

Sturbridge Conservation Commission

Meeting Minutes

Tuesday, December 1, 2020

****Virtual Meeting****

6:00 PM Chairman E. Goodwin read the virtual meeting statement as follows:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting law, G.L. c. 30A Section 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number people that may gather in one place, this meeting of the Sturbridge Conservation Commission will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation can be found on the Town's website at <https://www.sturbridge.gov/town-administrator/pages/how-access-virtual-meeting>. For this meeting, members of the public who wish to listen and or watch the meeting may do so either online via the Town's on demand video broadcast, on cable television on channel 191, or dial into the meeting at 774-304-1455, enter 1428# for the meeting number and 12345 for the access code. (This phone number is only active for the public during public meetings). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post of the Town's website an audio or video recording, transcript, or other comprehensive record of the proceedings as soon as possible after the meeting.

Chairman E. Goodwin read the Public Hearing statement

Chairman Goodwin performed a quorum check to confirm a quorum. All commissioners are in attendance, quorum attained

Committee Updates:

- **CPA** – E. Goodwin updated the Commission on the plan on the CPA to create a guide for historical homes in Sturbridge. CPA has allocated \$15,000 for the project.
- **Trail Committee** – D. Barnicle updated the Commission on multiple projects the Trails Committee has been working on or completed including work on 21 miles of Trails.
- **Open Space Committee** – No report.
- **Lakes Advisory Committee** – No Report.

On motion of D. Barnicle, seconded by E. Gaspar, the Commission approved the minutes of the November 17, 2020 Conservation Commission Meeting. Vote: 5-yes, 0-no, 0-abstain.

Walk-ins-None

Public Hearings

195, 197, 201, 201A Charlton Road - Request for Determination of Applicability; Noble Energy, Owner/Applicant, S. Morrison, EcoTec, Representative; Confirmation that no jurisdictional wetland resource areas exist on or within 200 feet of the site.

Agent: Based on the information provided by the applicant, R. Gendreau agrees there are not jurisdictional wetland resource areas on or within 200ft of the site.

Public Comments: none

Action: On a motion of S. Halterman, 2nd by E. Gaspar to Commission vote to close the public hearing and approve the Request for Determination of Applicability with a negative 1, negative 6 determination for 195, 197, 201, 201A Charlton Road. The applicant must provide the storm management plan to the Commission. Vote: 5-yes, 0-no, 0-abstain.

501 Main Street - Notice of Intent; DEP File #300-TBA; Town of Sturbridge, Owner/Applicant; P. Parent, CHA Consulting, Representative; Installation of a Municipal Parking Lot.

P. Parent presented the Commission the project, which is a 25 spot parking area with a rain garden.

Agent: R. Gendreau is happy with the plans; there is a low impact to the resource areas.

DEP did not provide a file # so the public hearing will need to be continued to the next meeting.

Commission: Provided feedback about the size of proposed rain basin vs rain events.

Public Comment: none

Action: By consensus vote the Commission vote to continue the public hearing for 501 Main Street - Notice of Intent; DEP File #300-TBA to December 15, 2020 at 6:55 pm. Vote: 5-yes, 0-no, 0-abstain.

118 Paradise Lane - Request for Determination of Applicability; K. St. Laurent, Owner/Applicant, Retaining wall repair.

Agent: This is a minor repair to a shoreline wall proposed to be worked on during lake draw down. Erosion controls must remain in place and no equipment will be used below the wall or stockpiling of materials.

Public Comment: none

Action: On a motion of D. Barnicle, 2nd by E. Gaspar the Commission votes to close the Public Hearing for 118 Paradise Lane - Request for Determination of Applicability. Vote: 5-yes, 0-no, 0-abstain. On a motion of S. Halterman, 2nd by E. Gaspar the Commission vote to approve the 118 Paradise Lane - Request for Determination of Applicability with a determination of +2B, +5, -3. . Vote: 5-yes, 0-no, 0-abstain.

100 Charlton Road – Notice of Intent; DEP File Number #300-1083; *continued from November 17, 2020* M. Kroeger, Vereit MT Sturbridge LLC (CIM Group) Applicant/Owner; J. Panter, Kimley-Horn, Representative; Repair of a failed retaining wall and associated site work. **Agent:** Recommends Approval of the project with additional monitoring for the length of the permit.

Applicant: There are no plans to remove mature trees during this project. The structure of the new wall has a life of 75 years.

Public Comments: none

Action: On a motion of S. Halterman, 2nd by E. Gaspar the Commission vote to close the Public Hearing. Vote: 5-yes, 0-no, 0-abstain. On a motion of D. Barnicle, 2nd by S. Halterman the Commission vote to approve the 100 Charlton Road – Notice of Intent; DEP File Number #300-1083; with the Orders of Conditions provided by the Agent and fallen blocks from the wall must be lifted from above or left alone. Vote: 5-yes, 0-no, 0-abstain.

New Business

- 27 Ladd Road, Chapter 61B Right of First Refusal Request

Take no Action: The request was incomplete; applicant to be notified for modifications to the request.

- 2021 Meeting Schedule

The Commission went over two options for 2021 meeting schedule. They will decide on a plan at the next meeting. The office is proposing a few changes to the application process and the Public Hearings postings with a goal to make the meetings and process much more efficient.

D. Barnicle proposing changes to the fine structure, which he recommends discussing at the next meeting.

Old Business

- DEP File #300-0959; 9 Holland Road; Enforcement Order

Moved to December 15th, based on lack of information

- DEP File #300-971; 2 Cedar Lake Drive, Enforcement Order

The Applicant has worked to address the areas of concern, lawn area is seeded and erosion controls are still in place. The Agent recommends lifting the Enforcement Order and rescinding all fines imposed by the Commission.

Action: On a motion of E. Gaspar, 2nd by D. Barnicle, the Commission vote to release the Enforcement Order for 2 Cedar Lake Drive based on the site visit. Vote: 5-yes, 0-no, 0-abstain. On a motion of E. Gaspar, 2nd by S. Halterman, the Commission vote to rescind all fines to both Property Owners for 2 Cedar Lake Drive. Vote: 4-yes, 1-no(S. Chidester), 0-abstain.

- DEP File #300-1021; 30 River Road; Enforcement Order

The applicant provide the Commission with as built plans and a site visit was performed last week.

Agent: The site has been stabilized and some erosion controls should be removed, and she will work with the applicant on which ones will be taken out. The planting areas should be checked to insure each area is planted according to the plan.

Applicant: Would like to reduce or eliminate the weekly monitoring and lift many of the erosion controls.

Commission: The Commission wants confirmation of the number of infiltrators installed on the site and the applicant to provide the Agent a list of items that need addressing in a detailed email for her review and comment. There are many areas that will need work in the spring including the Temporary dam, the Duck pond and Outlet #1 and #6.

Request for Certificate of Compliance

- DEP File #300-471; 22 Preserve Way

This is a request for a partial Certificate of Compliance for 22 Preserve Way for which no work was done in the buffer zone.

Action: On a motion of S. Halterman, 2nd by E. Gaspar, the Commission issue the Certificate of Compliance for 22 Preserve Way. Vote: 5-yes, 0-no, 0-abstain.

- SCC#19-11; 24 Hamilton Rd.

The Agent recommends issuing a complete Certificate of Compliance for this gravel removal project.

Action: On a Motion of D. Barnicle, 2nd by E. Gaspar, the Commission issue the complete Certificate of Compliance for 24 Hamilton Road, omitting the pistol range from the project. Vote: 5-yes, 0-no, 0-abstain.

Signatures

- ORAD DEP File #300-1068; 9 Holland Road

Action: On a Motion of S. Halterman, 2nd by D. Barnicle, the Commission approve the ORAD draft as presented. Vote: 5-yes, 0-no, 0-abstain.

Adjourn

On motion of S. Chidester, seconded by S. Halterman, the Commission adjourned at 8:27 pm

.The items listed, which may be discussed at the meeting, are those reasonably anticipated by the Chair.~ Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.~ For those items that will be discussed, the Conservation Commission will address its questions and concerns with a proponent before allowing the public to weigh in on the topic being discussed with the proponent.~ For public discussion of non-agenda items, such discussion will be handled during the Walk-in period or as allowed by the Chair.