

# Sturbridge Conservation Commission

Meeting Minutes

Approved 2/5/2019

Tuesday, January 15<sup>th</sup>, 2019

6:00 PM Open Meeting – Quorum check

## Committee Updates:

CPA: Met last week. Voted to allocate 22,500 for housing study to be voted on at the next Town Meeting.

Trail Committee: FrOST Annual Meeting January 16<sup>th</sup>, 2019 starting at 7PM located at the Publick House. Two people that hiked the Appalachian Trail will be there to speak and answer questions.

Open Space Committee: None.

Lakes Advisory Committee: None.

Present: Edward Goodwin (EG), Chair  
Steven Chidester (SC), Vice Chair  
David Barnicle (DB)  
Steve Halterman (SH)

Also Present: Rebecca Gendreau (RG), Conservation Agent; Ashley Piascik (AP), Administrative Assistant; Bruce Proper (BP); Darlene Proper (DP); Paula Brunell (PB); Bill Brunell (BB); Leonard S. Jalbert (LJ); Jason J. Holder (JH); Thomas Cronin (TC); Stephen Soper (SS); Paul Brochu (PB); Glenn E. Krevosky (GK); Andre J. Cormier Jr. (AC).

Absent: Paul Zapun (PZ).

--Motion (DB): to approve the minutes of December 18<sup>th</sup>, 2018 with minor modifications; 2nd (SC);  
VOTE: AIF (4-0).

## Public Hearings

6:15 **Notice of Intent Sturbridge Wetland Bylaw 3.50**; 28B Camp Road; For the construction of a new single-family house with associated site work; Holder, J.

*Legal Ad and Abutter Notifications provided.*

Summary: Looking to build a new single-family house at 28 B Camp Road. Conservation Agent provided a summary of the project site.

### Comments:

- Agent recommended double staked erosion controls on steep portion of site.
- Is there a need for the erosion controls all around the septic system? Appears the slope is in front of the septic system, if it is flat, why would we want to disturb the land?
- The area was cleared prior to purchasing the land/property.
- There is one tree that may be in conflict of where the house will be built.

-Motion (SH): to close the public hearing; 2<sup>nd</sup> by (SC); VOTE: (4-0).

-Motion (DB): to approve the project under the Town of Sturbridge Wetland Bylaw and will use the printed plan from 2014; 2<sup>nd</sup> by (SC); VOTE: (4-0).

6:30 **Request for Determination of Applicability;** 241-245 Main Street; Removal of 1,000- and 5,000-gallon underground tanks from the north side of the garage; Moran, C.

*Legal Ad and Abutter Notifications previously provided.*

Summary: Represented by SS from Soper Construction on behalf of the client. There are two underground gallon tanks that need to be removed; however, they are located directly in front of a slope adjacent to wetland. The end of the tank is approx. 73 feet away from the wetland. Both tanks have been around since 1950 and are still being used for heating. However, there is concern with the tanks and the applicant would like to get them out as soon as possible. SS expressed that it is a tough area to work in regard to the space and slope. SS presented a sketch and described his plan to move forward (*This plan can be found at the Sturbridge Conservation Office*). SS emphasized now is the best time to start this project because the ground is frozen, and there is not a lot of snow on the ground.

Comments:

- The Conservation Department talked to DEP about this project. This would fall under local level review (Fire Department). The process DEP outlined is that tanks come out, do a soil probe, do a lab analysis, at that time there are requirements (Form 1 and 6) that need to be sent in to DEP with the results. As far as stock piling, needs to stay on site, cover with tarps, protect with erosion controls.
- The Agent spoke with representative from Army Corp. of Engineers (abutter) and provided a brief summary of their thoughts and concerns.
- This is a project that needs to be heavily conditioned. RG recommended that she is on site during all work in case there are any issues especially an impact to the slope. Extra erosion controls on site conditioned including an erosion control blanket for the slope. No rip-rap shall be placed on slope as appears within Army Corp. flood easement. Cannot fill/displace flood areas.
- Discussion in regards to other proposed activities not stated in application or supporting materials. New pavement or asphalt grindings will require additional permitting.
- If any contamination is found, this will result in a large concern.
- LJ spoke from the audience and stated that any excavation that takes place has to have a manifest of disposal, has to be sent to the Conservation Commission and DEP by law.
- EG would like a Notice of Intent and a site plan for the entire site.
- Objective is to protect the wetlands.
- Would like to see sampling below the tanks, not just the soil that comes out.
- Would not like to see expansion over the banking.
- LJ expressed concern to allow for tanks to be removed now, subject to approval from the Conservation Commission that a site plan and everything else be done. At least now, the removal of tanks can be expedited.

-Motion (DB): to close the public hearing; 2<sup>nd</sup> by (SC); VOTE: (4-0).

-Motion (SH): to approve the tank removal and sketch plan with the noted changes that have been presented/discussed with a negative number 3, positive number 5, positive 2b, we will add a condition that we are requiring additional permitting for post tank activities; 2<sup>nd</sup> by (SC); VOTE: (3-1). Ed Goodwin voted against.

6:45 **Request for Determination of Applicability;** 13 Old Hamilton; Construction of a second story addition above the garage area and the removal of a deck to be replaced with a pervious patio; Represented by Jalbert Engineering for applicant Harabedian, J.

*Legal Ad and Abutter Notifications provided.*

Summary: LJ presented for the applicant. Everything will be done on the interior of the house. The only thing that is going to take place for soil disturbance is that four sonotubes will be placed for structural support for the existing porch and for the patio installation. Has a meeting tomorrow night with the Zoning Board of Appeals.

Comments:

- RG: small project, no concerns with 2<sup>nd</sup> story addition, drip strip for roof runoff. Deck to patio conversion not exempt but minor project can meet provisions to move forward under this process. Plan incorporates erosion controls. Incorporate minor conditions for project.
- DB sees this as an improvement.

-Motion (DB): to close the public hearing; 2<sup>nd</sup> by (SH); VOTE: (4-0).

-Motion (DB): to approve the RDA with a positive number 5, positive 2b and negative number 3 with conditions; 2<sup>nd</sup> by (SC); VOTE: (4-0).

7:00 **Notice of Intent: DEP#300-1028;** 32 Tantasqua Shore Drive; *Continuation*. Building alterations and a new deck; Represented by Jalbert Engineering for applicant, Brochu, P.  
Summary: LJ representing the applicant. LJ reviewed the project revisions since the last meeting. Plans to put in 17 more plants on the bank, which will be located along the shoreline. Shown on plan. Provided a breakdown of the rough estimate of 50 plants that will be replaced in the area. There will be a temporary dock which has to go before the BOS. There was a stair area by the shore that will be removed and replaced with metal stairs. The stairs will be attached to the dock itself. Going to the shore, there will be an additional set of aluminum deck of stairs. All work with the stairs will be on sonotubes. The deck will be anchored with pipes on the bank. These will be the only disturbances in the area that were not previously discussed. Will be removing two trees by the driveway and will be putting up a fence as well for a dog area. Project has been approved by NHESP.

Comments:

- RG: Pleased with revised project. Meets our concerns outlined at the last meeting. Revised plan is required to be sent to NHESP. Only comment by NHESP is to use native plants.

-Motion (DB): to close the public hearing; 2<sup>nd</sup> by (SC); VOTE: (4-0).

-Motion (DB): to issue OOC under the MA WPA and SWB on conditions as determined by the Conservation Commission and the Agent (SC); VOTE: (4-0).

7:15 **Notice of Intent: DEP#300-1029;** 51 Technology Park Road; *Continuation*. For the re-application to construct a two-story, 20,000 square foot industrial building with appurtenances, which include parking, utilities, storm water management, landscaping and erosion control in the buffer zone of the BVW; Represented by EBT Environmental Consultants, Inc. for applicant Meacham, M.

Summary: GK representing client. DEP issued the File #300-1029 today. Asked to address questions with stormwater and snow storage. Engineer provided comments in response.

Comments:

- RG: Concerns raised by DEP. Can be addressed in a revised O & M Plan for snow storage and the maintenance of grass channel for sediment removal.
- Original OOC and Amended OOC of expired permit #300-771 needs to be resigned. Originals lost and were not recorded. Requires recording. After recorded, can issue Cert. of Compliance as Invalid for records.

- Motion (DB): to close the public hearing; 2nd by (SC); VOTE: (4-0).
- Motion (DB): to issue OOC under the WPA and the SWB as conditioned by the commission and established through the agent (SH); VOTE: (4-0).

7:30 **Request for Determination of Applicability;** 104 Westwood Drive; For the excavation and repair of foundation walls; Represented by Escape Estates, Inc. for applicant Gregory Cormier. *Legal Ad and Abutter Notifications provided.*

Summary: Represented by AC. Foundation wall of the garage has cracked over time. Proposing three brace walls that will hold the wall in place. Came up with a plan to minimize excavation on site. No dirt would be stockpiled on site.

Comments:

- RG: small project, does show erosion controls. Can be conditioned and approved through this process.
- Public question about where the well is located, and how long the project would take.
- 5 working days; well is not within work area.

-Motion (DB): to close the public hearing; 2nd by (SC); VOTE: (4-0).

-Motion (DB): to approve the RDA by Escape Estates, positive 5, negative 3 and positive 2b; 2<sup>nd</sup> by (SH); VOTE: (4-0).

Old Business

- Center of Hobbs Brook Retaining Wall, 100 Charlton St.  
Summary: SC and RG went out to look at the wall after the last Conservation Commission meeting in December. Some correspondence has been made between the Agent and the management company. The company is currently working on the situation. Once the weather is warm, they plan to fix the wall. Agent reiterated to them that a NOI must be filed.  
Comments: Send another letter with a specific date we expect to have a NOI, or an Enforcement Order will be put in to place. 10<sup>th</sup> of February would like to have a plan submitted to us.
- MA DOT Cedar Lake Enforcement Order  
Summary: No new information has been provided.

New Business

- National Grid ROW Yearly Operation Plan & Herbicide Application Notice  
Summary: Every year we get a notification of their yearly operating plan. We received a notification from them that there are two right of ways in which they will be conducting the veg management. Have to go through MEPA. Will also be conducting the herbicide treatments which can meet provisions for exemption under the wetlands protection act. The Conservation Agent provided an aerial photo of where the yearly operation will be conducted.
- New Dog Regulations for DFW Wildlife Management Areas.  
Summary: Conservation Agent will post information down by the Kiosk of Trails.
- Conservation Properties: Management Opportunities FCPs  
Summary: In upcoming year would like to work on Management Plans for the Conservation Lands. Looking into the FCP on the lower corner of Leadmine Property. RG asked if they would like to pursue this in the upcoming year. Reach out to a couple

foresters who will go out and walk the site to get preliminary information, before going forward with a proposal.

Comments: 47 Finlay Road, good opportunity to conduct a FCP at the same time.

#### Forest Cutting Plans

- 198 Podunk Road; Moynagh, R.

Summary: The Conservation Agent went out with Chris Capone from DCR. Provided a summary of their findings.

-Motion (DB): for the Agent to provide comment to the BOS for inclusion as a condition of their permit; 2nd by (SC); VOTE: (4-0).

#### Agent Notes

- Upcoming meeting dates: March 5<sup>th</sup>, March 19<sup>th</sup>, April 2<sup>nd</sup> and April 16<sup>th</sup>.
- Presented MACC upcoming conference dates.
- Received draft of Chapter 91 license for 272 Big Alum.
- 551 Leadmine trailer letter was sent.
- Briefly discussed Conservation Properties, plans for the upcoming year. Meeting with Trails next month for further discussion.
- Plimpton property: priority habitat, additional parking options have been discussed, consider signage about no motor vehicles as observed dirt bike use, would need money for funding.
- Riverlands parking lot might be coming up soon, not in our care and custody but may require review for wetlands.
- Asbestos removal, having a difficult time to get the 2nd quote.
- Looking into grant opportunities for fish and wildlife, finalizing trails, Plimpton is the big plan for this year, and Leadmine forestry.
- Discussed potential of using interns from high school or college for upcoming year.
- Annual Report for the town; good to add the number of site visits that are taken during the course of the year, at least two a month, or sometimes more (the Conservation Agent as well).
- Submitted our budget request for increase in Administrative Assistant hours.
- Cole, Max, Zoe Jalbert won the drawing for the Hein's Scavenger Hunt.

Motion (SC): to Adjourned at 8:33 PM; 2<sup>nd</sup> by (SH).