

TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION

Thursday, September 14, 2017

Approved October 5, 2017

Sturbridge Center Office Building, 2nd Floor

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

Quorum Check: Confirmed

Members Present:	Ed Goodwin (EG) Chair	Absent:
	Dave Barnicle (DB) Vice Chair	Steve Halterman
	Steve Chidester (SC)	Paul Zapun

Others Present: Glenn Colburn (GC), Conservation Agent, Anne Renaud-Jones; Fred Trifone, Glenn Krevosky, Robert Diverdi, Paula Patruno, Amy Smith, Louis Fazen, Robert Morrell, Derek Carroll, Joe Novak, Roger Woods, Angie Morrell, Frank Bicchieri

Committee Updates:

CPA: Committee has not met.

Trails Committee: August 19th was workday at Plimpton Trails: 32 GeoFest volunteers contributed to this work day; work included breaking through the Ridge Trail – a great day’s work;

- Agent Glenn Colburn added a comment directed at the public audience: : For folks who have not yet visited this property, it is beautiful – full of gentle rolling terrain; think it will be a wonderful spot for XC skiing - pretty wide trails and a perfect grade...

- A map was presented of the Leadmine Mountain property which will be affected by the upcoming Hamant Brook Dam removal project. Beginning on Monday September 18th, parts of the Arbutus Trail, the Old Growth trail, and the Morgan Trail will be closed - extending into mid-December.

- There will be NO PARKING at the 1 OSV Road parking lot: it will be used as the staging area for this project. Instead, please use 197 Leadmine and 10 Shattuck Rd parking areas.

- Please respect this closure and all posted signage to ensure your own safety and to protect the integrity of the work being done.

Lakes Advisory: Met on August 17th; reviewed their Boat Safety Course.

Walk-ins None

Public Hearings

6:15 **Notice of Intent: DEP #300-999; 103 Shore Road; Alfred Trifone;** Represented by Trifone Design: Addition of a deck and foundation repairs in the buffer zone.
Fred Trifone presenting; this is an existing house - the front wall of the foundation (facing roadway) is cracked and needs repair; ...Will need to take 3 trees out; one oak and 2 pines - the pine is right in the driveway; one oak is near top of driveway, the other is lakeside from the house, but not on the shoreline.... Plan shows one replacement tree.

- Agent GC: DEP has issued a number (300-999) and had no comments: Reviewing your filed application, the description of your project is really incomplete.... This plan shows your foundation repair, but also the shed is moved into the 25ft buffer zone, which is not mentioned in your narrative; Trees near the road are +/- 100ft from the lake, but the one near the lake seems good and healthy – perhaps it needs trimming, but so close to the water, we should probably see an Arborist report; we really need a good reason to remove that tree.... Your plan shows a proposed deck, which is in the 50ft buffer- usually a no-new-build zone ... shed is in the 25ft no-disturb zone; it should move back outside of the 50ft zone. ...

DB: agree with all of Glenn's comments; understand the lot is very tight, but the buffer zones exist to protect the lake. SC: agree with all prior comments....

EG: Size of the deck? FT: 5 x 11ft; no stairs, stone underneath; 2 posts; parking area will be retained with riprap -- EG: would like to see the shed out of the 50ft; maybe bring it up front where you have shown the new tree site...

MOTION (EG): to approve this plan with following changes: 1) leave tree near water 2) shed cannot go within the 50bz 3) allow 2 trees near top of lot to be removed 4) allow parking area as presented 5) allow deck.... **NO SECOND was offered.**

NEW MOTION (SC) to approve this plan with following changes: 1) leave tree near water 2) shed cannot go within the 50bz 3) allow 2 trees near top of lot to be removed 4) allow parking area as presented 5) do NOT allow the deck

DB 2nd ;

Discussion: EG: would you consider extensive natural plantings in that 24 ft yard area to compensate for the deck? Good shrubs – high bush blueberry or buttonbush for example... FT: yes SC: by moving the shed back to the top of the lot, that decreases the impact of that deck as well... EG: would like to see a revised plan showing the changes we have recommended

- FTrifone: Request a continuation to the next meeting- October 5th

- Commission Consensus to approve continuation AIF (3:0)

6:30

Notice of Intent: DEP #300-998; 367 New Boston Road; Lot #1R; Diverdi Builders; represented by EBT Consultants; Construction of a single family house within the buffer zone. *Continued from July 13, 2017.* Glenn Krevosky, EBT Consulting and Rob Diverdi presenting:

- The commission requested several revisions from the August meeting that we have addressed for this revised plan; We have added the work-limit line on this lot – in one area where the work-limit line and erosion control line are different at the western side of driveway, we will pull in that erosion control to line up with the work-limit-line; Lawn area shows now at approx. 30 x 60ft; We've added check dams in the swale as you requested; driveway surface was prev unclear; it will be paved asphalt; there are three cultec chambers being installed, at 1inch/24hr ; Commission requested permanent bounds; we will install every 25 ft along the 25ft No Disturb buffer zone.:

- discussion ensued about Commission preference: decision was 4ft tall, 4x4inch, concrete, with reflectors; with 2ft showing above ground.

- discussion about tree removals; Diverdi intending to keep as many specimen trees as possible, Commissioners still want them marked on the plan; large pines near the house may be removed,

- Commission concerned that limit of work is still not clearly defined near driveway? Agent GC Comments: All points of concern have been addressed; lots of our discussion has been outside the 100ft, which really is not of great concern... Strongly recommend saving specimen trees: suggest some cleanup work to the south of the driveway, but leave a healthy understory there SC: agree with GC; willing to accept 15ft work limit line along the driveway;

Resident Paula Patruno of 358 New Boston Road- still has concerns about the trees – discussion showed no clarity on how many trees are being removed...no discussion of replacement trees... discussion has not clarified activity at left of the driveway ...

- GC: we are saving the specimen trees, saving some of the understory, and are stating our preference that the site does not become manicured lawn....

Resident Louis Fazen of Lane Eight; primary concern is the west side of this lot and the water runoff- it is a very steep slope – what is the plan to this side?

- GK: once water goes down that slope, the area becomes quite flat; water will not flow from the developed lot in that direction; soil is a coarse gravel- excellent infiltration

LF: Lakes Association is very concerned- should there be a catch basin in that area?

- GK: 160ft from toe of slope to work limit line...with a 2ft drop in elevation.. Do not see an overland flow issue on this lot

- LF: expressed concern with change of flow after the site is fully developed....

- RD: that property is very flat from the back of the house to the back of the property is very flat; we have on record a letter from the engineer stating that the sand there is high quality “presby” sand; the whole site is similar soil- with a 2-minute perc rate....excellent infiltration

Comm EG: I see 2 outstanding issues: we need the septic approval documents in hand, and we need the work limit line clearly defined on the plan in the remaining unmarked area...

ALSO, do not leave the tree decisions to equipment operators - make decisions and mark the trees so they follow your instructions.

Agent GC: I can confirm with BOH that this plan has been approved; I also agree with comments that with the soils on this site runoff will not be an issue

-- I recommend we continue to the next mtg

GK: Request continuation to October 5th meeting;

Commission consensus to APPROVE CONTINUATION AIF (3:0)

6:45

Notice of Intent (Bylaw only): 367 New Boston Road; Lot #2R; Diverdi Builders; represented by EBT Consultants; Construction of a single family house within the buffer zone. *Continued from July 13, 2017.* Glenn Krevosky presenting: similar to Lot #1; we have revised the plans to show the work limit line, the driveway will be asphalt, the septic system BOH approval paperwork is still to come;..... the lot is dominated by pine trees; Trees 9 & 12 are staying, trees numbered 7 & 8 will be removed... ; the 200ft bz cuts right through the house, some of this plan is outside the 200ft SCC jurisdiction ... Roof runoff infiltration will be calculated for 1/2 inch per 24hours; it is my opinion that this infiltration chamber is overkill for this site; All agreed we could leave out these infiltration chambers.

DB: Are trees being removed between septic system and driveway? GK: yes, all- they are all pine- this will be their lawn area; will be adding Winterberry bushes

SC: all OK; agrees with Glenn re infiltration sys; EG: no problems; GK: drainage pipe now shows on plan- it is outside 200 ft ; we did dig out the accumulated material...

Motion (SC) to Close the Public Hearing 2nd: DB; Vote: AIF (3:0)

Motion (EG) to approve this project with the addition of 30 Winterberry or similar shrub-like plantings 2nd (SC); Vote: AIF (3:0)

7:00

Request for Determination of Applicability; 1 Harding Lane; Aaron Smith; installation of an inground pool within the buffer zone; Amy Smith was present; Commission had visited the site; AS: we'd like to clear 15ft x 65ft behind the stonewall for lawn area... Pool will be 36 x 15- with a 3ft concrete padding to a fence; most of the clearing is for sunlight and to keep leaves out of the pool... Agent GC pulled up lot map to display... GC: the map of the subdivision shows this stonewall is not the work limit line -- the limit-of-work is 25ft off the wetland line.... EG: need to look at the wetland boundary; the work limit line on the subdivision plan approved by this commission does not show on the handdrawn plan showing the pool- so we need to be shown that you are not beyond that approved work limit line; May need to move the pool

somewhat to make that happen..... AS: our plan was to take the stones from the stonewall and rebuild a new wall.... EG: so we need to see a revised plan showing the pool and the work limit line and the new location of the rock walls

AS: Request a continuation to October 5th..

Commission consensus to approve continuation. AIF (3:0)

7:15

Request for Determination of Applicability; 47 Champeaux Road; Robert Morrell;

addition to existing single family home in the buffer zone.

Representative: Roger Woods & Co. Roger Woods present along with owners Robert and Angie Morrell; RW: we're putting an addition onto the front of this house (streetside) at floor level with basement and garage underneath it (where the existing gravel driveway is now)Placing new retaining walls around the new "turnaround" area, regrade driveway (will pave eventually) and improve the drainage.....159.. Site slopes so that currently water is entering their basement; we'll reconfigure the footing drains around the site.... All will be directed towards proposed rain garden towards the street. There is a wetland within 100 ft across the street. Contractor has requested using straw wattles; we did test pits for groundwater - hit at 70inches, so we'll incorporate rain gardens, may also do perimeter drains.....

GC: your slope is very steep; concerned wattles may be inadequate; need to install silt fence and haybales to handle a storm; the driveway is rough; it may need to be closed off at the end of the workday while that area is disturbed- don't want silt out into the street; will also need some trees replanted- large varieties (oaks and maples)

RW asked about using millings on the driveway for the trucks : EG: No, millings are oil-based- need to use peastone / stone

Motion SC: to close this public hearing and approve this project with the addition of replanting trees ; and 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

-- Positive Determination #5; this project is subject to review and approval by the Town of Sturbridge under the Town Wetlands Bylaw.

- Vote: AIF (3:0)

7:30

Abbreviated Notice of Resource Area Delineation; 130 & 140 Fiske Hill Road; Allworth LLC; represented by EBT Environmental Consultants; Confirming the extent of wetland resource areas. Glenn Krevosky present: GK: we have not yet received a number from DEP, so we will need to request a continuation for this hearing- Was asked to do only the frontage along Fiske Hill and McGilpin road... there is nothing happening in the interior of this property; the interior wetlands are not indicated on this plan...; Delineation done according to soils, vegetation and hydrology... Have submitted a bv wetlands data; ledge outcrops throughout the site;

Agent GC: EG and I walked the property; delineation seems good- were some confusing flags - perhaps old - near the logging landing; Your line looks accurate .. Should clarify that this is street side of the larger bv - Also we did see an impoundment that could be a vernal pool; If we approve this delineation, we would have to reserve the right to return in the spring to check this spot .

GK: Request for Continuance...Consensus of Commission: Approved

Letter Permits

-- Tree Removal Application: 28 Preserve Way; Anthony Harris. Removal of 7 trees.

Agent: I got in touch with Opacum Land Trust because it's on their property and received reply for OLT president Howie Fife:

FROM Howies Fife reply Sept 13th

I think you are right about there being some Opacum trees that need removal. They were damaged in the 2011 storm. Scott and I removed several others at that time that landed in their yard.

Mr. Harris has already removed most of the understory on Opacum Property beyond the stone wall, without our permission.

They are also dumping lawn trimmings and debris from their fire pit well inside of the boundary on Opacum Land. The debris is more than just wood byproducts. There are also household products visible.

Ed, (Hood) I think removal is necessary, but conditional upon cleaning up the trash and vegetative debris. And any replacement plants as the Conservation Commission may deem necessary. I would also suggest that the bare bank in the Northwest corner be addressed at this time.

One of us should attend the hearing, I am planning to do so.

Howie

GC: So Opacum seems to approve of removing the trees but they want to attend the meeting to address these other issues. We'll put this on the October 5th meeting.

Old Business

-- DB: inquired about the Notice of Intent for the beaver deceiver for Heins Farm: Agent has not had time to address.

-- DB: inquired about status of hiring of new Agent: GC: Leon and JeanB are doing the interviewing, 1st round has been completed; there is a good pool of candidates

Requests for Certificates of Compliance

SIGNED: DEP #300-535; 341 The Trail; Francesco Froio: Commission made note of a possible vernal pool on this site and wants to assess the site in the spring

SIGNED: DEP #300-436; 10 Fox Run partial Certificate of Compliance; John Torpey

SIGNED: DEP #300-469; 4 Harding Lane, Draper Woods, Swiaki & Co.

DEP#300-896; Req for Partial Certificate: 21 New Boston Road, Om Shri Ambica, LLC. Jayesh Patel. Cert was signed by 2 Commissioners: Agent will collect additional signature.

DEP #300-911; 413+419 Main Street; Yervant Realty LLC ; parking lot and site development (OOC 2014); NOT SIGNED

DEP #300-978; 413+419 Main Street; Yervant Realty LLC; paving NOT SIGNED

AGENT GC visited the site: All is built according to plan, but they have not properly implemented the Operations and Maintenance plan for the catch basin ; I looked at the catch basin – filled with silt right up to the outlet pipe- so is absolutely not working; Certificate cannot be approved until the catch basin is properly cleaned out.... DB: didn't they have silt sacks in the catch basins? GC: yes, but this OOC is only for the paving; so when it was still gravel, it had not been cleaned out... They did other things correctly; landscaping was completed; handicapped parking spot.. DB what about drainage pipe at back of the property that leads to our catch basin at the far end of the parking lot? GC: the pipe that goes to runs along the south side of the parking lot is

functional, and when they paved, they left that stone swale open- it's been cleaned off of debris so it should function much better now than when it was a gravel parking lot. DB before we sign off on it, we should check that and make sure it's still functioning because if it's not working water ends up not being treated.

Commission consensus to hold off on both certificates until corrected and inspected again.

Minor Amendments to Orders of Conditions

SIGNED: DEP #300-970, 22 Cedar Lake Drive, Dobson. Request for Minor Amendments to Orders of Conditions: Frank Bicchieri: requesting to change dry well to splash pad based on soil type. Recent heavy rains have infiltrated easily; feel strongly the dry well is not needed.

Motion (SC) to approve this change as a minor amendment 2nd (DB); Vote AIF (3:0); APPROVED

Request for Extension of Order of Conditions

SIGNED: DEP #300-897, 21 New Boston Road, Om Shri Ambica, LLC. Jayesh Patel. Request for 3-year extension to the Order of Conditions. APPROVED

Approval of minutes; August 17, 2017:

Motion (DB) to approve Minutes as presented; 2nd (SC) AIF (3:0)

Agent Report

-- Hamant Dam Removal - Project will start next week; signs for trail closing have been posted in the kiosks.

Adjourn 8:33 Motion to Adjourn (SC); 2nd (DB) Vote: AIF (5:0)

-- Glenn Colburn spoke saying this was his last meeting with the SCC; he thanked the commission for the opportunity to serve as an agent; has enjoyed this work immensely, especially working with good people of Sturbridge. He will continue working in conservation work. -- The Commission all expressed appreciation for Glenn's work.

Next Meeting: Thursday, October 5, 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