

Sturbridge Conservation Commission

Minutes of
Thursday August 16, 2018
Approved September 4th, 2018
Center Office Building

Mr. Goodwin called the meeting of the Conservation Commission to order at 6:00 PM

Quorum check: Confirmed

Present:

Edward Goodwin (EG), Chair
David Barnicle (DB)
Steve Halterman (SH)
Paul Zapun (PZ) (*Came in late at 6:25 PM*).

Absent:

Steven Chidester (SC), Vice Chair

Also Present:

Rebecca Gendreau (RG), Conservation Agent; Ashley Piascik (AP),
Administrative Assistant; Robert Cottone (RC); Leonard Jalbert (LJ); Daniel
Wildgrube (DW); Glenn Krevosky (GK); Amy Howard (AH); Justin Howard
(JH); Steve Bressette (SB); Andy amier (AC); Dan Wight (DW); Kim Procon
(KP); Mike Procon (MP); Scott Morrison (SM); Kathe Moreau (KM); Philip
Moreau (PM); Karl Nye (KN); Stephen Soper (SS); Pat McLaughlin (PMC); Art
Allen (AA).

Committee Updates:

CPA: There is a new member on CPA that represents housing (Ed Neil).
Discussed miscellaneous funds for Conservation, e.g. taking down dilapidated
buildings, and created a plan for moving forward.
Trail Committee: Meeting at 7:00 PM, August 16, 2018.
Open Space Committee: None.
Lakes Advisory Committee: Results have come in and a report will be sent/posted
on the town website.

Public Hearings

6:15 **Request for Determination of Applicability**; *Postponed from 7/19/2018*. 112
Westwood; Wildrgube, D. Addition to a single family house; Represented by B.C.
Custom Homes.

Materials presented:

Legal ad/abutter notification.

Request for Determination of Applicability

Site plan

Summary: RC gave a summary of the project. Looking to add a new front step and a cover over the front of the step. Located 90 feet away from the lake. RG recommends issuing a positive number five (local bylaw) and a negative number three with minor conditions.

Comments:

-- (SH) made a motion to close the public hearing, 2nd by (DB), VOTE: AIF 3-0
-- (SH) made a motion to accept the determination positive number five and negative number three, 2nd by (DB), VOTE: AIF 3-0.

6:30 **Abbreviated Notice of Resource Area Delineation; DEP File#300-1017; Continued from 6/7/18;** 14 & 50 Douty Road; P. O'Connell; represented by Bertin Engineering, Inc.; Confirming the extent of wetland resource areas.

Continued to September 4, 2018. Waiting to receive the third-party review results.

6:45 **Notice of Intent; DEP File#300-1018; Continued from 6/7/18;** Douty Road and Stallion Hill Rd.; O'Connell, P.; Represented by Bertin Engineering, Inc.

Continued to September 4, 2018.

7:00 **Notice of Intent; DEP File #300-1021; Continued from 7/19/2018.** 30 River Road; RV Management Services. Proposed redevelopment of an existing campground. Represented by Scott Morrison from EcoTec.

Materials presented

Revised sheets of site plans and original site plan as last meeting

Summary: SM presented a summary from the last meeting of the desired changes that have been marked on the site. First item of discussion was the revision to reduce the amount of tree removal to only 50 trees in one specific area of the site. The second item was that the operations and maintenance system was updated. A log will be on site for the Conservation Commission to conduct a site visit at any given time. The third item presented was the mitigation planting plan. All of the Conservation Commissions concerns have been addressed and taken into place.

Comments:

- They have addressed things that were discussed including the checklist that we asked for
- RG has drafted an OOC for the commissioner's review

- Additional information is required in regards to the dry hydrant construction, tree removal, and how the restoration will be completed. These things can be addressed as conditions in OOCs
- SH details of mitigation? Yes
- DB requested to make minor changes in writing to the O&M plan so there will be no misunderstandings
- Request for shrubs to be berry bearing

-- (DB) made a motion to close the public hearing, 2nd by (SH), VOTE: AIF 4-0

-- (DB) made a motion to issue an OOC under the MA Wetland Protection Act and Sturbridge Wetland Bylaw and RG include the discussed conditions to the OOC, 2nd by (SH), VOTE: AIF 4-0.

7:15 **Request to Amend Order of Conditions; DEP File #300-1014; 228, 234 & 236 Haynes St. (Route 15) & Mashapaug Rd., Represented by Arthur Allen from EcoTec, Inc.**

Materials presented

- Draft Amended Order of Conditions
- Site plans (Hard copy/on projector)

Summary: AA spoke to amend the current OOC, found bedrock along the proposed culvert path, average of 9 feet below the surface. Needs to be as deep at 17 feet along the run. Looking at blasting and significant disturbance within the buffer zones outside of the existing impervious pavement. Has come back to second alternative which is re-routing the stream culvert within the existing paved impervious area. Suggested taking it out away from the infrastructure of the proposed fueling station. Basically, results in shortening the culvert by 21 feet coming through the side as opposed to going out around the perimeter. Keeping the same amount of day-lighted stream and same amount of flowage. PMC addressed not knowing the history found underground with the stream and emphasized additional concerns.

Comments:

- Any borings done in the existing developed area? None.
- Minor questions about the day-lighted stream and shortening of the culvert/footage
- Same access, no direct stormwater discharge to the stream
- Will this change have impact on the abutters? If anything less impact.
- Same conditions just change in reference plan and impact calculation numbers for the culvert size

(EG) AIF of approving the minor change to the OOC, VOTE: AIF 4-0, *signed*.

Old Business

- Forest Cutting Plan; Route 15; Silvertree Reality LLC.

Comments: No concerns, although there are some ANR lots at the frontage as well as concern with the small isolated wetland area. A letter was sent out to gather more information by the Conservation Agent.

- Forest Cutting Plan; 205B, Podunk Turnpike; Jennings, B.

Comments: Was denied for the time being, due to lack of information. Work cannot be started at this time.

- DEP #300-953; 272 Big Alum; Howard, J.

LJ presented on behalf of the applicant. Presented three plans. The first plan was a brief summary of the current layout of the property. LJ presented all of the work that was done based on the previous OOC. The second plan was the actual overlay map of the property itself. Included the work that took place under the direction of the contractor. Showed the trees that were removed, which were not on the original plan/OOC. The third plan focused on a remediation. Third plan also included proposed revegetation with plantings. GK briefly expressed that the road will be cleaned up and stabilized. Proposed to remove exotic and invasive plants within the parking lot area and fix drainage issues. The five trees that were removed, will be replaced with ten trees to the side. All plantings will be native. Further discussed planting initiatives.

Comments:

- Conservation Agent expressed a few questions that were unclear from the previous site before she was working as the Conservation Agent for the town. The site plan for DEP File #300-823 was reviewed. Some areas which are shown on that plan where to be restored by the previous property owner.
- Cultec outlet is missing.
- Counter weight for the dock was set back. There is a pad that was poured on the bank does not appear to be part of the counter weight. This was not approved. RG was concerned with the changes made with the dock.
- Appears that additional trees and shrub plantings (from previous project) were removed from the site.
- New plan has very little to do with what was originally proposed/ approved.
- Enforcement action/remediation- need to discuss what needs to be done with what is there and what is/is not on the permit.
- Need a remediation plan reflecting what was permitted.
- Unclear about the use of the term “remediation” and what the applicant and representatives are asking for to move forward.
- Not supposed to be filling a wetland and water front property, filled within 25-50-foot buffer zone.
- Concern with what was done within the 25-foot buffer zone it was filled, and a wall was put in.
- 25-foot is supposed to be a no touch area, would like to see wall removed, 82 feet of fill, and execute the rest of the plan as originally permitted,.
- EG requested for the applicant/engineer to come back with a plan that meets the discussed criteria.
- GK plans to ask for an amendment in the future.
- Advised to come back to the next meeting.

New Business

- Briefly discussed the West Nile Virus. If the public has any questions, please contact the Sturbridge Board of Health.
- 35 Finlay Road – Potential Land Donation
Comments: RG shared an aerial photo of the land that was offered to the Town of Sturbridge as a donation. Commissioners will conduct a site visit and RG will put together a letter. VOTE: AIF 3-0.
- DEP #300-974; 4 Birch Street; Karl, R.
Summary: RG summarized and expressed concerns with project changes that were noted during a recent site visit.
Comments:
 - Represented by SS for the owner, KN.
 - Silt fence was within the 25 foot buffer, should have been outside of the buffer zone and not in.
 - SH questioned variations in the approved plan and reminded applicant and contractor need to come back to con com to request approval of revisions prior to making them on-site.
 - DB: DEP and MACC have given the ConCom no guidance whether or not the pump can be used for watering. When the board has the guidance, they will share it with them.
 - Will submit a request for COC with amended plans reflecting the revisions. It is permitted to remove the silt fence.

-- (DB) made a motion to approve modifications as they exist on the ground as built with the exception of the pump, 2nd by (SH) VOTE: AIF 4-0.

Minor Changes to Orders of Conditions

- DEP #300-1016; 140 Lake Road; Radner, J.
Represented by AC. Expressed concern of working in an area that will begin to interfere with roots of a tree. Would like to remove the tree, due to a tight site and work area. The excavation will damage the roots and can pose a risk to the new home. The scale and area are very tight. Will replace tree with 2 or 3 trees.

Comments:

Only tree? Yes.

DB: What is your suggestion for 2:1 replacement?

AC: Either the white or red oak in that soil condition.

DB: Put it out towards the perimeter to get more sunlight.

AC: Permission to cut. Replace with two to three trees.

Commission agreed red oak over white oak.

-- (DB) made a motion we agree with the minor amendment, and he put a minimum of two trees or if possible a third tree, all of the oak variety in the back of that house, 2nd by (SH), VOTE: AIF (4-0).

Signatures

- Request for Certificate of Compliance
 - DEP #300-69; 1 Woodside Circle; Brauns, A.
Comments/Signed: One house on the subdivision. Issue a partial for the one house. *Signed.*
 - DEP #300-899; 45 Mountain Brook Rd; Ricard, R.
Comments/Signed: Issue a partial for this property. *Signed.*
 - DEP #300-997; 28 Breakneck Road; Parker, M.
Comments/Signed: RG recommended we hold off on signature. We are waiting for the project to completely be stabilized and finished before moving forward. *Not signed.*
 - DEP #300-469; 36 Draper Woods Subdivision; Kellem & Kellem LLC.
Comments/Signed: Part of the draper woods subdivision. Recommended issuing a partial just for this house by RG (Because it is a subdivision). *Signed.*
 - DEP #300-914; 187 Lake Road; Roy, J.
Comments/Signed: *Signed.*
 - DEP #300-1012; 52 South Shore Drive; Schmidt, A.
Comments/Signed: Installation of a well. Everything is all set and has been stabilized, there are no concerns. The walkway was not put back in, it will likely stay lawn. *Signed.*
 - DEP#300-799; 88 Westwood Drive; Nawrot, B.
Comments/Signed: Once the last two trees are planted, it will be reviewed once more. Additionally, the revised plan was received. *Not signed.*
- Orders of Conditions
 - DEP #300- 1020; 64 South Shore Drive; Houle, A.
Comments/Signed: *Not signed.* Revised plan received 8/13/2018.

*Resign of 117 McGilpin, file number was written incorrectly.

Letter Permit Applications

- Tree Removal Permit Application: 102 & 104 Paradise Lane; Hitchcock, B.
Comments/approval: Asking to get tree removal permission on her property and her neighbors' property. Multiple trees. One large birch that is alive, has a lot of branches over the power lines would like to trim. A spruce tree by the road that is infected. They must remove it in order to get a crane in to remove another tree. One maple tree leaning by the road. There are a total of ten hemlocks between both properties One large dead oak tree that is leaning over her house. VOTE: AIF 4-0.
- Tree Removal Permit Application: 114 Paradise Lane; Lemanski, M.
Comments/approval: Requesting removal of two dead trees and limbing of another tree. VOTE: AIF: 4-0.

Approval of minutes:

July 19, 2018, Meeting Minutes, Motion made by (DB) and 2nd by (SH), VOTE: AIF 3-0.

Additional Discussion:

- Mount Dan Road drainage work site visit was conducted previously last week- RG wrote letters to other properties about concerns that were seen.
- Ladd Rd., a letter was issued last meeting. RG went out there after the meeting. RG presented pictures of what was seen on her site visit. Gravel driveway washing out in storms. Temporarily will go in and clean up, put in strawbales to keep sediment back. Did not talk about doing a silt fence. There will be a need for a long-term solution. RG will send a letter to the owner of the property.
- 63 New Boston Road, single family house is being built. Was reviewed and has been built since last year. They have been having erosion issues. RG has been monitoring it. There is an easement that DPW has on the abutting property to allow stormwater from the road to discharge there. Applicant has indicated that this is reason for washout on his site. He contacted DPW and RG. He constructed a leaching pit outside of 200' buffer zone but isn't sufficient to handle runoff. He is proposing to install an overflow pipe through the project site and construct an additional leaching pit within the project site. EG expressed that a plan needs to be brought forward to the Conservation Commission if work is being done within jurisdiction. He can address the issue outside of 200-foot buffer zone at this time otherwise submit a plan for review and approval.
- Brief discussion of 272 Big Alum took place at the end of the meeting.

(DB) made a motion, 2nd by (SH) to adjourn the meeting at 8:43.