mr. Raymond abstained. All in favor, motion approve.

Mr. Stead read the mail from National Grid regarding soil borings.

7:05 PM Public Hearing- Notice of Intent- DEP# 224-0825  
(Continued from 5/19/2021, etc.)  
McLaughlin Family Trust  
17 Rice Road- Construction of 52 Condominium Units and Associated Site Work.  
Motion made to continue until meeting on October 20, 2021 at 7:10PM made by Mr. Raymond seconded by Mr. DiCicco. All in favor, unanimous.

Prior to the start of the next hearing, Conor McCormack, town staff, reviewed a Request for Certificate of Compliance for 81 South Oxford Road. Mr. Weagle motioned to issue the Certificate of Compliance, seconded by Mr. Raymond. All in favor, motion approved.

Mr. McCormack reviewed the updated Consultant Fee Schedule, noting a cap to the total fee of \$5,000. Mr. Stead noted the Consultant is currently working on two projects.

Mr. McCormack gave an update on the Enforcement Order for 0/34 Davis Road, noting they have installed erosion control measures along the property boundary. He also noted

the property owner is currently filing with the Board of Appeals. He expects they will be filing with the Commission in the future.

Mr. McCormack noted the MACC is holding their Annual Conference in October and is available for Commission members to attend.

Mr. McCormack showed the Commission the first of three trail maps CMRPC produced for the Commission, which received positive feedback. Mr. Stead gave an update about the newly formed Trail Committee, complimenting their work to date.

7:10 PM

Katherine Fairbanks

Public Hearing – Notice of Intent

192 Millbury Avenue

Robert Murphy, of Murphy Associates, presented the project, described the proposed plan. He noted the buffer zone of Dorothy Pond crosses through the property. They seek to develop parking along the side and rear of the property. The parking area will require a retaining wall with a 3 to 1 slope going towards the pond. There will be a subsurface drainage system, using a stormceptor, will need to be maintained annually. Favorable soil conditions for infiltration.

Mr. Weagle asked about the height for the retaining wall, Mr. Murphy replied that it varies but will be as high as 5 feet, for which they will be applying to the Building Department for the wall height.

Mr. Stead inquired about a maintenance plan for the project's stormwater systems. Mr. Murphy noted there is a SWPPP included with the project.

Dan Rizika, 18 Manor Road, also owns 2 Shore Terrance. He asked about stockpiled dirt onsite already, why he wasn't notified about that work. Mr. McCormack noted there is an active Order of Conditions for this property, which was recently extended by the property owner earlier this year. Mr. Rizika expressed concerns about the flood zones and whether work can still be done on the existing Order. Mr. Murphy noted that the flood line was changed to elevation 395' and that there is no work proposed in the flood plain. He also reiterated that they are working under a valid OOC. Mr. Stead noted that there is not DEP File number so it cannot be approved during this meeting.

Amy Rizika, 18 Manor Road, raised concerns about the survey and the water flow from the subject property on to hers. Mr. Stead requested Mr. Murphy contact Ms. Rizika to discuss her concerns.

Susan Schroder, 186 Millbury Ave., expressed concern about this project being called a repair of an existing driveway when it is being expanded. Also had concerns that they were not notified about the OOC extension and work being done under the existing OOC. She noted that she was not notified about the project whenever the project was originally permitted. Mr. Stead replied that all abutters should have been notified at the time of filing. Mr. McCormack noted that OOC Extensions do not require notification to abutters. Ms. Rizika noted she received the notification for the new OOC request. Mr. Stead inquired and Mr. McCormack noted that the old OOC was issued many years ago

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and extended several times. Mr. Stead suggested that the Commission possibly start notifying abutters for OOC extensions.

Mr. Raymond inquired about the condition of the existing driveway. McCormack noted the original and new NOIs were both for a reconstruction of the driveway, with the new one having significant enough modifications to warrant a new filing. Ms. Rizika noted that there was no parking lot on the property before this and the area the driveway will go was only recently purchased by the current owner. Ms. Schroder inquired about the zoning on the property to which Mr. Stead noted that the Conservation Commission is not concerned about zoning,

Mr. Stead noted there is more information needed for this project and that the Commission still needs the DEP file number. Mr. Murphy requested a continuation and invited Commission members do visit the site.

Mr. DiCicco made a motion to close the hearing and continue to October 6, seconded by Mr. Weagle. All in favor, motion approved.

7:15 PM      Public Hearing- Abbreviated Notice of Resource Area Delineation  
UGPG RE Sutton, LLC  
Off Providence Street (Map 64, Lot 8)  
Scott Morrison of Ecotec, Inc. stated some modifications made and noted a DEP file number had been issued. Don Flynn of Ecotone NE had some recommendations and revisions, which were addressed with Ecotec with no objections. No questions from the Board. Motion to close hearing made by Mr. Raymond, seconded by Mr. DiCicco. All in favor, motion approved. Mr. Raymond made a motion to approve the Abbreviated Notice of Resource Area Delineation, seconded by Mr. DiCicco. All in favor, motion approved.

7:20 PM      Public Hearing- Notice of Intent  
National Grid  
V174 Transition Line (various parcels) - Transmission line and access road maintenance  
Molly Lennon and Siona Patisteas of TRC asked if the Board had any questions, having none, motion to close hearing was made by Mr. Keddy seconded by Mr. DiCicco. All in favor, unanimous. Mr. Keddy moved to approve the Order of Conditions, seconded by Mr. DiCicco. All in favor, motion approved.

7:25 PM      Douglas Backman  
Public Hearing – Notice of Intent (Continued)  
115 West Main Street, 3 Burbank Street & 4 Burbank Street  
The applicant request this item be continued to the next meeting. Mr. DiCicco made a motion to continue the hearing until the October 6 meeting, seconded by Mr. Weagle. All in favor, motion approved.

**OTHER BUSINESS:**

Certificate of Compliance- 93 Elmwood Street- DEP# 224-383  
Addition of a house and site work done in September 2000.

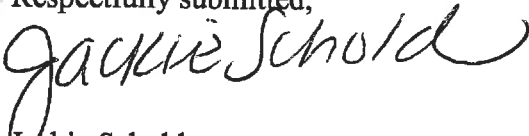
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Motion to Issue Certificate of Compliance made by Mr. DiCicco, seconded by Mr. Raymond, all in favor, Unanimous. Approved

Next Meeting: October 20, 2021 at 7PM.

Motion to adjourn meeting made by Mr. Raymond made at 8:35pm, seconded by Mr. DiCicco. All in favor. Meeting adjourned.

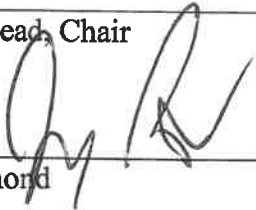
Respectfully submitted,



Jackie Schold,  
Conservation Clerk

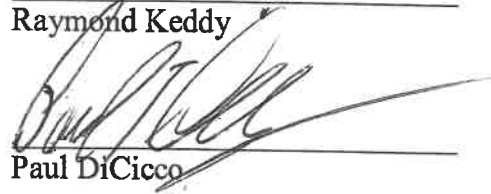
Attest:

Ronald Stead, Chair



Jeff Raymond

Raymond Keddy



Paul DiCicco

Christopher Weagle