

TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION

Thursday, February 16, 2017

Approved March 16, 2017

Sturbridge Center Office Building, 2nd Floor

6:00 PM -- Open Meeting - Quorum check

Commission working session to review local wetland regulation.

Members Present:

David Barnicle (DB), Vice Chair
Steve Chidester (SC)
Steve Halterman (SH)
Paul Zapun (PZ)
Ed Goodwin arrived at 6:45.

7:00 pm –

Regular meeting Called to Order Ed Goodwin (EG), Chairman

7:00 pm --

Quorum Check: Confirmed

Others Present:

Glenn Colburn (GC), Conservation Agent, Anne Renaud-Jones, Conservation Clerk;
Chase Kaitbenski, Robert Davis, Bruce Gran, Ethan Hillman

Committee Updates:

CPA: Ed Goodwin: Meeting February 6th: Bob Briere updated the committee on the progress of the work documenting the town's historical grave sites: their work involves appraising, repairing and documenting; Funding for this project is on the warrant at Town Meeting.

-- Agent GC asked if funds for mowing of the hayfields at Heins Farm is an appropriate use of CPA funds? The person who has been mowing the fields is moving away; wondering if we should apply to CPA for funds? EG: No, funds are specifically prohibited from being used for maintenance.

Trail Committee: DB: Saturday, Feb 18th is second 2017 Planning Session

Lakes Advisory Committee: GlennC: This committee won't be meeting now til June

Walk-ins

NONE

Signature for Order of Conditions: DEP #300-974, 4 Birch Street, Karl & Joanne Nye. SIGNED

Agent asked if the Commissions would like to review Orders of Conditions before the meeting? Commission all agreed it would be helpful.

Public Hearings

7:15

Request for Determination of Applicability: 335 The Trail: Robert Davis: installation of a garage including excavation of a foundation; in a riverfront area. Robert Davis and Chase Kaitbenski presenting; CK: Garage is in the riverfront area; size is 22 x 32ft; +/-160 ft from the brook; is within the existing yard. Commission will need to visit the site when the snow is gone to confirm the location of the brook bed. Agent requested confirmation that all excess fill can be removed from the site and requested that erosion controls be indicated on the plans. RD was in possession of, and submitted to the Commission, stamped drawings from Jalbert Engineering. He will request that erosion controls be added to the plan. RD stated that the existing shed shown will be staying in

place, and that there will be no changes to the existing paving.

- Agent: This whole project is in the riverfront area, and DEP will be looking for 1:1 replication: DB is agreeable to whatever plantings may be necessary.

- Agent informed RDavis that in reviewing aerial photos for this project, he saw that a swimming pool had been installed sometime in 2016 – seemingly just about 100 ft from the riverfront. No permits were obtained from either Conservation or Building Depts for this project.

-- EG requested more details on the plans, specifically the entire work limit line (area of disturbance), including location of haybales, and the 100 and 200 foot lines as well; These indicators should include the area where the swimming pool is; ALSO, mark trees that are being removed with ribbons for the site visit.

- Commission cannot make ruling until site visit is made. - *Continued to future date to be determined.*

7:30

Notice of Intent: DEP#300-973; 175 Podunk Road; Ethan & Erica Hillman; construction of a single family home in the buffer zone. Represented by EcoTec, *Continued from January 12, 2017.* Ethan Hillman was present.

-- A vote was taken on February 2 regarding this project; it was reported as being a rejection of the project. In fact, this Motion failed to pass, which should have resulted in another motion. The Commission realized that this vote was inconclusive, and must be revisited.

Summary of original vote on Feb 2nd: *PH was Closed; SH Motion: to approve the plan adding bollards at wetland line; Vote 2:2(DB, PZ) with EG abstaining; Hillman was told by EG the project failed.*

DB read from Roberts Rules that in order to reconsider a vote, a motion needs to be made by someone who voted FOR the original motion.

MOTION (DB); to reconsider the vote made on 2/2/17 for the Hillman project at 175 Podunk Road, DEP #300-973; 2nd (PZ) Vote: AIF

Discussion: This is not a reopened hearing, so we can discuss among ourselves, but cannot engage the applicant for further information. Discussion was had about what could be included in OOC Special Conditions to make this project work: especially regarding tree-removal and work area limitations

Motion: SH to approve the project as presented; 2nd SC:

Discussion: Agent GC: Applicant agreed to suggested permanent markers (bollards) at the wetland line; If this is in the Order of Conditions, this requirement becomes a permanent notation on the deed and holds in perpetuity; SH reiterated concern about planned lawn on long slope; would prefer a requirement for conservation mix in the Order of Conditions.

VOTE: 1:4 (SH);

7:35

Notice of Intent, DEP#300-959, 9 Holland Road, Richard DiBonaventura, represented by Paquette Builders. Culvert repair and site stabilization in the riverfront area. *Continued from July 21, 2016.* Commission has been unable to visit this site due to snow; continued to future meeting.

Forest Cutting Plans

Paradise Lane, 36.6 acres. Robt. F. Para Family Trust;

Agent: This plan was done by Scott Gerrish, who this Commission holds in high regard; plan has not been approved by the state yet; project is on Big Alum, which has a slow recharge;

-- Commission requested information regarding the schedule of the work; they would like to wait to see comments from the state, and would like Agent to visit the site.

-- Bruce Gran was present as a representative of the Sturbridge Lake Association ; discussion was had regarding the recharge of the lake, and the (drainage) patterns of the site and the flow of water through the wetlands of the adjacent property; Agent will review these plans more thoroughly before Commission makes recommendation to the BOS.

221 Brookfield Road, Charlton. 25 acres in Sturbridge. Iris Jennings

This FCP is primarily in Charlton, but we are being notified of the 25-acre portion is in Sturbridge, ... Comments from State Forester Kate Marquis request addition of a filter strip to protect McKinstry Brook; Agent spoke with her asking if this was a "change of use"? She said no; it is unrelated to and not part of the MotoCross project being developed in Charlton. Plan is summarized as a "Forest Thinning"; plan prepared by Iris Jennings and Christian Kruger; Agent will review these plans more thoroughly before Commission makes recommendation to the BOS.

Extended Orders of Conditions

- DEP #300-727, Big Alum Lake Association requesting 3-year extension to OOC.
- DEP #300-726, Cedar Lake Association requesting 3-year extension to OOC.

As discussed at our last meeting, we are preparing these Amended OOCs, but they have not been completed yet.

ADJOURNMENT 8:15 SC: Motion to adjourn; 2nd DB Vote: AIF

Next Meetings: Thursday, March 2, 2017, with a Bylaw Regulation working session starting at 6:00 pm,
Regular Meeting to begin at 7:00.

A copy of tonight's meeting minutes can be found on our Town's website or is available upon request via the Conservation Department: 508.347.2506. Due to a technical problem, no video of this evening's meeting is available.