

**TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION**

**Thursday, April 7, 2016**

*Approved April 21, 2016*

**Sturbridge Center Office Building, 2nd Floor**

**Meeting Called to Order:** 7:05 pm.  
Chairman Ed Goodwin

**Quorum Check:** Confirmed

**Members Present:** Ed Goodwin (EG), Chairman                      **Absent:** 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 Farrell, Frank Bicchieri, Leonard Jalbert, Seth LaJoie,  
David Bellerose, Mike Thibeault, Diane Becker, Brian Juliano

**Committee Updates:**

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

**Signatures:**        **SIGNED: Certificate of Compliance for 20 Draper Woods, Becker;**  
Agent comment: Homeowner Diane Becker is not here yet, but this is regarding the Commission's decision to request an As-Built plan in order to issue this Certificate of Compliance. The original builders have gone out of business; the Beckers pursued an estimate for an engineer's As-Built plan, and the estimated cost is over \$1700 - Agent has visited the site, did not take measurements but all appears to be according to the original plans on file; so these owners are requesting an approval of this CoC without an As-Built. Commission agrees that this would be burdensome to hire a surveyor for \$1700; Commission approves and signs this Certificate of Compliance without an As-Built.  
  
**SIGNED: Order of Conditions #300-948 for 17 Bennetts Road, Kritzman:** Raze existing house and rebuild single-family home

**Public Hearings**

7:15        **Request for Determination of Applicability:** 130 Lane 9; Jeff Tasse and Mary McGuire; extension of existing roof over a portion of existing deck; no digging; no cement work; deck is more than 100 feet from the lake. Mark Farrell presented for Jeff Tasse who was unable to attend: This project is >100ft from the lake- building of a small screen-in "room" on existing deck for evening use of outdoors without mosquitoes; No digging involved; Agent has no concerns; Commissioners have no concerns. **Motion (SC); 2nd (SH): To close the Public Hearing, and to approve the RDA at 130 Lane 9, based on the discussed plan. To issue a positive determination #5 for work subject to review by the Town Bylaw. To issue a negative determination #1; work is outside 100ft jurisdiction of the WPA: Vote AIF (4:0)**

7:30        **Request for Determination of Applicability:** 26 Old Hamilton Road: Nicholas Markopoulos, represented by Seth Lajoie & Associates; replacing existing and failing septic system with new leach field and septic tank. Seth LaJoie presented plan: Agent asked for relocation of erosion controls to the other side of the road; all commissioners concurred; commission had visited site; **Motion (SC); 2nd (SH): To close the Public Hearing, and to approve the RDA at 26 Old Hamilton Road, based on the discussed plan, with the condition that no further trees are removed. To issue a positive determination #5 for work subject to review by the Town Bylaw. To issue a negative determination #3 for work within the Buffer Zone; it will not alter the resource area: Vote AIF (4:0)**

7:45 **Notice of Intent, 60 South Shore Drive; DEP#300-tbd:** Kelly & Thomas Peck, represented by Bertin Engineering, Frank Bicchieri; replacement of deteriorating retaining wall and installation of patio.  
 Agent Comments: we do not have a DEP number yet; we can hear this project, but we cannot close the Public Hearing tonight. Frank Bicchieri (Bertin Eng) and Mike Thibeault (Landscape Evolution) presenting; This plan involves the removal and replacement of a very old and crumbling retaining wall and patio. This project will be done during draw-drawn; the process will be incremental, removing a section of old wall and building new replacement section right away (not removing entire wall at once.) Replacement material will be wetcast concrete blocks simulating natural stone ; gravity build... We will lose no flood storage..... EG: we'd like to see the GPS coordinates of the existing wall corners  
 AGENT expressed concern about removal of existing wall; requested adding haybales as another level of erosion controls between work and turbidity curtain; Site is on a dirt road, and at the lowest point of the road, and tends to receive a large share of the road runoff. This large wall will be barrier to wildlife, and we'd like to see some habitat mitigation in the plan... FB; we may be able to put some natural stone in front of the vertical wall; - - GC We'd really like to see large tree saved; won't removal of the old wall and exposing the roots kill this tree? JoeK: it is hard to know what will happen MT: we can build new wall first; then remove old wall and immediately fill gap Commissioners discussed water flow ; bringing water flow down into that terrace seems like it would be destructive to that area? Better to direct it across the lawn to where the tree are? Would a rain garden help? Need to add as much vegetation as possible to help.... Need to beware of sediment as well..... we may want to see an engineered plan for water control; it needs to be an aggressive solution due to the difficulties with this particular lot - Site is a small site with a big flow; Also feel this needs to be a very quick project so erosion risk is minimized **Applicant requests continued to April 21 Meeting; Commission agrees AIF**

8:00 **Notice of Intent, 43 Abrams Drive; Brian R. Juliano,** represented by Jalbert Engineering; project consists of 2 items: dismantling and replacement of a deteriorating retaining wall, and installation of a volleyball court.  
 Agent Comments: we do not have a DEP number yet; we can hear this project, but we cannot close the Public Hearing tonight. Len Jalbert and Brian Juliano presenting, documents presented to Agent for certified mailings and legal advertisement: LJ: presenting plan, shows proposed volleyball court position; is within the 100', but outside of the 50'; Larger part of the project is the retaining wall rebuild; want to remove this full wall and rebuild from scratch in exact same location... would like to remove 2 trees... LJ suggested a ramp into lake which would allow movement of wildlife into and out of the lake - BJ: the wall has already had multiple repairs done to it over the years, there are 2 large sinkholes being created by wave action; trees already have about 35% of their roots exposed... Trees- with their root ball- actually sway in a good wind- we now consider them a hazard - I would like to reconstruct an all natural cemented stone wall with a professional mason Agent Comments: very concerned about the trees along the shoreline... understand the safety concern, but it's a significant loss of the canopy and cooling of the lake as well.... Can we shape the wall around the trees? We need an assessment of the roots and the health of the tree - and a strategy to revegetate and rebuild habitat: ALSO, this NOI came thru indicating it as work in the Buffer Zone, but that is inaccurate; This site includes 380 feet of bank; and you need to submit a revision to DEP advising them that this is actually work in a Resource Area so they can properly review it : JK You'll need an arborist to assess the risk posed by the tree SH: White pine has shallow roots- If the roots move in a wind, I would be nervous; SH: Can that whole wall be finished during the lake draw-down time period? BJ: yes..... EG: also suggest getting additional trees planted on site NOW so they start growing, the lake needs more than grass on these sites.  
**Applicant requests continued to April 21 Meeting; Commission agrees AIF.**  
**Commission instructs Juliano to correct the NOI to indicate work in a Resource Area**

8:15 **Request for Determination of Applicability; 266 Big Alum Road;** David Bellerose; installation of above ground propane tank and generator, with associated underground supply lines, within the buffer zone.  
 DB: planning to hand dig two 10-ft long trenches – about 75' from the water – about 10' from the house - no tree cutting – we're just bringing pipes in for propane tank (100-gal) and generator- tank will sit on blocks; generator will sit on a fiberglass platform - Wooden stairs will lead down from driveway for access to fill tank...  
**Motion (SC); 2nd (SH): To approve the RDA at 266 Big Alum, based on the discussed plan. To issue a positive determination #5 for work subject to review by the Town Bylaw. To issue a negative determination #3 for work within the Buffer Zone; it will not alter the resource area: Vote AIF (4:0)**

**Enforcement**

- **460 Leadmine Road,** John Stevens. Restoration plan due 4/7/16. Restoration complete by 5/19/16. **Glenn Krevosky of EBT Environmental has been given this project by the property owner: GK has begun some test pits, but has more tests to complete; He expects to have a restoration Plan for the Commission at our next meeting, April 21st.**
- **8 Birch Street,** property owner: Richard DiBonaventura. Work in the buffer zone without permits. *Agent will revisit the site his week-*

- **9 Holland Road.** property owner: Richard DiBonaventura: Work in the Riverfront Resource Area without permits. **Ed Paquette present to discuss this project; Commission feels this project needs a full Notice of Intent Application; In the meantime, EP was advised to repair all erosion controls (which were installed in late fall) and get some seeding done where appropriate to continue stabilization efforts.**

#### **Forest Cutting Plans**

- Extension: Forest Cutting Plan; File#287-7219-15: David & Patricia Barnicle; 7 Ladd Road; 25 acres; this is not a harvest; just a management plan: **Motion (SC); 2nd (SH): To approve the extension of the Forest Cutting Plan at 7 Ladd Road: Vote AIF (4:0)**

#### **Approval of minutes:**

- **February 4, 2016: Motion (SH); 2nd (SC): To approve the minutes of Feb 4, 2016: Vote AIF (4:0)**
- **March 24, 2016- Regular Mtg: Motion (SH); 2nd (JK): To approve the minutes of Feb 4, 2016: Vote AIF (4:0)**
- **March 24, 2016- Exec Session: Motion (SH); 2nd (SC): To approve the minutes of Feb 4, 2016: Vote AIF (4:0)**

#### **Agent Report**

- It is the 10 year anniversary of the Town's purchase of Heins Farm and Leadmine Mountain properties
- Kiosk has been installed at Plimpton - thanks again to Keith Mero and his Carpentry students at Tantasqua Regional High School.
- Tantasqua Regional School District will be submitting a Notice of Intent for the installation of turf in their existing athletic fields. This may also will involve some work with the Town of Brookfield, as the property crosses over the town boundaries.

**MOTION to ADJOURN: 8:55 (SH) 2nd (SC) Vote: AIF (4:0)**

**Next Meeting:** Thursday, April 21, 2016, with a Bylaw Regulation working session starting at 6:00 pm, Regular Public Hearings to start at 7:00 pm

***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***