

Thursday, May 5, 2016

**TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION**  
**Thursday, May 5, 2016**

*Approved June 2, 2016*

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

**Meeting Called to Order:** 6:00 – 6:55 pm: **The Commissioners' working session for a continuation of review of the Bylaws**  
- -Present: Ed Goodwin, David Barnicle, Steve Chidester, Steven Halterman,  
Joe Kowalski arrived at 6:40

**7:00 pm** **Reconvene Regular Business Meeting**  
- - Present: Ed Goodwin, David Barnicle, Steve Chidester, Steven Halterman, Joe Kowalski

**Meeting Called to Order:** 7:00 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  
(no clerk present this evening)  
Applicants and/or Audience Members: Leonard Jalbert, Rich Kirby (LEC), William Clougherty, Kathy Hervol, Mike Lucas, Robert Briggs, Brenda Briggs, David Bellerose, Joseph Fry, Linda Cocalis, John Stevens, Mike Beaudry, Michelle & Ryan Kane, Glenn Krevosky (EBT)

**Committee Updates:**

- CPA - met and approved their funding items that will be on the Town Warrant
- Trails Committee meets week of May 9th
- Lakes Advisory Committee- no report

**Walk-in** **None**

**AGENT**

- Riverlands Cleanup Report by Barnicle- total 205 tires from Riverlands- bored holes in all tires to drain so state would pick them up - plus 2.5 tons of OTHER materials... plus several truckloads of old car parts and broken glass (old car repair shop) ; we did not go into the "contaminated area"; We had 40 people showed up; FROST offered pizza, finished at 1:00 – REALLY appreciated all the volunteers who came out; members of TLGV also joined us
- TLGV; showing Tantasqua group showing finished kiosk they put up for us- Thank you to TRHS; also Highway went in and created 50' diameter turn around- REALLY appreciated that as well;
- Upcoming Plimpton walk with Ed Hood, Leslie Duthie; join us if you can 6-7:30 May 11th, please come- walking logging roads, not trails.....
- DB: may need to install boulders to protect the kiosk from cars
- CPA money has been allocated for Plimpton trails for next years

**Notice of Intent DEP #300-tbd, Tantasqua Regional School District;** 320 Brookfield Road: installation of artificial turf on two existing grass athletic fields at the High School. Represented by Gale Associates. Present this evening : Mike Lucas of TRHS, Kathleen Hurvol of Gale Assoc, and Rich Kirby of LEC Environmental Consulting

KH (Gale) - this plan entails the replacement of two existing grass athletic fields with artificial turf; existing fields are deteriorating due to overuse and can't be maintained properly with number of events and the condition of the ground; This discussion will concern only Field #2, which is "the stadium", as the 2nd field is actually in the town of Brookfield. --- Clearly, this site is surrounded by resource area; perennial stream runs along one side, there is a pond, and we are within 200 ft of river, and

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completely in the 200ft buffer; we're inundated. -- The existing field today is drained by series of 6 inch drains and discharge into wetland; ground water is at 3.5 feet (very shallow); there are no endangered species mapped for this field, but we have filed with Natural Heritage (wood turtle) and it is under review ( the 2nd field ("the cage")

RK (LEC) this site is the edge of the main forested swamp area, two streams coming in, two streams flow out... None of streams flowing in or out are shown on USGS as perennial; all are shown as intermittent; USGS stream stats were not working well when we ran the analysis We could and did run stream stats for 2 streams running INTO the area, and those, combined, exceed the perennial threshold. The majority of water is flowing around this track...; we made judgment that the stream around track was perennial; which is why we indicated the 200 ft area river front on our plan. There is a narrow band of BVW along bank of perennial stream

KH again: Proposal is to replace the grass w synthetic turf; since the time the NOI was submitted, the school has decided to change the infill from their original planned rubber material to an organic fill called GeoFill - made up of coconut hull fibers (90%) and cork (10%) - The field itself will be a little bit larger than existing, but remains with the existing track--- size 370 x 220 ; allowing use by other sports: lacrosse, soccer, field hockey, which require a large playing field; We will also be recoating the track- the red rubbery topcoat of the actual track to clean up and re-stripe;

Process: we strip all topsoil; soil is removed to Kaitbenski Construction site where they have agreed to hold for the school for future field maintenance; we will install a series of drains, similar to existing, but quantity will be increase; on top of the drains is 10 inches of stone base; then buildup of turf layers (carpet, shock pad, etc. We are proposing that small drains tie into existing outfalls so as not to disturb any areas outside track.... All disturbance will remain inside the track.... We've also moved a couple field events... a new shotput area, javelin and discus, and are reworking longjump and triple jump areas... There is no increase overall in impervious area... In summary, we are replacing the field in-kind- all work will be within existing track, no disturbance outside of track; Turf fields bring the following benefits to the school: no watering; no use of fertilizer, no sediment run off, and promotion of ground water recharge

Agent comments: we have no word from DEP yet; can't close the hearing tonight; I don't envision Erosion Controls to be an issue because the area is so flat; will you protect the outfalls into perennial stream w wattles? KH Subsurface drainage will be cut and removed. Remaining drain pipe to stream will be capped to prevent silt being carried through pipe to stream. Re-attach new pipe to old drains under track. GC as equipment comes in and out of site, do you plan to use anti-tracking pad? KH: YES, pad will be placed at construction entrance

Discussion about the life cycle of the carpet and infill: KH carpet last 12-14 years; its break down is from UV rays, not usage; the infill (10% cork +90% coconut fibers) needs to be replenish about 25% every 2-3 years.... A groomer (machine) is used each spring & fall; it helps keep infill distributed evenly (it can become uneven due to higher/lower activity levels (around goals, for example) Mike Lucas: 3944 We've moved to the organic infill here, altho the coconut husks shreds are more expensive, but the industry is moving this way due to concerns about the rubber crumbs and possible adverse health effects .... We have also invested in a shock pad layer underneath to aid w concussion prevention- the pad and its protection rating stay good for 20 years or more; this is invisible to public, but people should know about it - Shock pad is same material as water bottles - compressed polyethylene and is perforated to allow water to travel thru to the stone base below

Conversation continued regarding the process of tying in the new drainage pipes to the existing manifold; Request was made to ensure that individual drain pipes be capped when first disconnected from existing pipe, and remain capped through the excavation phase. It was also decided that this request will be placed in the special conditions, Discussion was had about protecting the wetland from scouring at the point of outfall: Conclusion RipRap will be hand-placed where necessary at the outfall pipes of the drainage system

AGENT: We would like to coordinate our Order of Conditions with Brookfield's, so please keep us advised of the response of Natural Heritage to Brookfield portion of this project regarding the wood turtle; If they are required to encircle the field, we will do the same.

The Commission is requesting two addendums for the meeting on May 19

- 1) an addendum on the agreed-upon use of riprap at the outfall pipes.
- 2) an addendum on the agreed-upon process of cutting and capping the smaller drainage pipes during the field excavation process.

**Commission CONSENSUS to request these 2 addendum. Commission granted continuation to May 19th meeting. AIF**

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**7:30 Notice of Intent DEP#300-951: Mass DOT: I-90 Toll Plaza #9:** *(continued from April 21)* represented by Thomas Keough, of AECOM Technology, Chelmsford, MA: MassDOT proposes to improve the traffic flow along I-90, through demolition of the existing Toll Plaza #9. Construction activities include the removal of a significant portion of impervious surfaces, improving natural infiltration of stormwater runoff, and targeted upgrades to existing stormwater management structure.

TK (AECOM): Dennis Lowry, wetland ecologist with AECOM: We had site visit on May 3rd, so commission could review work site, where we are removing the toll booths and removing approx. 4 acres of pavement, approx. 1 acre of this work is in immediate vicinity of Hobbs Brook; the commission was especially interested in looking at Hobbs Brook flowing from Walker Pond as it comes under Ramp D (heading eastbound), and flows under the whole ramp system.

In answer to a request from the Commission to add some landscaping to the area, a planting plan was emailed to Glenn adding trees and shrubs, within riverfront; overall, we'll be reducing impervious area, increasing water infiltration and making it look better.

In answer to a question from the Commission regarding the amount of material being removed, we have also sent to Glenn a cross-section of the pavement removal - about one foot of material is removed, and then replaced with borrow and loam; then seeded and landscaped: all specific plants are part of the record Commissioners have no further questions.

No questions or comments from the audience

**Motion (DB) to close the public hearing and issue an Order of Conditions to MassDot for the plan discussed with this commission, incorporating the changes discussed in this hearing. SC 2nd Vote: AIF**

**7:45 Notice of Intent, DEP #300-949, 43 Abrams Drive;** Cont. from 4/7/16. 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 - both within the buffer zone. Len Jalbert, representing 43 Abrams project: The arborist has not been able to complete his work; and the details for the retaining wall have not been completed; We request a continuation until the May 19th meeting: **Commission consensus to approve continuation to May 19.**

#### Minor Amendments to Orders of Conditions

**DEP #300-878, 505 Main Street, Thai Orchid Restaurant. Part of building will be razed and rebuilt. No change in work limit lines.**  
**Len Jalbert representing Thai Orchid:** Prior OOC was approved and issued for the renovation of the existing structure including site work; Since that time, the renovation costs were found to exceed the cost of a raze and rebuild of this front section of the structure. The front section (adjacent to Route 20) will be completely removed, a new foundation poured, replacement built on the exact same footprint. No changes to outside site work or parking area... Commissioners have no comments, no concerns.  
Agent: Recommends processing as a Minor Change to Order of Conditions **VOTE AIF to approve.**

**DEP #300-937, 43 Mountain Brook Rd, Ryan & Michelle Kane. Replace section of foundation.**

**Len Jalbert representing Kanes:** As discussed previously, we have found an area of this house does not have a foundation for a 4x12 foot section of the corner nearest the lake; ... so we have to excavate a trench for 4 foot footing and frost wall; precautions require a dewatering plan; have indicated on plan a temporary dewatering pool in middle of the lawn: staked haybales, water pumped in and letting it seep; just for containment... no outfall... Should take two days, maybe three for us to complete this piece, then dewatering arrangement can be removed.... Our work plan avoids the root zone of the large maple tree on the corner; ...Also have concluded that concrete pad does not need to be removed.; so no major changes to site or site conditions will take place; Agent; no concerns; Commissioners questions: SH - Would like to see filtering fabrics on inside of those haybales to address sediments LJ sure, I can do that DB do you have proposal for removing the material that collects inside that area? LJ: site is so tight; only way to handle is immediate removal.... DB why not take concrete pad (back yard) out to increase pervious surface. Ryan Kane: would prefer to keep as possible base for future generator, Commissioners agree to allow this .... RK agrees to remove concrete pad (front yard) of house .... LJ we'll do an addendum that the concrete pad in front will be removed

**Motion (DB) to close the Public Hearing and issue an Order of Conditions for this amended plan; Commission agrees that this is a MINOR CHANGE to an OOC; 2nd; Voted AIF**

#### Letter Permits

**266 Big Alum Road, David Bellerose.** Removal of 21 trees in the buffer zone to Big Alum Lake. Project will also involve removal of invasive plants on the parcel. Commissioners had visited the site accompanied by Greg and Dennis Panu.

Dave Bellerose present; and Dennis and Greg Panu, professional arborists. At the request of the commission, we are here to present a more comprehensive replanting plan: Agent: Commission did visit the site, and discussed trees that were pointed out- Many did have root rot, crown damage, wooly adelgid, etc, and we also saw the many invasive plants that applicant intends to take care of. The biggest concern of the Commission is the replanting plan, as many trees are being removed.

GP (arborist) shared planting plan, including details of numbers and varieties; commission discussed the large number of trees being removed, but all agreed they were in bad shape: Commission also, agreed that the site could not accommodate

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the usual 2:1 replacement usually requested. Commission discussed value of the willow trees: JK's professional opinion is that there was no value in keeping them. Commission requested that the suggested weeping cherry planned to replace the willows be changed; All agreed that *Stewartia* would be an appropriate replacement species.

**CONSENSUS Commission agrees to this plan with the substitution of the *Stewartia* instead of the Cherry tree.**

**61 Beach Ave, Jay Fry. Tree removal in the buffer zone to Cedar Lake. Multiple trees.**

Agent: we received a phonecall from our Tree Warden that there was some cutting on Beach Ave; I went to site, I met with Mr. Frye, we viewed the property together: Agent shared photos of several stumps of trees Frye had removed; approx 8-10 trees were removed within 150-200ft on far side from lake; some already very unhealthy; Mr Frye also concerned with some hangers overhanging the beach, and more on other side of property; he'd like to have them removed;

FRYE: property belongs to mother-in-law - wanted to save rubber roof of garage; many broken branches- I thought rule was 100 ft... Trying to clean up the lot; 2 pines were dying;

Agent: 200 ft buffer zone d goes about 50 ft into his garage property on the other side of Beach Ave: recommendation: allowing hanger removal; and request some replanting be done. Commission suggested requesting that replanting be done closer to the lake to make that lot more vegetated for health of lake:

**Motion (DB) to approve cutting already done: to approve removal of existing hangers; to require replanting of four herbaceous plantings nearer to the lake. 2nd (JK) Vote: AIF**

Agent: We will send you a letter, and I'll come out to site to discuss replant.

**Linda Cocalis, Chairman, Sturbridge Board of Health:**

LC has shared with the Conservation Commission a letter drawn up by the BOH addressed to Matthew Beaton, Secretary, Executive Office of Energy and Environmental Affairs. The Board has been working with special town council; these are facts we are presenting to the Secretary's office in response to the Supplemental Final Environmental Impact Report (SFEIR), dated March 31, 2016, and the SFEIR Addendum, dated April 6, 2016, in which we state: *"The SBOH respectfully requests that you find that the SFEIR does not adequately and properly comply with the requirements of the Massachusetts Environmental Policy Act, M.G.L. c.30, §§61-62I, and its implementing regulations, 301 CMR 11.00, and that you require the submission of a Second Supplemental Final Environmental Impact Report."* The Board of Health is asking for a letter from the Sturbridge Conservation Commission in support of this request to EOEEA.

The letter addresses the issues we have discussed before: ground water testing, the plume of pollution from the landfill, the contamination found in local wells, and the concern that the contamination plume is spreading towards Sturbridge.

**Consensus to write a letter of support for this BOH action: the letter is due on Friday, May 6th. Vote: AIF.**

**3 Ladd Road - Bob Briggs - Letter Permit After the Fact.**

Agent: went to site with auger to test soils.... Typically we establish a wetland area by assessing the plants in an area or soils; found no plants to read; had difficulty finding soil due to heavy rock presence; so concluded overall that the stonewall does not mark the edge of a wetland – the wetlands follow the toe of slope, which I flagged ....

The wetlands should be and remain an undisturbed area. We would like to see something returned to the wetland- native plants to restore to natural condition

Briggs: ideally would like to bring lawn down to the wetland line: GC: but that is still protected area - so if you want to bring in soil, you would need to file with the Commission ..... Right now we're concentrating on revegetating the wetland area that was disturbed.....and then you could submit a plan

Briggs also would like to repair the stonewall where the tree company breached the wall....

SH: when you plan for lawn, we'd like to see a buffer "strip" of vegetation, so you are not mowing right up to the wetland; this could be left natural and unmowed, or could be planted; we can be specific when you submit a plan

**Summary: install straw wattles along the flagged line, make a plan for re-planting in the wetland to repair damaged areas, discuss plan with Glenn before actual planting. When you are considering the lawn, you'll come back to the Commission with a Request for Determination of Applicability.**

**Consensus to approve this wetland line. Planting plan to be submitted to SCC.**

Enforcement

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**460 Leadmine Road, John Stevens. Restoration plan due 4/7/16. Restoration complete by 5/19/16.**

John Stevens: Glenn Krevosky representing; this is regarding the enforcement order issued in March, when Mr. Stevens' son had pushed a significant amount of fill into the wetland adjoin their property.... We're here to present the wetland restoration plan; We have marked the wetland boundary; There has been no migration of fill into the wetland ; proposal: put the wattle line in place; put the tracking pad at the road ; remove the material; Commission will be notified where the material is going; Area will be restored with 6-7 ft red maples, high bush blueberry, winterberry and arrow-wood , cinnamon fern; an approx. area of 80 x 40sf (3200sf) ; Any exotics / invasives along the edge will be removed / we will plant the slope with native species

Glenn: I'm satisfied, we can meet on site as work progresses;

SH 3:1 slope would be the best; also assuming wattles at toe of slope; would prefer 20 foot tracking pad; and monitor/refresh as necessary; GK agrees

Discussion was had about water flow from corner at Leno Road, the perimeter drain and the source of its flow; the perimeter drain outfall is not indicated on the plans- was missed by surveyor; Commissioners saw breakout, but could not identify source; it was concluded that GK will flag that drain, and expose more of it----- and insure that it is included in erosion controls if deemed necessary.... 30516 JS; that drain was installed with knowledge of the town- maybe BOH- records should be available;

**Commission agrees to accept this plan with changes noted**

**8 Birch Street Site:** Porch has been removed; Agent has not returned for follow up site visit.

**Signatures**

**Certificate of Compliance; DEP #300-823, 272 Big Alum Road, Julie Morrill;**

Work has been completed to the satisfaction of the Commission; OOC is now expired; New property owner is seeking a new filing on this property and cannot do so until current OOC is closed out; **Certificate is signed.**

**Order of Conditions; DEP #300-950; 60 South Shore Drive; Peck**

**Approval of Minutes**

Motion (DB) to approve minutes of April 21st; (2nd); Vote: AIF

**Motion to Adjourn**

**10:20 pm -- Motion (SC) to adjourn the meeting (2nd); Vote: AIF**

**Next Meetings:** Thursday, May 19, 2016, with a Bylaw Regulation working session starting at 6:00 pm,  
Regular Meeting to begin at 7:00.

***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***