

TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION

Thursday, March 24, 2016

Approved April 7, 2016

Sturbridge Center Office Building, 2nd Floor

Meeting Called to Order: 7:07 pm.
Chairman Ed Goodwin

Quorum Check: Confirmed

Members Present: Ed Goodwin (EG), Chairman
David Barnicle (DB), Vice Chair
Joseph Kowalski (JK)
Steve Chidester (SC)
Steven Halterman (SH)

Others Present: Glenn Colburn (GC), Conservation Agent
Anne Renaud-Jones, Conservation Clerk
Applicants and/or Audience Members: Mark Renaud, Leonard Jalbert, Patty Kritzman, Larry Tuttle, Gary Staab, Phil Truesdell, Tom Chamberland, Brandon Goodwin

Committee Updates:

- **CPA:** no meeting has been held.
- **Trails Committee:** no meeting has been held.
- **Lakes Advisory:** we currently have no liaison to this committee

Walk-ins NONE

Signatures re-signing of Certificate of Compliance for 145 Brookfield Road: Rainville Document was signed.

Agent Report

- April 21st, Phil Truesdell and Mike Barry are meeting about Leadmine Mountain Stewardship
- CR for the Rec Department portion of the Plimpton property has been reviewed and approved by the Recreation Committee and Opacum Land Trust. It will now be sent to the state to be reviewed.
- Walked the Arbutus Trail recently, and discovered that the bench that had been missing for several months has returned! No explanation for it.
- Trail work recently done on Arbutus Trails is nicely done – almost finished -
- Have sent official response to the Mass Atty General regarding the Advantage Tree Open Mtg Law Complaint- copies were sent to all Commissioners
- Kiosk has been installed at Plimpton trail head by Tantasqua Carpentry group who built it for us
- Earth Day is Friday April 22; Cons Dept is again offering free trash bags for clean-ups around town; We'd like people to register so that we can ask DPW to make a sweep to pick up bags of trash
- Friday, April 22, Agent will be attending event at OSV regarding stormwater management low impact development and pervious pavement options
- Riverlands Cleanup is on Saturday, April 23rd- this is being run by Trails Comm

Public Hearings

7:15 **Request for Determination: 81 Shore Rd, Beatrice Mullen**, represented by Mark Renaud; Rebuilding existing 25 x 8' deck, and rebuild of existing 25 x 5' concrete walkway in the buffer zone:

-- Mr Renaud showed several photos of the house, deck and the concrete slab (below the deck) area where this proposed work will take place; the plan is to remove the existing deck, leaving the existing piers, and rebuild the deck, extending the depth of the deck out an additional 2 feet- This additional depth will make the deck edge flush with the existing concrete slab below; which is 32 feet from the water's edge. There will be no expansion of the concrete slab; no expansion of the paved driveway, no additional landscaping, and no digging. GC: Is there room for an infiltration basin anywhere? We have some concerns about water runoff with impervious surfaces.... SH: perhaps an easy French drain... MR the water currently travels to both the far left and far right corners of the deck and down directly into the large bushes there... That seems to slow the flow.... Will also discuss with homeowner the possibility of removing the planned "ceiling" underneath the deck so the flow goes directly onto concrete slab before flowing onto lawn..... **Motion (DB); 2nd SH: To approve the RDA at 81 Shore Rd, based on the discussed plan. To issue a positive determination #5 for work subject to review by the Town Bylaw. To issue a negative #3 for work within the Buffer Zone; it will not alter the resource area: Vote: 4:1 (EG)**

7:30

Notice of Intent DEP#300-948: 17 Bennetts Road, Patricia Kritzman, Raze existing house and rebuild single-family home within the riverfront area. (Cont. from 3/10/16)
Len Jalbert (engineer), Larry Tuttle (architect) and Patty Kritzman (property owner) presenting;
Mr Tuttle summarized the intent of their plan and their goal to offset the square footage of the project within the 50ft buffer by dismantling both the existing gazebo and firepit down by the water; He clarified for the Commission where concrete walkway and "landing" are being removed from the plan, and that the new house, overall, is being placed 9 feet further away from the water's edge. He reminded the Commission that the new house will have a 4 foot crawl space and not a full foundation; GC commented that the two hemlocks in the back of the lot appeared to be hazardous, and should be taken down: All agreed to 2:1 replacement; Commission requested reasons for house not being able to move back even further from the water. PKritzman spoke saying she understood need of commission to protect the resource; she felt that removing the gazebo screen house and firepit was relinquishing some of her lakeside environment, and pulling the house further back into the trees would totally remove her experience of being "on-the-lake". **Motion: (SH) 2nd JK: To close the Public Hearing and issue an Order of Conditions for the plan as presented for 17 Bennetts Road with the following conditions: that the gazebo and firepit being removed are not rebuilt or replaced; that the area in the 25 foot buffer be planted with low, native and appropriate lakeside plants, and that 2:1 replacement takes place for the loss of the 2 large hemlocks in the back ; Vote: 4:1 (DB)**

Old business

Continue discussion with Trail Committee on Leadmine Mountain Conservation Area trail specifications.

Review proposed work on conservation lands for 2016.

Brandon Goodwin, Gary Staab, Tom Chamberland in attendance; Documents were presented detailing the Trails Committee overall plan for the Leadmine Mountain property regarding trails construction, trails designation and maintenance. A map of the Leadmine property was shown, along with a list of existing trails and proposed new trails, and their expected size designation (per Trails Master Plan designation) and surface treatment. Much discussion was had regarding the overall proportion of larger to smaller (more primitive) trails in Sturbridge, and the Trails Master Plan was quoted in this regard. The Plan suggests a diverse system, with approximately one-third larger trails on the on the periphery of the property and adjacent to major trails heads, progressing into the interior with small trails. Although the Trails Committee's offered plan suggested significantly more larger (trek) trails, the Commission, overall, saw the plan as sustainable, and acknowledged the hard work done by the Trails Committee in putting this plan together. Phil Truesdell (present) of Mass Fish & Wildlife, (holder of the Conservation Restriction on the Leadmine property) clearly expressed the wishes of MassDFW that the portion of the property to the south of the pipeline remain in a more primitive state; and that existing trails in that area are not further developed (widened or surfaced with stone dust) and do not become "marked trails". **Motion (DB) 2nd SC to approve the plan presented by the Trails Committee, with the exception of the "TRAIL #2 south of the pipeline to allow further discussion with MassDFW; VOTE: AIF**

New business

Release of bond held for Allen Homestead Water Testing. DEP#300-419; Agent: Records were reviewed to confirm all testing was done, and the Commission voted to release this bond of \$8000.

Motion (SH) 2nd DB: to approve release of bond for DEP#300-419; Vote: 4:0

Enforcement

- **8 Birch Street**, Richard DiBonaventura. Work in the buffer zone without permits. Work has begun to remove the deck; Agent will continue to monitor.
- **9 Holland Road**. Work in the Riverfront Resource Area without permits. Property has been locked; Agent will be gaining access to review erosion controls.
- **460 Leadmine Road, John Stevens**. EBT Environmental has been hired and is working on a restoration plan; Restoration plan is due to commission 4/7/16. Restoration due to complete by 5/19/16

Request for Certificate of Compliance

Discussion on required documents for Certificates of Compliance. As-built plans vs. statement of conformance to plan. - In previous discussions within the Commission, it has been stated that we will require an As-Built Plan for any Request for Certificate of Compliance. Agent GC is asking the Commission if a signed and stamped Statement of Conformance to Plan will suffice instead of full engineered drawings.

Commission all agreed to this as proper assurance of correct completion of a project.

Approval of minutes: March 10, 2016, Feb 4, 2016

Motion (DB) to approve the minutes of the March 10 ConsCom Meeting with minor edits: Vote: AIF

- It was decided to delay the approval of the February 4th Meeting Minutes

MOTION to ADJOURN and proceed to Executive Session : 9:30 (DB) 2nd (SH) Vote: AIF