

TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION

Thursday, November 2, 2017

*Approved Nov 16, 2016*

Sturbridge Center Office Building, 2nd Floor

6:00 pm – Meeting Called to Order: Ed Goodwin, Chair  
Quorum Check: Confirmed  
Members Present: Ed Goodwin, Chair  
Steve Chidester (SC), Vice Chair  
Dave Barnicle (DB)  
Steve Halterman (SH)  
Paul Zapun (PZ)  
Others Present: Rebecca Gendreau (RG), Conservation Agent, Anne Renaud-Jones (clerk);  
Robert Murphy, Mark & Sandy Oliver, Anthony Harris, Donald Garfield

Committee Updates:

CPA: no report submitted  
Trails: DB: very successful work day on October 21st; thank you to all volunteers;  
FROST Annual Meeting date will be posted on FaceBook soon;  
Lakes Advisory: no report submitted  
Open Space: no report submitted

Walk-ins none

Public Hearings

- 6:15 – Notice of Intent: DEP #300-1001; 12 Gardner Ave; Donald Garfield; represented by Robert Murphy; Construction of a new single family house and septic system in the buffer zone. *(Continued from Oct. 19th)* Robert Murphy presenting: a revised plan showing wetland delineation was presented and reviewed: RMurphy clarified that there is no planned work within the 25ft bz and only temporary grading disturbance within 50ft bz; Discussion was had regarding the slope at back side of septic system; concerns were raised about the slope and erosion controls during construction as well as the stabilization of the slope; RMurphy agreed to increased erosion controls, using a combination of haybales and silt fence, both at work site and at bottom of the slope; Agreement to increase plantings using existing mountain laurel, to leave stumps of existing mountain laurel for re-naturalization . Current plan indicates “grass” as the stabilizing planting, but Comm requested that be revised to clarify new discussion including mountain laurel, conservation mix, etc. .... Concerns also expressed about possible vernal pool; RMurphy will seek temporary construction easement with abutters immediately to north in order to move the septic area out of the 50ft bz. Permanent markers will be installed at 50ft line/toe of slope – type t/b/d by applicant...  
-- Summary: Commission requested that a revised plan be provided showing: plans for mountain laurel stumps for re-naturalization; replacement of “grass” as the stabilizing planting with mountain laurel and conservation mix; .... Installation of permanent markers at 50ft line; expansion of erosion controls; and pursuit of easement agreement with abutters for temporary grading . - Request for Continuation to November 16th meeting. Consensus of Commission to grant continuation. AIF.

- 6:30 Request for Determination of Applicability; 388 New Boston Road; John Gosselin; removal of fallen deadwood for personal firewood use; in the buffer zone.  
*Mr. Gosselin has requested reschedule to November 19.*

#### Letter Permits

- Tree Removal Application: 13 Adams Road, Mark & Sandra Oliver; - (*cont from Oct. 5th*); Applicant revised this request to a reduced number of 7 trees for removal: Commission visited site: Commission approved removal of 6 trees and approved pruning of the 7th tree. The Olivers presented a replanting plan showing high-bush blueberries and winterberry plantings- the Commission approved.  
Commission consensus to approve removal of 6 designated trees and pruning 1 tree. AIF
- Tree Removal Application: 28 Preserve Way; Anthony Harris. Removal of 7 trees.  
– (*cont from Oct. 5th*): Commission has now received letters from two abutters stating permission to remove the trees that threaten Mr. Harris' property.  
Commission consensus to approve removal of all designated trees. AIF

#### Old Business

Update: DEP # 300-323 Request for Certificate of Compliance – 21 Old Hamilton Rd. This property was inspected in September and found to have several issues: some of approved work was not done, some other things were done but not on original plans: Agent has advised applicant of need for an “As Built” plan.

Update: DEP # 300-711 Request for Certificate of Compliance – 36 Goodrich; This property was inspected in September and found to have several issues which must be addressed before any Certificate can be issued. Agent is waiting to hear from the applicant regarding his intentions for resolution to these issues. - Commission requested a copy of the letter sent to Mr. Gunn detailing outstanding issues.

December Commission Meetings: The schedule for December meetings was re-discussed and it was decided to keep December 7th as a meeting date, but to eliminate the December 21st meeting due to the holidays. The next meeting will be January 4th, which keeps with our usual 1st Thursday schedule.

Beaver Deceiver at Heins Farm: PZ inquired about the status of this project; Commission clarified that the project requires the filing of a Notice of Intent in order to start work; the new agent will familiarize herself with that project.

EG suggested that Trails Committee come into a meeting in order to meet new Agent and review their existing and planned upcoming projects.

#### New Business

Tree Cutting: DB would like to explore/discuss how the Commission handles Tree Removal Applications. DB suggests that the Agent be empowered to visit a site, determine if a tree is unequivocally dead/dying, and 1) issue a recommendation for approval of the Permit or 2) if the health or illness of the tree is questionable, advise the applicant of the need for an Arborist Report, which will be brought forth to the Commission.

Commission agreed this would save valuable Commissioner time, but cautioned that any ambiguity of the health of a tree must be referred to an Arborist, and that an Arborist Report must be in hand before the Commission will conduct a site visit.

It was also noted that, although stated in our application that trees must be marked, they often are not, which wastes time for the Commission. We must emphasize the importance of this step.

Orders of Conditions: DB would like Agent to review the standard wording currently used in Orders of Conditions- it appears that there is much duplication of text which could be cleaned up and made more “user-friendly” to our applicants.

#### Signatures

SIGNED Orders of Conditions – SCC# 17-45; Lot 2R 367 New Boston Road; Diverdi Builders

SIGNED Certificate of Compliance: DEP #300-968; 72 South Shore Drive; P. Brochu

SIGNED Certificate of Compliance: DEP #300-307; 23 Long Ave.; B. Yeager

SIGNED Certificate of Compliance: DEP #300-899; 23 Long Ave.; B. Yeager

#### Request for Certificate of Compliance

DEP #300-982; 173 Podunk Rd; E. Hillman - was not signed; some conditions have not been met; applicant is working with Agent to complete all requirements.

Approval of minutes: None

#### Agent Report

Update: Old Towne Way Drainage; They will be clearing the detention basin at the beginning of the road, and letting us know when that is completed; then conversation moves back to the Planning Department.

Update: DEP # 300-888; Blue Wave Solar Project (Ameresco) Art Allen called Agent  
-- I received a phonecall from Art Allen regarding the Blue Wave solar project; Since the project was reviewed and approved by this commission, it went to Army Corp for approval; ACE has requested a modification to one of the culvert structures to make it an open box culvert instead.

-- EG: how did (the project) proceed this far without prior ACE approval? Please get this answer from Art Allen;

-- Culvert installation is now on hold due to ACE “time of year” low flow restrictions; I walked the site w Art Allen on Monday (10/30th), which was after that weekend of rain) - two structures currently there were handling flow just fine....

Discussion: Area was originally ponded due to the failure of an older culvert structure on site; the temporary culvert installed (before this project was begun) has opened up the area and channelized it- it is no longer ponded.

RG – Unnecessary erosion controls are still in place, so I requested that erosion controls be removed.

Ameresco will need to file for an Amended Order of Conditions with SCC before proceeding with this culvert work in the spring.

Adjourn: 7:20pm; Motion to Adjourn (SC); 2nd (SH)

Next Meeting: Thursday, November 16, 2017, beginning at 6:00 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*