

TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION

Thursday, December 7, 2017

*Approved January 18, 2018*

Sturbridge Center Office Building, 2nd Floor

6:00 PM -- Meeting Called to Order/ Ed Goodwin (EG), Chairman

Quorum Check: Confirmed

Members Present: Ed Goodwin (EG) Chair  
Steve Chidester (SC) Vice Chair  
Dave Barnicle (DB)  
Steven Halterman (SH)\*  
Paul Zapun (PZ)

*\* Commissioner Steven Halterman submitted a completed Mullin Form, documenting his review of the official video recording of the SCC Meeting of November 16, 2017. Signed by SCC Chair Ed Goodwin, dated Dec 7, 2017.*

Others Present: Conservation Agent Rebecca Gendreau, Anne Renaud-Jones, Conservation Clerk, Peter Mimeault, Steve and Valerie Quink, George Kondylis, Arthur Allen, Zachary Gless, Leonard Jalbert, Eric Willard, Fred & Margaret Gunn, Dale Morse

Committee Updates:

CPA: Committee met Dec 4th; discussion centered around the Town Barn fields: CPC used contingency funds to obtain three estimates for dividing the fields into 3 separate parcels, which may facilitate the discussions about the possible donation to improvements on these fields ....  
-- CPC also sent letters to Planning and other departments requesting input on future projects for CPC.

Trail Committee: Work day was held on the 14th; installed fence & signage: FRoST (Friends of Sturbridge Trails) will hold Annual Meeting on January 16th at the Public House.

Lakes Advisory Committee: will not meet again until spring.

Open Space Committee: is waiting on new Open Space Plan

Walk-ins Peter Mimeault; 76 South Shore Drive (aka 25 South Shore); is planning to submit a Request for Certificate of Compliance for his project: because this project spanned several years with extensions and amendments, he wished to summarize this garage and landscaping project before he submitted the Request for Cert of Compliance. PM gave a short but detailed accounting of the history of his permits and related work for this property and project. He will submit a Req for Cert of Compliance this week.

## Public Hearings

- 6:15 Notice of Intent; DEP#300-1004; 168 Lane Seven; Stephen Quink; represented by EcoTec, Inc; Repair and reconstruction of existing patio, fences, outdoor stairways, and removal of hazardous trees; in the buffer zone. Art Allen and Steve Quink presenting; submitted certified mail list and Legal Notice tear sheet; Commission visited this site on Tuesday – site is on South Pond; Have received comments from Natural Heritage, who saw ‘no adverse impact’. Project consists of the removal of a dilapidated concrete stone stairs and patio, which will be replaced with pervious pavers..... There are a few issues which are not yet addressed in this plan - which we are aware of (an old pump house, and old clay pipe and drywell) and will be shown on the revised plan; we want to hear concerns of this Commission before we proceed with our revisions.... The project includes removal of 3 large pine trees, which we deem hazardous; we have a certified arborist report; several other trees and their condition were discussed.....  
 Agent RG: site is well vegetated; trees indicated are in very poor condition;  
 Comm SC: would like to condition this project so that Commission visits again when all trees have been removed in order to reassess the site for a replanting plan... AA: yes, the owners are already discussing some replanting options; DB: encourage shrubbery as well - and we have a policy of no stumping. AA: crane work for the removal of trees on lake side of the house will be worked over the top of the house, so that no large equipment will be working on the lake side...Erosion controls will be 12" wattles SC: would like to see erosion controls at both the top and bottom of the slope... EG: very tight working space: we need to condition with “no excavation and no heavy equipment” AA: yes, we’ll be jack hammering the patio and carrying it out by hand.... RG: perhaps phase the work so the site is not all disturbed at the same time... AA: Request for continuation to the next Meeting (Jan 4th). Commission consensus to grant continuation to Jan 4th Meeting.
- 6:30 Notice of Intent: DEP #300-1003; 138 Lake Road; Eric & Carol Willard; Represented by Jalbert Engineering; construction of house additions and related site work in the buffer zone. *Continued from Nov 16.* Len Jalbert and Eric Willard present: Revised plan was shown and explained: LJ: we have eliminated plans for the secondary slope that were on original plan; and are proceeding with only the front portion; Goal is to open up an area around that corner of the house for owner to have access with a mower; right now there is no access to the back yard; We be adding a screen porch – then an open porch off of that; will be adding fill to accommodate those porches the fill will ease that very steep slope it’s almost a cliff in that area; parking area at the bottom will only be for 2 cars so that wide open area will be closed up.....We’d like to remove 3 large trees on that steep slope because of the danger ... - then regrading with more fill; This proposal entails less than 50% of the excavated area indicated on the original proposal, ; the slope would be terraced; a total cut from the top of the slope down- to an elevation of 12ft; and a rock slope. 4-5 ft high similar to what’s there .....  
 ...EW: we’ve been transplanting trees from other areas of the site ; we’ll be putting a pine screen along property line; LJ: the fill is being placed where it’s necessary to bring it up to grade... Grades will match between adjoining Radner property RG: They are showing a decrease in excavation from their original plan; the driveway will still be gravel.  
 PZ ok; SH ok; DB: opposed to filling re the 8% slope bylaw ....SC: are there trees coming out? LJ - the area is all scrub brush – ground is all gravel; no significant trees there...  
 SC: would like at least one significant tree going back into the area...  
 Motion: SH to close the public hearing; 2nd DB: AIF; Motion: SH: to approve this plan as presented with conditions as discussed in this hearing, ie, to match grade w Radner property, and no pesticide/herbicide use: Vote: 4:1 (DB opposed)

6:45

Notice of Intent: DEP #300-tbd: 47 Seneca Lane: George & Rebecca Kondylis; raze & rebuild of single family home and garage in the buffer zone; Represented by EBT Environmental Consultants. Glenn Krovosky -

Glenn Krevosky (GKeft) George Kondylis (GK) and Zachary Gless (ZG) of Existing Grade are present.

GKeft 8 trees on the lot; house built 1910; existing dock, and patio on lakeside, and a well right at 25 ft bz on north side; old dock ends at 8 ft; project is to remove some of the existing steps and rebuild new; new patio is approx. 2 ft further from shore; is 2 sq ft less overall; a 1ftx1ftdeep stone apron around the patio for infiltration at 1/2in/24hrs; cultec in front for roof runoff infiltration at the same rate; .... haybale and silt fence along shoreline; presently, the closest point to the shoreline is 9 feet from the wall...

- A construction sequence will be provided; Plan is erosion controls first; then removing the structure; moving equipment towards the lake; rebuilding, then putting wall in at the same location; details for the retaining wall are coming – we are in conversation with DEP right now; Removable dock is proposed at 24 ft (96 sft); dock: 2 eyebolts embedded into concrete of the new wall; will be removed for the winter; As-built will be provided to confirm wall location does not change;

- Large tree by the dock – has a chain and wire girdling it; Arborist report is coming tomorrow; We understand your 2:1 replacement policy; Also discussing the pine which has been hit by lightning and is leaking sap; also proposing to remove the row of (cedar-arbor vitae).

- New proposed deck is above the patio; that will all be infiltrated .... Old shallow well is nonfunctioning; New drilled well is being installed;

- RG: lower area of retaining wall had a pipe coming out... GKeft: that area is the low area of the lot; does seem to be water that flows from upper Seneca Lane over this lot;

- RG: Glenn(eft) has provided me with details for the dock

- RG: is one section of the wall staying?? It's now concrete and stone, will you be replacing with same material?? ZG: About 1/3 of the wall is fieldstone and mortar - and is in good enough condition to repair... and matches neighbors; below that is poured concrete; which is cracked and collapsing - cannot be saved; So where we can repair, we will; where we can't, we will replace with fieldstone and mortar to blend it all - final drawings will define what is being done on this wall..... - RG: noted one point in the wall where large pine tree is - would like to save this tree...

- EG: Why concrete base? GeorgeK: annoyance level with sand/stone/weeds and settling of pavers.... EG: think pavers are better; would be important to this project.....

- SC: biggest concern is loss of canopy – would like hard look at arborist report

Discussion of the 1st floor deck with patio below and planned new poured section under the new stairs; only expansion is slight increase of concrete pad where the stairs would land coming off the upper level deck RG: if there's a concern with increase impervious patio area, recommend putting stone under the stairs instead of the poured concrete to reduce impervious surface....

EG summary: - confirmed square of the house is the same size - want hard look at the planting plan; we want high quality replacement trees on site - suggested considering moving house back further from water....

GK/EBT: Request for continuation to next meeting: Commission consensus to continue to January 4th meeting.

## Old Business

DEP # 300-711 Request for Certificate of Compliance – 36 Goodrich; Fred Gunn (FG) present: Mr Gunn received a letter from Agent GColburn in mid-September regarding several issues which need to be addressed on his property before a Certificate of Compliance can be issued. Mr. Gunn came into the Commission to explore how best to proceed in taking care of these issues.

- FG: there are 2 decks on the house that I was asked to remove, but they should be grandfathered; -- I can do repairs if necessary but I want to keep the porches if possible.
  - RG: Mr. Gunn's Order of Condition was issued in 2007; amended in 2009, and extended in 2012. Currently, the OOC is expired. The previous agent, Glenn Colburn, visited the site in September and issued the previously mentioned letter. From my site visit in October, I saw no issues with the retaining walls --
  - EG recommended a site visit by the whole commission and suggested Tuesday, January 2nd.
- All agreed.

## Request for Certificate of Compliance

DEP #300-902; New England Power dba Nat'l Grid; maintenance work along transmission line between Allen and Podunk Roads (OOC issued 6/2014);

- RG: Went to visit site, some replanting had been mowed by the DCR staff, so will need replanting... Cannot sign this tonight.

## SIGNATURES

### Request for Certificate of Compliance

- SIGNED: DEP #300-962; 6 Cedar St.; Dale Morse; addition to an existing single family
- SIGNED: DEP #300-976; 27 Breakneck Road, John Stevens; septic install
- SIGNED: DEP #300-899; 26 Long Ave., Nancy Coderre, DPW roadwork; PARTIAL Certificate

### Orders of Conditions

- SIGNED: DEP File #300-1002, 12 Gardner Ave., Orders of Conditions to sign
- SIGNED: DEP File#300-913; 77 Westwood Drive: Mark Gosselin: Extended for 3 years.

### Letter Permits

- SIGNED: Tree Removal, 17 Adams Road, 1 dead hemlock, Russell Temple; Becky visited the site, site is small, replanting is unnecessary: Commission all agreed AIF
- SIGNED: Tree Removal, 230 Roy Road, 3 dead trees, Christopher Choquet; Becky visited the site, requesting planting of three shrubs close to the water: Commission all agreed AIF
- SIGNED: Tree Removal, 250 Big Alum Rd, prune 1 tree; Timothy Wright; Pictures were shown; 1 large tree down in the water; will trim back to the dock, but leave the roots and lower trunk in position. No replanting is necessary: Commission all agreed AIF

Approval of minutes: November 16, 2017

Motion (DB) to accept minutes as presented; 2nd SC; Voted AIF

#### Agent Report

- Budget 2019: Agent is ready to present 2019 Budget for consideration: Previous budget request had included funding for the removal of several dilapidated buildings on conservation properties. Is pursuing cost estimates for this work -- Agent has visited the Heins Farm cabin; has spoken with Tom Chamberland, and understands there are multiple buildings on Leadmine that need to be addressed...
  - DB: there are also a building on the Plimpton property. ...
  - DB: Is there possibility for another WHIP grant? We would keep it in early successional habitat... RG will explore...
  - EG: the Heins' cabin is close to a heavily used trail and should be top priority...
- CVP changes: Natural Heritage has reviewed and updated their Certified Vernal Pool maps. The new map is available online and also in the Conservation office.

Chair EG: Tabled the planned discussion of the proposed changes to the Sturbridge Wetlands Bylaw Regulations until the January 4, 2018 meeting. Commissioners deliberated regarding which copy will be used as we proceed; all agreed we will abandoned the "strike thought red-lined copy" as an archive of changes made to this point. The copy dated July 13th is the final copy we use as we begin our final review.

Adjourn Motion to adjourn (SC); 7:55 pm; 2nd EG: Vote: AIF

***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***