

# CONSERVATION COMMISSION MEETING MINUTES

Meeting Date: June 22, 2023  
Location: Center Office Building, 2<sup>nd</sup> Floor  
Time: 6:01-8:36 PM

Full application plans and narratives referenced in these minutes are available on the Commission's website: <https://www.sturbridge.gov/conservation-commission/pages/meeting-calendar-and-documents-0>



**Quorum-Roll Call; Gaspar-present, Winglass-present, Bishop-present, Goodwin-present; quorum is achieved the meeting opened at 6:01 PM**

## DECISIONS

### I. WETLANDS DECISIONS

#### 1. 3 Douty Road– Request for Determination of Applicability- House addition

- Owner/Applicant: William Grudzien                      Representative: Owner
- Request: Issue DOA
- Documents Presented: site plans
- Project Summary: Project including a 500 ft house addition in a developed lawn built on piers as the site conditions will not allow a foundation. No trees or shrubs will be removed as part of this project.
- Presentation and Discussion:
  - Proof of legal ad and proof of abutter notifications received.
  - Project is not within Priority or Estimated Habitat.
  - Site visit conducted.
  - Work is considered minor. All work is within a developed yard. Work area slopes away from wetland. Wetland appears to be a vernal pool. No expansion of developed areas proposed.
  - ECs don't appear necessary. Any stockpiling that may be necessary can be protected or deposited on east side of lot (away from wetlands).
- Vote: On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to close the Public Hearing for 3 Douty Road. AIF 4-0
- On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to issue a Determination of Applicability for 3 Douty Road as follows-
  - Negative #3 with conditions:
    - Standard pre-work and sign off conditions.
    - Any stockpiling that may be necessary can be protected or deposited on east side of lot (away from wetlands).
  - Positive #2b: no resource area approval
  - Positive #5 w/ conditions noted above. AIF 4-0

#### 2. 212, 216, & 226 Charlton Rd – Notice Of Intent –Development of a Commercial site-DEP File#300-XXXX

- Owner: Various (see NOI) Applicant: Sturbridge Retail Management
- Representatives: J. Modestow, Stonefield Engineering
- Request: Issue an OOC
- Jurisdiction: Buffer Zone & Riverfront Area
- Documents Presented: n/a
- Project Summary: Project includes the demolition of 3 residential homes to accommodate the construction of a 2,402 SF restaurant with drive-thru and 5079 SF medical building with associated parking and stormwater structures.
- Presentation and Discussion:
  - Hearing was postponed, applicant must notify all abutters.
- Vote: No votes taken

#### 3. 60 Farquhar Road– Notice Of Intent- Accessory building with tree removal-DEP File #300-XXXX

**Conservation Agent**

Rebecca Gendreau

**Administrative Assistant**

Erin Carson

**Conservation Commission Members**

Ed Goodwin

Erik Gaspar

Roy Bishop

Ted Winglass

A-Karsten Stueber

308 Main Street.

Sturbridge, MA

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- Owner/Applicant: Craig Bernier      Representative: G. Krevosky, EBT Environmental
- Request: Issue an Order of Conditions
- Jurisdiction: Buffer Zone and Riverfront Area
- Documents Presented: colored plans
- Project Summary: Project includes the addition of a freestanding garage and removal of 3 white pines including stump removal.
- Presentation and Discussion:
  - Proof of legal ad and proof of abutter notifications received.
  - DEP File # has not been issued, hearing will need to continue for the DEP File # to be issued.
  - Project is not within Priority or Estimated Habitat.
  - All work is located within a developed yard.
  - Site visit conducted.
  - The removal of the trees is located within buffer zone and Riverfront Area. Trees are large pines and located within the developed yard. Concern for impacts to structures. Replacement shrubs proposed closer to resource area along vegetated buffer. Area is heavily vegetated and tree replacements would not appear necessary.
  - Garage is not located within state jurisdiction.
  - Additional wetlands located across Farquhar. Work is just at 200' buffer zone.
- Vote: On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to continue the hearing for 60 Farquhar Road to July 13, 2023. AIF 4-0

**4. 530 Leadmine Road– Notice Of Intent- Septic system repair and wetland replication-DEP File #300-1163**

- Owner/Applicant: Sturbridge Home Realty Trust      Representative: G. Krevosky, EBT Environmental
- Request: Issue an Order of Conditions
- Jurisdiction: Buffer Zone
- Project Summary: Project includes the repair of a Title V septic system and the construction of a 1,248 sq ft replication area for a wetland crossing constructed under a previous Order Of Conditions.
- Presentation and Discussion:
  - Proof of legal ad and proof of abutter notifications received.
  - DEP File # issued w/ no comments.
  - Site visit conducted.
  - Portions of the property are located within Priority Habitat. However, project is not within Priority or Estimated Habitat.
  - Septic repair is located within developed yard.
  - Wetland replication was required under previous OOC (DEP File #300-271) from 28 years ago but was never constructed. NOI includes replication. Wetland re-flagged by EBT. Replication area shifted from original proposal as wetland is larger than originally shown.
  - EBT Environmental will oversee the replication as phase I of the project. An as-built drawing will be submitted as part of the completion to pick up the new wetland areas.
- Vote: On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to close the Public Hearing for 530 Leadmine Road. AIF 4-0
- On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote for DEP File #300-1163
  - Approve the project pursuant to the WPA with the following conditions:
    - Standard OOC conditions.
    - Replication work overseen by professional approved by the SCC. Post-installation reporting.
    - Replications require monitoring and reporting.
    - As-built plan for CoC sign off.
  - Approve the project pursuant to the SWB with the following conditions:
    - Condition noted above.
    - Require a surety deposit of \$2,500 to ensure conditions are met. Funds to be returned upon issuance of a complete Certificate of Compliance. AIF 4-0

**5. 660 Main Street– Request for Determination of Applicability- Vernal Pool Study**

- Owner/Applicant: Old Road Realty      Representative: EBT Environmental
- Request: Issue a DOA
- Jurisdiction:
  - Sturbridge Wetland Bylaw Regs.: 365-5.6 Vernal Pools

- Project Summary: Project includes the study of two wetlands to demonstrate if the wetlands meet criteria as vernal pools.
  - Presentation and Discussion:
    - Pools meet criteria for vernal pool certification. Hearing was continued to allow representative to file with NHESP. Receipt of submission received.
    - Natural Heritage did request more information which EBT is providing, Agent recommends closing the Hearing.
  - Vote: On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to close the hearing for 660 Main Street. AIF 4-0
  - On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to issue a DOA for 660 Main Street, pools must be completely certified before any future project is started at the site:
    - Positive #1: The area described on the referenced plan(s) is an area subject to jurisdiction under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.
    - Positive #2b: no resource area approval
    - Positive #5: the area and/or work described on referenced plan(s) and document(s) is subject to review and approval by the SCC pursuant to the SWB. The two wetlands, shown as Pool #1 and #2 sketched on the existing conditions plan, were surveyed and found to contain obligate vernal pool species. These pools meet criteria as Vernal Pool Habitat pursuant to the SWB. AIF 4-0
- 6. 60 Main Street– Notice Of Intent- Commercial parking lot-DEP File #300-XXXX**
- Owner/Applicant: Ashley Steppic     Representative: L. Jalbert, Jalbert Engineering
  - Request: Issue an Order of Conditions
  - Jurisdiction: Buffer Zone and SWB 365-1.1 – 1.3
  - Project Summary: Project includes the conversion of the existing lawn for a residential single-family home to a parking lot for a proposed commercial use.
  - Presentation and Discussion:
    - A written continuation request provided to staff.
  - Vote: By consensus the Commission vote to continue the hearing for 60 Main Street to July 13, 2023. AIF 4-0
- 7. 1 Old Sturbridge Village Road – Notice Of Intent-Tree removal and vista pruning-DEP File# 300-1162**
- Owner/Applicant: Old Sturbridge Village     Representative: D. Frydryk, Sherman and Frydryk
  - Request: Issue an Order of Conditions
  - Jurisdiction: Buffer Zone & Riverfront Area
  - Project Description: Project includes removal of 17 trees.
  - Presentation and Discussion:
    - Applicant revised the project to keep an additional tree and added more shrubs.
    - To mitigate the removal of the trees, the applicant proposes replanting 4 native trees and 12 shrubs, locations to be determined on site.
    - ECs don't appear necessary as no stump removal or other earth work on slope.
  - Vote: On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to close the hearing for DEP File#300-1162, 1 Old Sturbridge Village Road. AIF 4-0
  - On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to approve the project for DEP File#300-1162, 1 OSV Road with the following:
    - Approve the project pursuant to the WPA with the following conditions:
      - Standard OOC conditions.
      - Approval for vista maintenance activities outlined in the O & M activities.
    - Approve the project pursuant to the SWB with the following conditions:
      - Conditions noted above. AIF 3-1(Goodwin apposed)
- 8. 68 Paradise Lane –Notice Of Intent – Raze and rebuild of a lakefront home – DEP File #300-1155**
- Owner/Applicant: Jeffery Buchanan     Representatives: S. Morrison, EcoTec
  - Request: Issue OOC.
  - Jurisdiction: Buffer Zone & SWB Regs. 365-1.1E - H.; 365-1.2, 365-1.3
  - Project Summary:
    - Project includes the raze and rebuild of the existing house. A permeable driveway, grading, stormwater improvements and corrective grading w/ wetland impacts are also included.
  - Presentation and Discussion:

- Project continued to allow for peer review. Calvin Chase from Ecosystems was present to discuss the review of the site and answer questions of the Commission.
- Firm recommends revisions to the wetland delineation to both bordering vegetated wetlands. Areas are flagged on site and sketched on existing conditions site plan included with the report. Details provided to support recommendations. Also noted to look into the property line pin (viewed on site) which doesn't appear to match the plan and #s for wetland impacts differences from plan and narrative be reviewed.
- EcoTec provided a revised site plan which shows the wetland lines proposed by Ecosystems.
- The concept plans include the current house plans and a slightly modified design which the applicant would like feedback on.
- All tree removal shown on the sketch drawing provided should be added to the Engineering site plan confirming the work is all on this property.
- Agent recommends adding addition mitigation to protect the resource areas on site and flag all trees for removal.
- Commission will take a look at the flagged trees during the next site visit.
- Applicant will come back to the next meeting with updated plans based on the Commission and Staff feedback.
- Vote: On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to continue the hearing for 68 Paradise Lane, DEP File #300-1155 to July 13, 2023. AIF 4-0

**9. Lot 3, 20 Fiske Hill Road & 30 Main Street (Future Road named Berry Farm) – NOI-Construction of a 68 lot manufactured housing community-DEP File# 300-1156**

- Owner: M. Sosik                      Applicant: Justin Stelmok      Representative: B. Madden, LEC Environmental
- Request: Issue an Order of Conditions
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone (WPA & SWB) & Vernal Pool Habitat (Sturbridge Wetland Bylaw)
- Project Summary: Construction of a manufactured home community with associated appurtenances
- Presentation and Discussion:
  - Written request for continuation received by staff.
- Vote: On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to continue the hearing for DEP File #300-1156, Lot 3 20 Fiske Hill Road and 30 Main Street to July 13, 2023. AIF 4-0

**II. WETLAND DECISIONS**

**10. 115 Paradise Lane - Request for Certificate of Compliance –DEP File# 300-229**

- Owner/ Applicant: Attorney Karen Davis
- Request: Issue a COC
- Presentation and Discussion: Project was completed and open Order was discovered during a real estate transaction.
- Vote: On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to issue a complete Certificate of Compliance to 115 Paradise Lane, DEP File#300-229. AIF 4-0

**III. ADMINISTRATIVE DECISIONS**

**11. Minutes of the 5/11/2023 Meeting**

- On a Motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to approve the minutes as presented. AIF 4-0

**IV. OLD BUSINESS**

- **23 Old Hamilton Rd. Enforcement Order**
  - Presentation and Discussion:
    - EO issued w/ request to attend this meeting. Staff have spoken to the property owner and Montigny Landscaping which has been retained to create restoration plan as required. They are working on it but need additional time.
    - Vote: By Consensus the Commission vote to provide an extension to 7-5-23 and review at next meeting: 7-13-2023.
- **392 Main Street**
  - Presentation and Discussion:
    - It was agreed upon that a restoration plan would be submitted to address tree removal. Staff have spoken to the property owner and EBT Environmental. Wetlands have been flagged and waiting on surveyor to finish review of property line locations. They are working on it but need additional time.
    - Vote: By consensus the Commission vote to provide an extension to 7/5/23 and review at the next meeting 7/13/2023.

**V. ADMINISTRATIVE UPDATES**

- Committee Updates: CPA, Trails, Open Space, and Lakes; Trails received 2 Grants, No update from Open Space, Lakes would like to come to the August meeting with questions on the permitting.

**VI. CORRESPONDENCE**

- G. Magneson from CMG sent an email correspondence requesting a meeting with the Agent and asking the Commission to redact the Enforcement Order.

**VII. NEW BUSINESS**

**12. 47 Collette Road – Emergency Authorization Ratification**

- Presentation and Discussion: Emergency request received and issued for beaver dam breaching and flow device installation at property location. BOH issued approval which included beaver trapping. Private water supply well was flooded. Breach needed to lower water level one foot to abate public health concern. Flow device will be installed to maintain that water level by Beaver Solutions. Agent authorized to issue by Vice-Chair. Site visit conducted on 6-12-23 and issued.
- Vote: On a motion of E. Gaspar, 2<sup>nd</sup> by T. Winglass the Commission vote to ratify the Authorization at 47 Collette Road.

**13. Agent’s Report-none**

**14. Next Meeting-July 13, 2023 and Site Visit Schedule-July 5, 2023**

**On a motion of R. Bishop, 2<sup>nd</sup> by E. Goodwin the Commission vote to adjourn at 8:36 PM. AIF 4-0**