

Sturbridge Conservation Commission

Meeting Minutes

Tuesday, December 15, 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** –No report
- **Trail Committee** – Heins Farm Trail system is open and the 11th annual Scavenger Tree Hunt is underway.
- **Open Space Committee** – No report.
- **Lakes Advisory Committee** – No report.

On motion of S. Halterman, 2nd by E. Gaspar, the Commission approved the minutes of the December 1, 2020 Conservation Commission Meeting. Vote: 5-yes, 0-no, 0-abstain.

Walk-ins-None

Public Hearings

200 Leadmine Road, Heins Farm Conservation Land-Request for Determination of Applicability; continued from November 17, 2020; Town of Sturbridge, Owner/Applicant; Removal of a dilapidated structure.

Agent: This project was continued as approval of the work plan from DEP was not received at the last meeting. DEP comments have been received, the plan revised, re-submitted and

approved by DEP. A Project Manager will oversee the removal of the structure due to the constraints of the trail system.

Public Comments: none

Action: On a motion of E. Goodwin, 2nd by E. Gaspar to Commission vote to close the public hearing. On a motion of D. Barnicle, 2nd by S. Halterman the Commission approve the Request for Determination of Applicability with a positive 2, positive 5, negative 3 determination for 200 Leadmine Road. Vote: 5-yes, 0-no, 0-abstain.

27 Ladd Road; Notice of Intent; DEP File #300-1056; Continued from November 17, 2020; R. Jennings, 508 International, Applicant; A. Sellew, Owner; O'Neil, Representative; Revised project description: Redesign of the present footbridge. Former project description; replacement of decking on existing Telephone Pole Bridge.

Steven Chidester recused himself for this Hearing

Agent: The Commission requested a third party review for this project at the last Hearing. R. Gendreau provided two quotes for the Commission to review because only two firms replied for the request for Quote. EcoTec provided a \$1,900 quote while Oxbow Associates provided a \$4,500 quote.

The Commission discussed the details of each quote would prefer the least expensive option.

Public Comment: Steven Chidester asked the Commission to consider a 3rd Party review for McKinstry Brook, to verify if the portion running through this project is a Cold Water Fishery and subject to those regulations.

Action: On a motion of D. Barnicle, 2nd by E. Gaspar, The Commission approves the 3rd Party review for 27 Ladd Road provided by EcoTec for \$1,900, this review will include the McKinstry Brook Coldwater Fishery. Vote: 4-yes, 0-no, 1-abstain(Chidester).

On a consensus vote by the Commission, the Public Hearing for 27 Ladd Road; Notice of Intent; DEP File #300-1056 is continued to February 2, 2021. Vote: 4-yes, 0-no, 1-abstain(Chidester).

118 Leadmine Lane (Lot 1, 89 Leadmine Lane); Notice of Intent; DEP File #300-1073; Continued from November 17, 2020; A. Kellaheer, Owner/Applicant; N. Hill, Land Planning Inc., Representative; Construction of Single Family Home, Well and Septic System

Applicant: Since the last discussion, the Garage has been moved and work on the wetland restoration can begin. Mr. Murphy has been overseeing the work done so far. The restoration will be dependent on the winter weather.

Agent: R. Gendreau recommends a report from the Environmental Specialist Mr. Murphy.

Public Comment: none

Action: On a consensus vote by the Commission, the Public Hearing for 118 Leadmine Lane (Lot 1, 89 Leadmine Lane); Notice of Intent; DEP File #300-1073 1056 is continued February 2, 2021. Vote: 5-yes, 0-no, 0-abstain

53 Wells Park Road-Notice of Intent; DEP File #300-TBD; Walker Pond Association, Owner; T. Barth, Applicant; Construction of a footbridge.

Agent: This project is a trail improvement from trails developed in the 1960's. Improvements are for the recreational use of the trails. DEP has not provided a file number or comments so the Hearing will need to be continued.

Commission: This a vast improvement to the resource area. They recommend signage to prevent motorized vehicles from entering this trail improvement area.

Public Comment: none

Action: On a consensus vote by the Commission, the Public Hearing for 53 Wells Park Road-Notice of Intent; DEP File #300-TBD is continued to January 5, 2021 at 6:25 pm.

Vote: 5-yes, 0-no, 0-abstain

501 Main Street - Notice of Intent; DEP File #300-1084; *continued from December 1, 2020;* Town of Sturbridge, Owner/Applicant; P. Parent, CHA Consulting, Representative; Installation of a Municipal Parking Lot.

DEP has issued a file number and comments since the last Public Hearing on this project. P. Parent updated the Project per DEP's comments. There were a few planting that were changed and a calculation change for the bio-retention.

Agent: R. Gendreau recommends approval of the project.

Commission: The commission discussed providing the Town an exemption for salt use for the safety of the public who will utilize the parking lot.

Public Comment: none

Action: On a motion of E. Gaspar, 2nd by S. Halterman, the Commission vote to close the Public Hearing for 501 Main Street - Notice of Intent; DEP File #300-1084. **Vote:** 5-yes, 0-no, 0-abstain.

On a Motion of S. Halterman, 2nd by E. Gaspar, the Commission vote to approve the Notice of Intent- DEP File #300-1084 for 501 Main Street, in the interest of public safety the Commission give The Town of Sturbridge an exemption for salt use in the buffer zone.

Vote: 5-yes, 0-no, 0-abstain.

Letter Permits

- 18 Tantasqua Shore Drive, Tree Removal

The Agent visited the site, and the owner provided a report from an arborist and is requesting the removal of 10 declined birch trees. The area is heavily forested and will not require a complete replanting.

Action: On a motion of D. Barnicle, 2nd by S. Halterman the Commission approve the Letter Permit for 18 Tantasqua Shore Drive, Tree Removal with the Agent's recommendations. **Vote:** 5-yes, 0-no, 0-abstain.

Old Business

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

The applicant presented an updated plan on the wetland restoration. The plan includes addressing the overflowing catch basins, removal of invasive species, and planting of native shrubs and saplings. The Commission would like to see more saplings planted and the applicant will bring an updated plan to discuss at the first Meeting in February.

- MA DOT Enforcement Order, Turnpike Drainage System/Cedar Lake

The project was scheduled for August but was delayed and only partially completed to date. The Agent participated in a meeting with DOT, Sturbridge TA, Anne Gobi, and the Cedar Lake Association on the status of the project (requested by Cedar Lake Association). MA DOT had started the project this Fall but the remainder of the project is on hold until the Spring. RG was on site recently during heavy rain and the erosion controls had given away, DOT was notified and repairs had been made. In addition, the western paved swale had overflowed and flooded a

residence. DOT and BSC Group staff were on site to review and will be coming up w/ a plan to look at the remainder of the swale to make repairs, etc. DOT will stay in better communication on the project and provide an update in the beginning of January.

Request for Certificate of Compliance

- DEP File #300-1043; 68 Westwood Drive

This is a request for walkway and stairs completed in the buffer zone. The engineer provided a completed plan and is asking for a Certificate of Compliance.

Action: On a motion of D. Barnicle, 2nd by E. Gaspar, the Commission issue the Certificate of Compliance for 68 Westwood Drive, DEP File #300-1043. Vote: 5-yes, 0-no, 0-abstain.

- DEP File #300-709; 278 Cedar Street.

The Agent recommends issuing a complete Certificate of Compliance for this project, a septic system within an existing yard.

Action: On a Motion of E. Gaspar, 2nd by D. Barnicle, the Commission issue the Certificate of Compliance for 278 Cedar Street, DEP File #300-1043. . Vote: 5-yes, 0-no, 0-abstain.

Permit Extension Requests

- DEP #300-1004, 168 Lane Seven

This project was a tree removal, walkway and stairs installation to the lake. The trees were removed and the applicant is asking for a three year extension for the remainder of the project.

Action: On a Motion of S. Halterman, 2nd by E. Gaspar, the Commission approve the three-year extension for DEP #300-1004, 168 Lane Seven. Vote: 5-yes, 0-no, 0-abstain.

New Business

Agent presented the FY22 budget requested to the Commission; there are no new requests for FY22. There were also increases in Wetlands Decisions for the calendar year 2020. The Commission inquired about extra support for the office staff and with the budget limitations for FY22, that discussion was tabled.

Adjourn

On motion of S. Chidester, 2nd by E. Gaspar, the Commission adjourned at 8:38 pm. **Vote: 5-yes, 0-no, 0-abstain.**

.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.