

# Sturbridge Conservation Commission

## Meeting Minutes

Approved 1/15/2019

Tuesday, December 18th, 2018

6:00 PM Open Meeting – Quorum check

Present: Edward Goodwin  
Steven Chidester  
David Barnicle  
Steve Halterman  
Paul Zapun

Also Present: Rebecca Gendreau (RG), Conservation Agent; Ashley Piascik (AP), Administrative Assistant; Charles McCarthy (CM); Leonard S. Jalbert (LJ); Paul Brochu (PB); Robert Briggs (RB); William Clougherty (WC); Leigh Darrin (LD); Margaret Noyes (MN); Matt Gagner (MG); Glenn Krevosky (GK).

### Committee Updates:

CPA: None.

Trail Committee: Had a meeting on December 17<sup>th</sup>, 2018. Discussed funding and tied up loose ends for the remainder of the year. Has been preparing to work on Riverlands for 2019. Green Hill Engineering is doing a survey to delineate where the Riverlands properties are. In addition, the Committee is looking to increase the size of the potential parking area. Next meeting will be January 8<sup>th</sup>, 2019.

Open Space Committee: None.

Lakes Advisory Committee: None.

Approval of minutes: November 6<sup>th</sup>, 2018, November 20<sup>th</sup>, 2018 and November 28<sup>th</sup>, 2018

--Motion (DB): to approve the minutes of November 6<sup>th</sup>, 2018; 2<sup>nd</sup> (SH); VOTE: AIF (5-0)

--Motion (SH): to approve the minutes of November 20<sup>th</sup>, 2018; 2<sup>nd</sup> (DB); VOTE: (4-1) 1 abstained.

--Motion (SH): to approve the minutes of November 28<sup>th</sup>, 2018; 2<sup>nd</sup> (DB); VOTE: (3-0) 2 abstained.

### Public Hearings

6:15 **Notice of Intent: DEP#300-1028;** 32 Tantasqua Shore Drive; Building alterations and a new deck; Represented by Jalbert Engineering for applicant, Brochu, P.

*Legal Ad and Certificates of Mailing presented.*

Summary: LJ represented applicant PB. Provided a quick summary of project including violations and filing for habitat area located on property. Plans to add an addition on the southern portion which will be a carport and an addition for a garage. Plans to add a shed as well. No excavation required for shed. Shed will be placed on concrete blocks. Additionally, will be building an extension on the existing deck. Two trees proposed to be removed along driveway. Stairs proposed to shore. No trees will be removed in the placement of the walkway. Stairs will be located within existing walkway area. No grading or excavation in regard to the dock area. Steps proposed into water. Concrete blocks will be removed.

Comments:

- Started as Enforcement for vegetation removal along slope to lake.
- RG emailed LJ asking questions in regards to plan. Asked to have mitigation planting shown and wetland noted on opposite side of the road.
- The dock should be shown on the plan even though it is temporary. Show it as temporary. Could be an option to have stairs coming off of the dock to minimize impacts to the bank. A walkway from the end of the stairs to the dock may be useful as it is still steep there and not vegetated.
- This is the Commission's first time seeing the mitigation plan. Commission should provide feedback if sufficient for mitigating impact.
- Upper part of the bank appears well vegetated. Lower portion may be requiring additional plantings.
- Are the stairs on the plan going to be where the walkway is going down now? Yes.
- Would like to see aluminum stairs in water versus pressure treated wood.
- 2 to 1 replacement should take place for cutting down any trees.
- Only two trees are coming down. No other trees are coming down.
- Make sure everything grows back; good solid growth.
- Additional plantings on the hillside, beside laurel.
- Execution of the stairway is critical to the lake.
- Carport, just footings? Yes. It is all opened underneath.
- Foundation under the garage.
- Stairs on the steep bank will be a good improvement.
- Water level is going to go up and down. Walkway to dock has to be slightly away from the lake. Size should be fairly small.
- 4 feet by 8 feet max. Wood deck with crushed stone underneath as an option. Additional plantings on bare areas.

--LJ requested a continuation to present the changes that were submitted at the meeting tonight by the board, VOTE: AIF (5-0).

7:00 **Request for Determination of Applicability;** 30 Ladd Road; Proposed clearing and grubbing of a 400' by 400' area, in order to establish Advantage Enterprises logging operation; Represented by EBT Environmental Consultants, Inc. for applicant Gagner, M.

*Legal Ad and Certificates of Mailing presented.*

Summary: GK requested to revise the current plan and come back for the February 5<sup>th</sup>, 2019 Conservation Commission Meeting. Currently waiting to receive feedback from the forest management plan. MG stated that part of the forest management plan will be a timber harvest. MG plans to come back to discuss RDA, after receiving feedback from the forester.

Comments:

- RG provided email commentary from Planning Department, in regard to their question/concerns with the initial filing and zoning. The Town Planner was unsure of the intent with Advantage Enterprises and suggested a meeting to go over it, if it is more than just a forest cutting plan. RG also addressed a letter that was sent to the property owner, in regard to a breached beaver dam near the property. A site visit was conducted and it was observed that a beaver dam was breached on the property. It is unknown how it was breached. At the site visit, MG discussed agricultural uses on additional properties. RG reminded the applicant that other activities within jurisdictional areas may require review and to check prior to initiating them. In addition, MG asked for permission to mow the grass on the field. New agriculture uses within jurisdictional areas would appear to

require review. Does not appear that in current agricultural uses, early successional growing in. An RDA would need to be filed, if mowing is in regulation, due to how close it is to the Wetland.

*Continued to February 5<sup>th</sup>, 2019.*

- 7:15 **Notice of Intent: DEP #300-TBD;** 51 Technology Park Road; For the re-application to construct a two-story, 20,000 square foot industrial building with appurtenances, which include parking, utilities, stormwater management, landscaping and erosion control in the buffer zone of the BVW; Represented by EBT Environmental Consultants, Inc. for applicant Meacham, M.

*Legal Ad and Certificates of Mailing presented.*

Summary: GK asked for a continuance to give DEP time to issue the file number.

Comments:

- RG provided a quick summary of the project: Was approved in 2008, amended in 2013, extension was given in 2015. Permit expired in 2018. RG also gave GK a copy of amended Stormwater Management Report located in previous filing.

*Continued to January 15<sup>th</sup>, 2019.*

Old Business

- MA DOT Enforcement Order for Mass Pike drainage violations  
Comments: WC provided the Commission with a quick update. The next step in the process is to submit an Army Corps Permit. Made the Commission aware that progression is in place. RG asked about additional failing/failed stormwater structures and plan to fix those and asked if MADOT was checking the new discharge on top of slope as discussed.
- 169 Arnold Rd, Forest Cutting Plan  
Comments: Conservation Agent provided a summary of the narrative and sketch that was provided. Narrative focused on directing the channel back to its original direction. Water is flowing down the ruts in skid road. Would like to establish the natural flow. It could be poled before access is allowed through the work area. The Commission recommends stones and rocks to keep the channel intact. The Commission is open to changing the flow, but would prefer to avoid any erosion problems.

Minor Amendments to Orders of Conditions

- DEP File #300-972; 3 Ladd Road; Briggs, R.  
Comments: A quick summary of project and follow up was provided. Discussed status of the replanting plan. RB would like to revise plan. Submitted a letter from landscaper with requested revisions. The Conservation Commission would like to go out and take a look, after things start growing in the early Spring. EG proposed to conduct a site visit on the first Tuesday in April. Location of plantings should be shown on a plan for site visit.

Letter Permits

- Tree Removal Permit Application: 312 The Trail; Skowrya, J.  
VOTE: AIF (5-0). Removal of two trees.
- Tree Removal Permit Application: 12 Tantasqua Shore Dr., Santangelo, S.

Removal of one declining maple tree. Concern for loss of trees on lot and area. The Commission requests a 2 to 1 tree replacement plan. Alternative option 1 tree and 2 shrubs for replacement. Replacement plan must be submitted with a sketch prior to approval.

- Tree Removal Permit Application: Right of way adjacent between 8 and 12 Tantasqua Shore Dr. Santangelo, S. Removal of one dead oak tree.  
AIF: VOTE (5-0).
- Tree Removal Permit Application: 72/76 South Shore Drive, Giuggio, A. and Mimeault, C.  
CM (consulting arborist) spoke on behalf of the clients. CM was hired to view trees in regard to failures. He came to the Commission, requesting the removal of two of the three assessed trees. CM conducted a "Tree Risk Assessment" for each of the trees. There will be no need for replacement in the area because there are already many other trees. The Commission questioned ISA's thoughts in regard to pulling the two largest trees out and how it will impact the other trees. CM stated that ISA standards would support the tree removal. As far as the effect on the other trees, there will be minimal impact. CM hopes to manage the removal of the trees, prior to any type of failure. RG site well vegetated with overstory and understory. Many saplings within area will have opportunity to grow.

--Motion (DB): approve the cutting of the two trees and cabling of the sweet birch; 2<sup>nd</sup> (SH) to close the public hearing, VOTE: (4-1) EG voted against.

#### Correspondence

- Property maintenance and failing retaining wall at the Center of Hobbs Brook.  
Comments: RG conducted a summary of the project history and correspondence between Cole Reit Advisors and the Sturbridge Conservation Department. The Commission will look at the wall before taking any further action, and wait at least another week to hear back from Cole Reit Advisors.

#### Adjourn

--Motion made by (SH); 2<sup>nd</sup> by (DB) to adjourn at 8:15 PM.