

# CONSERVATION COMMISSION MINUTES

Date: June 23, 2022

Time: 6:00-8:00 pm

**Quorum Check-**Steven Chidester and David Barnicle appeared virtually and Erik Gaspar was absent.

**Walk in-**None

## DECISIONS

### I. PUBLIC HEARINGS

#### 1. 61 New Boston Road-Local NOI-Construction of a Single Family House

- Owner/Applicant: Christina LaFortune      Representative: M. Farrell, Green Hill Engineering
- Request: Issue an Order of Conditions
- Documents Presented: colored site plans
- Jurisdiction: SWB Buffer Zone
- Project Summary:
  - Project includes the construction of a single family house, septic system and connection to town water in the outer buffer zone.
- Presentation and Discussion:
  - Proof of abutter notifications and legal ad received.
  - Project site is not located within Priority & Estimated Habitat.
  - Site visit performed.
  - Work is not shown within 100 feet of a BVW. All work only within local jurisdiction under the SWB. House and driveway are at extent of the 200-foot buffer zone.
  - Project includes erosion controls (silt fence only) at the LOW. Staff recommend that the ECs are located along the southern and northern property lines versus on adjacent properties. ECs should be set off property lines. That will also assist with prevention of materials from migrating to the low point/cart road area which heads to the wetland. A straw wattle should be installed in addition to the silt fence.
  - Road is a scenic road. Tree removal in the road ROW would require Planning Board approval.
  - The Agent recommended approval with standard conditions along with maintenance of the existing drainage swale.
  - The Commission discussed adding a spreader to the end of the swale to aid in the distribution of water near the wetland.
- Vote: On a motion of D. Barnicle, 2<sup>nd</sup> by R. Bishop the Commission vote to close the Public Hearing for 61 New Boston Road. AIF 4-0
- On a motion of R. Bishop, 2<sup>nd</sup> by D. Barnicle the Commission vote to approve the project at 61 New Boston Road with the following conditions:
  - Standard OOC conditions.
  - Sedimentation controls shall be installed as mentioned above and maintained during work.
  - Require a surety bond or deposit of money during work to ensure conditions are met. Funds to be returned or bond to be released upon issuance of a Certificate of Compliance. \$5,000 for new single family house development has been previously required. To be released upon issuance of a Certificate of Compliance.
  - A swale shall be constructed and maintained as continued condition in perpetuity. AIF 4-0

#### 2. 243 Big Alum Road- RDA-Site Improvements

- Owner/Applicant: Yulie Peterson      Representative: none
- Request: Issue a DET
- Documents Presented: sketch drawing
- Jurisdiction: Bank and Buffer Zone
- Project Summary:



**Conservation  
Agent**

Rebecca Gendreau

**Administrative  
Assistant**

Erin Carson

**Conservation  
Commission  
Members**

Ed Goodwin

V-Steven Chidester

V-David Barnicle

A-Erik Gaspar

Roy Bishop

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- Project includes cutting back over-grown brush and growing grass and new shrubs. Project also includes cleaning out an unmaintained drainage swale along Big Alum Road and the installation of a vinyl fence adjacent to the lake.
- Presentation and Discussion:
  - The Commission can't open the Public Hearing until all abutters are properly notified.
- Vote: By consensus the Commission vote to postpone the Hearing for 243 Big Alum Road until July 14, 2022. AIF 4-0
- 3. Lot 3, 20 Fiske Hill Road & 30 Main Street (Future Road named Berry Farm) – *continued* NOI-Construction of a 71 lot manufactured housing community-DEP File# 300-1132**
  - Owner: M. Sosik      Applicant: Justin Stelmok      Representative: B. Madden, LEC Environmental
  - Request: Issue an Order of Conditions
  - Documents Presented: n/a
  - Project Summary: Project includes construction of a private roadway network, 71 manufactured house lots, a clubhouse, parking, and associated stormwater management measures.
  - Presentation and Discussion:
    - Project was continued to allow start of peer review by Oxbow Associates. Peer review was completed and a report was provided to the Commission for review.
    - Initial stormwater/engineering peer review started by Pare.
    - DEP File # and comments issued since last meeting. DEP has questions in regards to stormwater management.
    - Commission has a site visit scheduled for July 12, 2022.
    - Ron from Oxbow Associates provided an overview on Wildlife Habitat focused on the three vernal pools on the site and those buffer zones. He recommends a connection between the two vernal pools on property.
    - The Southwest vernal pool has little habitat remaining while the Northwest vernal pool has vast habitat remaining.
    - The Commission has concerns with the density of the development in those critical wildlife areas.
    - Brian Madden presented a brief concept plan to address habitat connectivity.
    - The applicant requests a meeting with the peer reviewer and Agent to discuss habitat connectivity and next steps for the project prior to the next meeting.
    - The Commission recommends looking at multiple concept plans for them to review for next meeting.
  - Public Comment:
    - Jon Zwirblia-70 Crestwood Drive Southbridge asked which Town was servicing the Water and Sewer. **Town of Sturbridge**
    - Kara Baltoon-Ridge Hill Rd has concerns with watershed form the development heading to Ridge Hill Rd and flooding basements in the area. **The Commission is addressing the stormwater management through this Public Hearing process.**
  - Vote: The Commission votes to continue the Public Hearing for DEP File # 300-1132 to July 14, 2022. AIF 4-0
- 4. 150 Charlton Road- *continued* NOI- Development of a commercial building, truck parking, and supporting infrastructure for a tow truck facility- DEP File #300-1115**
  - Owner/Applicant: Cobra Realty Trust (formerly) Interstate Towing      Representative: G Krevosky, EBT Environmental
  - Request: Issue OOC
  - Documents Presented: n/a
  - Project Status Summary: Project was continued from the last hearing as requested to allow additional information to be submitted.
  - Presentation and Discussion:
    - Revised materials (site plan and stormwater analysis) received 6-14-22. Project has substantially changed. Staff have forwarded to DEP for comment and the applicant is allowed to continue under the same NOI.
    - Property owner has now requested to be the applicant after the initial applicant withdrew the NOI then asked to keep it open. Staff have been informed that the owner is looking to have a footprint approved and that there is not currently a new tenant/use proposed. Zoning is industrial.
    - A new peer review is required since the large change from the original plan. The applicant is acceptable to have CMG continue with the review. Staff will request a proposal from CMG.
  - Vote: On a motion of D. Barnicle, 2<sup>nd</sup> by R. Bishop the Commission vote to continue the Hearing for 150 Charlton Road to July 14, 2022. AIF 4-0

## II. WETLANDS DECISIONS

### 5. 6 Preserve Way-Partial request for a Certificate of Compliance-DEP File#300-471

- Applicant: Peters and Sowya                      Original Permit Holder: Robert Moss
- Request: Issue a COC
- Presentation and Discussion:
  - Site visit performed by the Agent.
  - Development is in compliance with OOC. OOC was for full subdivision. This property does not appear to be within the BZ.
- Vote: On a motion of D. Barnicle, 2<sup>nd</sup> by R. Bishop the Commission vote to issue partial CoC releasing 6 Preserve Way from the OOC for DEP File #300-471.

**6. 34 Cedar Street – Minor Change Request -DEP File#300-1104**

- Applicant: Modern Technology Modular Homes                      Original Permit Holder: Kenneth Mollicone
- Request: Approve change
- Presentation and Discussion:
  - DPW has requested a turnaround be added to the driveway. They do not want cars backing out of this location. Driveway is outside of 100 ft. BZ. Driveway already included stormwater BMPs. No change of the LOW proposed.
- Vote: The Commission vote to approve of the minor change to the driveway for DEP File #300-1104 at 34 Cedar Street. AIF 4-0

**III. ADMINISTRATIVE DECISIONS**

**7. Minutes of 6/2/22 to be approved**

- On a motion of D. Barnicle, 2<sup>nd</sup> by R. Bishop the Commission vote to accept the minutes of June 2, 2022 as written. AIF 4-0

**8. Special Use Request-HR &G Club**

- Summary: Annual request to use portion of Plimpton property for their R100 3D archery shoot on the dates of August 26, 2022 through August 28, 2022.
- Presentation and Discussion: Use is same as past request. Plan to use existing trails. Minimal vegetation cutting back needed. Opacum has no concerns with the request.
- Vote: The Commission vote to approve the special use of the Plimpton property for the Hamilton Rod and Gun Club with the following conditions:
  - Abide by all terms and conditions in the Memorandum of Agreement with Opacum Land Trust (assuming same will be done as in past years).
  - UTV's may be used to transport the archery targets only.
  - UTV's shall not be used to transport people or to administer the event.
  - UTV's shall remain on existing trails.
  - HR&G is responsible for repairing any damage resulting from the event or the use of motorized vehicles.
  - All targets, signs, and other material from the archery event shall be removed from the community forest within 1-week of the conclusion of the event.
  - There shall be no disturbance of stone walls.
  - Only minimal trimming of small brush and limbs will be allowed for the sole purpose of creating shooting lanes. Please minimize all cutting of vegetation.
  - No construction of new trails. AIF 4-0

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**UPDATES**

**IV. OLD BUSINESS**

**9. 36 Mt. Dan Road**

- Presentation and Discussion: Staff have had correspondence with the property owner and have met with him. He has asked that his concerns be shared with the board. Since he is unable to attend the meeting he asked to continue this matter to the next meeting.(July 14<sup>th</sup>)

**10. Enforcement Order – 205 B & 205 C Podunk Pike**

- Summary: At the SCC's 5-12-22, the board requested that staff notify and request that the entities named in the EO for these properties attend an upcoming meeting as the conditions have lapsed and they have not been notified if the approved restoration work has been implemented. **There was no one in attendance at the meeting to represent the property.**
- Vote: On a motion of D. Barnicle, 2<sup>nd</sup> by R. Bishop the commission vote to have staff write a letter to DEP asking them to intervene with this project. AIF 3-0-1(Chidester abstain)

**V. ADMINISTRATIVE UPDATES**

**11. Committee Updates: CPA, Trails, Open Space, and Lake Advisory-no updates this meeting**

## VI. NEW BUSINESS

### 12. Tree Removal Policy

- Presentation and Discussion: Staff reviewed the Tree removal policy with the Commission. Commission agrees with implementing the policy with the minor changes discussed.
- Vote: On a motion of R. Bishop, 2<sup>nd</sup> by S. Chidester; the Commission vote to approve the Tree Removal Policy with the edits made at the meeting. AIF 4-0

### 13. Agent's Report

- Sturbridge is now in a Level 1 drought.
- MASS DOT has plans to file a NOI for failed drainage along Rt 20.
- BOS continued the Hearing for the Curboy property on Mashapaug until local boards and departments could visit the site.

### 14. Next Meeting-July 14, 2022 and Site Visit Schedule- July 12, 2022 9am-12 pm

**On a motion of S. Chidester, 2<sup>nd</sup> by R. Bishop; the Commission vote to adjourn at 8:00 pm. AIF 4-0**