

TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION

Meeting Minutes - Thursday, March 2, 2017

Approved March 16, 2017

Sturbridge Center Office Building, 2nd Floor

Mtg Called to Order: 6:00 Chairman Ed Goodwin
The Commissioners' working session for continued review of the Bylaws;

Present: Ed Goodwin, David Barnicle, Steve Chidester and Paul Zapun.
Absent: Steve Halterman (SH)
Also present: GColburn (staff), ARenaud-Jones (staff)
-- Reviewed and completed Chapters 6 and 7; Reviewed Chapter 8; did not complete;
Will finish Chapter 8 and review Chapter 5 at next meeting.
Chapter 9 & 10 still need final review (both are very short.)
Finished Bylaw work: 6:55

Reg Mtg Called to Order: 7:00 pm

Quorum Check: Confirmed

Members Present: Ed Goodwin (EG), Chairman **Absent:** Steve Halterman (SH)
David Barnicle (DB), Vice Chair
Steve Chidester (SC)
Paul Zapun (PZ)

Others Present: Glenn Colburn (GC), Conservation Agent
Anne Renaud-Jones, Conservation Clerk
Applicants and/or Audience Members: James Tetreault, Mark Farrell, John Stevens, Howard Fife, Katherine Adams

Committee Updates:

CPA (EG): has not met.
Trails Committee (DB): has not met.
Lakes Advisory Committee - has not met.

Agent Report

Winter Tree Scavenger Hunt Winner: Agent reported that our Tree Hunt winner, 8-year-old Lucas Vilandre, was awarded his prizes; GC shared a photo of Lucas with his birdhouse and a copy of "Critters", a Mass Wildlife Publication. Lucas will also be receiving a subscription to Ranger Rick magazine.

14 & 50 Douty Road. Right of First Refusal for 221.09-acres of Chapter 61A land.

Agent GC: The town has received a new offer letter regarding this parcel of land which is coming out of Chapter 61- As you recall, there were errors in the previous letters received; they had not properly separated out the portion of the property that was not in Chapter 61. This new letter properly removes the 1 acre with the house from this offer. The sales figure previous stated was \$814,000. The value of this separate parcel would come out of that \$814K to determine the proper selling price of the Chapter land.. Their assessment of the selling price for the 1 acre with the house is \$4,000. This is an inappropriate price as this lot has electricity and has a beautiful view- It is out of line with land prices in town. If they do not revise this offer, I suggest we seek a third-party independent appraisal.

Commission voted to state support for exercising our right for first refusal for the new proposal received. Agent will write up letter to Select Board for their next Meeting. AIF (4:0).

Public Hearings

7:15 **Notice of Intent; DEP #300-976; John Stevens: 27 Breakneck Road;** Repair of a septic system in a riverfront area: and the repair of 2 existing decks on the house: represented Green Hill Engineering. *Continued from January 12, 2017.* Mark Farrell presenting revised plan; MF: At last meeting, DEP had asked for us to identify trees which we will be removing: we have indicated these trees in green on this plan; most are dead or

leaning towards the house; Commission had visited the site and had no concerns about the trees. MF: We will not bring any equipment into the wetland- all work done by hand; Shed is being removed; Agent: does this septic need a variance for the 100ft? MF: no, Title V code is 50ft; we do need variance from ZBA but it shouldn't be a problem because it is not new construction; Commission suggests no silt fence to avoid unnecessary disturbance, but straw wattles, and haybales... Agent suggested that erosion controls move up to base of the disturbed areas after septic is installed...

Motion: (DB) 2nd (SC) to close Public Hearing, approve this plan and issue a Notice of Intent, incorporating the erosion controls discussed here tonight; Vote: AIF (4:0)

7:30 **Notice of Intent; DEP #300-tbd; 660 Main Street; Heal, Inc,** represented by Thompson-Liston Assoc; new construction of 3300sf commercial building with parking lot for 31 cars within the buffer zone.

presented legal ad tearsheet, and proof of mailing James Tetreault presenting: JT: This project is a 1.2 acre plot at the base of the slope at 660 Main Street Currently, this site is 100% mowed lawn on the slope down to Route 20..... This site has some work in the buffer zone. We propose to build a dispensary with access off of the existing primary driveway.

-- Much of this plan is designed to satisfy the strict guidelines of Mass DOT regarding the prevention of off-site stormwater from entering the highway stormwater system. As a result, 100% of the runoff generated by this site is infiltrated on site. A total of 6 catchbasins on site; all send water to 1 central CDS system for infiltration; the uphill slope behind the building will be 1:1 riprap slope; , with a 6ft "bench" half-way up the slope to slow water. The downhill slope will be 2:1 with hundreds of junipers with jute landscaping mat.... There is BVW to the left of the primary driveway;

-- EG asked about the state of the "old lagoon", a hazardous site identified and mitigated in the 1980s; JT: this building site is not in the area of the "lagoon".

-- Agent asked for description of the CDS unit: JT: CDS is a hydrodynamic separator; it screens, separates and traps debris and oil from the runoff; this unit expects 80% removal of debris. Roof runoff is included in treatment through the CDS unit; This CDS unit exceeds DEP requirements; Agent GC commented that the Stormwater inspection report form included in the NOI is excellent. Commissioners asked for copies of the report;

-- Agent: Erosion controls should be placed at the base of the new 1:1 slope – a silt fence is fine - to protect the work area until all slopes are stabilized.. Also, catchbasins should have silt liners, and their regular maintenance should be in the O&M plan..... JT: plan is for semi-annual cleanout of catchbasins;

-- EdG: great concern about disturbance of previous pollution on this site JT: we have plans and reports and maps from the studies done in the 1980s- we saw no mixing of soils, no evidence of earth disturbance...

EG: would like DEP to supply a letter stating that: JT will follow through with this request.

JT: Request for continuance to next meeting: **Commission granted continuance to March 16th meeting;**

7:45 **Notice of Intent; DEP #300-979: 132 Leadmine Lane; Tony & Diane Crane;** represented by Green Hill Engineering; Repair of a septic system in the buffer zone. Mark Farrell presenting: presented legal ad tearsheet, proof of abutters mailing; property is at the deadend of Leadmine Lane; currently has holding tank; since original purchase of property, the Cranes have purchase an adjacent piece on the other side of the private road, which is where this system will be installed... is within 200 ft of the lake; no trees removed except in immediate vicinity of leach field site; DEP had no comments; Agent: this appears very straight forward; we'll request erosion controls until site is stabilized; **Motion DB; 2nd SC: To close the Public Hearing, approve the plan as presented with erosion controls as discussed, and issue an Order of Conditions. Vote: AIF (4:0)**

8:00 **Notice of Intent; DEP #300-tbd: 186 New Boston Road: Joseph Boutiette;** represented by Green Hill Engineering; Driveway construction in the Riverfront Resource Area and Bordering Vegetated Wetlands, and construction of a single family home in the 200' buffer zone. presented legal ad tearsheet, proof of abutters mailing; Agent: NO DEP number or Natural Heritage comments have been received yet: we will not be able to close this hearing: MF: this project was in front of this Commission several years ago; it was approved; then extended, then lapsed, and we are re-submitting... The plan we are submitting has 2 small areas which need to be filled; there's another location that was previous disturbed, where we would locate the required replication; then a crossing of the perennial stream; Crossings of both intermittent and perennial streams meet stream crossing standards - Area is an endangered species habitat; there are vernal pools on abutting Opacum Land Trust property;

-- Agent comments: In reviewing this history, this project was denied in 2004, then approved in 2009- but I am considering this a new filing - and we'll proceed as such. There is no Alternatives Analysis in this filing, which is a requirement for a perennial stream crossing... Have discussed with both Planning and BoHealth;

all agree that it appears that there is room to build in the front portion of this property at the road... MF: there is a Sturbridge bylaw regarding the percentage of contiguous upland, which I believe cannot be met in the front land - especially fitting both the well and the septic system Agent: Also I think your calculation of disturbance of riverfront area is incorrect; my estimate is 8920sf vs your 8020sf MF: I will revisit these numbers for you... Agent: Remember you need to include ALL disturbance, not just the area of the driveway proper... I think the performance standards are not being met in the amount of disturbance.... Wetland flags are old and incomplete on site... MF: I will redo the stakes and wetland flags indicating the crossing Howie Fife of Opacum Land Trust spoke: has some concerns about the bldg. site being so far from the road that it would be difficult to watch ... HF presented a letter from OLT records, dated May 2009 from Art Allen of EcoTech; letter was addressed to Sturbridge Conservation Commission, and was a "Site Evaluation and Notice of Intent Review"; it stated his evaluation of existing site conditions and the project potential impacts. EG summary: we'd like a recalculation of the riverfront disturbance, clarification of the bylaw concerning contiguous upland, an alternatives analysis, and the wetlands re-flagged;

MF: Request for continuation to April 6 meeting; Commission granted continuation AIF

Agent: These Continuations have been delayed due to snow conditions, but we will visit on March 14th and have on the agenda again for March 16th.

- Cont. Request for Determination of Applicability: 335 The Trail: Robert Davis: installation of a garage including excavation of a foundation; in a riverfront area. *Continued from February 16, 2017*
- Cont. 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.*

SIGNATURES

DEP #300-727, Big Alum Lake Association requesting 3-year extension to OOC.
Amend Order of Conditions to conform to current performance standards.

Agent: this has been revised to meet current standards of drawdown depth and timing. **SIGNED**

DEP #300-726, Cedar Lake Association requesting 3-year extension to OOC.
Amend Order of Conditions to conform to current performance standards.

Agent: this has been revised to meet current standards of drawdown depth and timing. **SIGNED**

DEP #300-736, Walker Pond Association requesting 3-year extension to OOC.
Agent: This is for weed control only. This will extend to 2020; **SIGNED**

Request for Certificate of Compliance

DEP #300-469. Partial Certificate of Compliance for 44 Draper Woods Road, lot 37. **SIGNED**

Forest Cutting Plans - *These projects were not discussed at this meeting*

Paradise Lane, 36.6 acres. Robt. F. Para Family Trust
221 Brookfield Road, Charlton. 25 acres in Sturbridge. Iris Jennings

New Business

DB discussed Trails Committee desire to install a beaver deceiver in the area of the bench of Heins Farm property;
AgentGC: advised that they would need to file a Notice of Intent, and present their proposed design of the beaver deceiver.

Next Site visit schedule- Tuesday, March 14th

Next Meetings: Thursday, March 16th, 2017, with a Bylaw Regulation working session starting at 6:00 pm,
Regular Meeting to begin at 7:00.

Motion to Adjourn

8:50 pm -- Motion (SC) to adjourn the meeting (DB 2nd); Vote: AIF (4:0)

*A copy of tonight's meeting can be found on our Town's website or is available upon request via the Audio Department:
508.347.7267*