

TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION

Thursday, October 19, 2017

*Approved Nov 16, 2017*

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)  
Steve Halterman (SH)  
Paul Zapun (PZ)

Others Present: Conservation Agent Rebecca Gendreau, Anne Renaud-Jones, Conservation Clerk; Robert Murphy, Amy Smith, Craig Moran, Karen Skow, Jon Dambly, Donald Garfield, Scott & Lisa Sanderson, Camden Rowe

Committee Updates:

- CPA: no report submitted
- Trail Committee: Work Day Saturday; meeting at 8:00 am; will be working on the Pinelands
- Lakes Advisory Committee: They are meeting tonight; this is their last meeting of the year; We have received the Lakes Reports and have distributed to the ConsCom

Dave Barnicle: introduced Camden Rowe, a Tantasqua student visiting the Commission meeting tonight as an observer. Camden introduced himself briefly, saying he had visited Costa Rica this past summer with the Council on International Education Exchange. When he returned, he maintained contact with his 19 peers from around the US, and they formed a nationwide organization called S2dent Conservation Organization, whose goals are fundraising for environmental causes, specifically for the Children's Eternal Rainforest in Costa Rica, as well as at their own individual high schools. Camden has started a student club at Tantasqua and is planning to work locally on environmental issues.

Walk-ins John Dambly of 49 Allen Road; has just purchased this property, is planning to add a 2nd story to the house; no increase to footprint, measured distance to wetlands at just over 100ft; there will be no excavation. Applicant is asking if he needs to file NOI with the Commission. Commission consensus: that there is no need to file with the Commission.

Public Hearings

- 6:15 Request for Determination of Applicability; 1 Harding Lane; Aaron Smith; installation of an inground pool within the buffer zone. *Continued from Sept 14, 2017.* Amy Smith present; an updated drawing was shown; pool location has been moved further away from wetland so that it is only 30inches into the 50ft bz; Commission asked about amount of fill coming in – AS: approx. 3-4 trucks; Commission agreed they have done all that was asked.... Motion DB: to close the Public Hearing and approve this plan as presented tonight, signed by Amy Smith and dated 10.19.17. 2nd (SC) Vote: AIF  
Motion SH; 2nd (DB) to find the following determination: Negative Determination #3:  
The work described is within the Buffer Zone, but will not alter an area subject to protection

under the Act. Therefore, the work does not require the filing of a Notice of Intent. AND a Positive Determination #5; this project is subject to review and approval by the Town of Sturbridge under the Town Wetlands Bylaw. Vote: 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 could not attend this evenings meeting. Rescheduled to November 2nd.

- 6:45 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 5, 2017*

Robert Murphy(RM) and Don Garfield present: EGoodwin stated that the Commission had visited the site but did not see wetland flags.... RM: indicated he had marked the line- had augured the spoil; (7:15))) EG: would like to visit site again; would like clarity on the wetland line and also some other points flagged on site so they can better orient to the plans – erosion controls, etc. RM agreed to have new flags done and could meet on site on October 31st at 9:00 am;

#### Letter Permits

- Tree Removal Application, 72 Paradise Lane, Robert & Lisa Muscaro. 2 trees; Muscaros were unable to attend this meeting; Commission visited site; Consensus to approve removal of ash tree and replaced with a suitable native tree; the red maple in question may be pruned but not removed. Commission is requiring a 1:1 replacement of the ash instead of their usual request for 2:1 because of the small size of this lot.
- Tree Removal Application, 218 Hemlock Path, Scott Phipps, 1 large dead hemlock at water's edge; Commission visited site: tree is dead. Consensus to approve removal.
- Tree Removal Application; 74 Paradise Lane; Scott Sanderson ; 3 trees; Commission had visited the site; Consensus to approve removal of 3 trees as requested. Applicant has already done some new plantings for replacement.
- Tree Removal Application: 28 Preserve Way; Anthony Harris. Removal of 7 trees.  
( continued from October 5th ) ; Commission took no action; Applicant is obtaining written permissions from 2 abutters.
- Wetland Bylaw Letter Permit; 45 Seneca Lane, Craig Moran; installation of a fence along property line running down to lake side. Presented plan indicated a 5 ft space between end of fence and water's edge; Commission requested that the fence end 10 ft from the back of the retaining wall Motion (DB) 2nd (SC) to approve with stated amended distance; Vote AIF;
- Tree Removal Application, 8 Stony Brook Dr, Elizabeth Andrews. 4 trees; continued from Oct 5; Commission had visited the site; Commission Consensus to approve removal of 3 dead trees; request removal of brush pile near the brook, and allow pruning but not removal of the large pine on the side of the house.

#### Old Business

DB: inquired about status of Winter Tree Scavenger Hunt event: It will be initiated during the first week of November.

#### New Business

Question was raised regarding the schedule of Conservation Meetings for December; Standard schedule would be December 7th and December 21st. Suggestion was made to change the schedule to ONE meeting only, and have that meeting on December 14th. Commission Consensus to approve.

## Enforcement

SC: inquired about status of 3 Ladd Road, which was an enforcement issue in fall, 2016; An OOC was issued for work to correct the problem; Steve has witnessed activity at the site and was unaware if Agent had approved erosion controls etc: Clerk Anne Renaud-Jones informed the Commission that Mr. Briggs had come through Cons Dept in September when Agent Glenn Colburn was still in office; GC had visited site and met with the contractor regarding all special orders and erosion control concerns. Commission agreed that spring will be best for all the planting that was required.

## SIGNATURES

### Orders of Conditions

SIGNED: DEP #300-999; 103 Shore Road; Alfred Trifone  
SIGNED: DEP #300-998; 367 New Boston Road; Lot #1R; Diverdi Builders  
SIGNED: DEP #300-981: 186 New Boston Road: Joseph Boutiette

### Orders of Resource Area Delineation

SIGNED: DEP #300-1000 Abbreviated Notice of Resource Area Delineation, 130 & 140 Fiske Hill Road; Allworth LLC;

### Requests for Certificates of Compliance

SIGNED: DEP #300-899; 40 Beach; M Renaud / PARTIAL  
SIGNED: DEP #300-906; Charlton Road; Mass Elec dba National Grid; pole installations  
SIGNED: DEP #300-945; 30 Camp Road; Rick Ellis;  
SIGNED: DEP #300-954; Bertin Eng for Solect (OSV SOLAR); 1 Old Sturbridge Village Rd  
SIGNED: DEP #300-961; 67 Bennetts Road; Charles Quinby  
SIGNED: DEP #300-995; 23-27 Main Street; Center of Hope  
SIGNED: DEP #300-996; 88 McGilpin Road; Mary Kay Knox

DEP #300-323; 21 Old Hamilton; Peppard ;

Agent RG comments: This is a request for CoC prompted by a real estate transaction; OOC is dated 1997; dug out old approved plans to review and visited site; some work has been done, some work has not been done; requesting Atty has been notified and requested to provide an "As Built" plan before proceeding.

Minor Amendments to Orders of Conditions      NONE

### Forest Cutting Plans

Fiske Hill Road, 40 acres. Spencer Solar, LLC. : Agent Glenn Colburn submitted comments to DEP in September; Commission has requested site visit; DB stated that the site has significant about of old growth ; Commission agreed to visit site October 30th; Asked Agent RG to set this up w Kate Marquis.

Correspondence      NONE

Approval of minutes:      NONE

## Agent Report

RG: The Planning Dept has received a request from the HomeOwners Assoc of Sturbridge Woods (Old Towne Way; runs between Paradise and Lake Road) to make Old Towne Way a public road. Planning found Planning Mtg Minutes from 2004 stating that Conservation requested a 2nd detention basin; Planning is willing to accept the road once repairs are made but will not sign off because has no record of ConsCom final approval of actual build

We received a plan that shows a detention basin which was not constructed. I have spoken to the representative of the homeowners association. The Stormwater system has been recently maintained and inspected, and a report will be provided to us. In researching this project, we have found no DEP # or OOC associated with the road or drainage structures... I have spoken to DPW; they are OK with the drainage and are willing to accept as a Town Road. We should have the drainage report soon and will put this on our next agenda. Both Planning and DPW would like a Memorandum from ConsCom saying there is no issue with the project.

-- EG; would like to look at the detention basin at the triangle; Commissioners will visit the site

Adjourn        SC: Motion to Adjourn; 2nd (SH): Vote: AIF    7:30 pm;

Next Meeting:    Thursday, November 2, 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*