

# Sturbridge Conservation Commission

## Meeting Minutes

*Approved 9/18/2018*

Tuesday, September 4, 2018

*EG Called the meeting of the Conservation Commission to order at 6:00 PM.*

Quorum check– Confirmed.

Present: Edward Goodwin; Chair (EG)  
Steven Chidester; Vice Chair (SC)  
David Barnicle (DB)  
Steve Halterman (SH)  
Paul Zapun (PZ)

Also Present: Rebecca Gendreau, Conservation Agent (RG); Ashley Piascik, Administrative Assistant (AP); Steven Bressette (SB); Kevin Filchak (KF); D. Sullivan (DS); Jan Carlson (JC); Frank Bicchieri (FB); Leonard Jalbert (LJ); Kasie Collins (KC); Andre Cormier Sr. (AC Sr.); Andrew Cormier Jr. (AC Jr.); Jon Weaver (JW); Katie Weaver (KW); Judith Skora (JS); David Kaitbaski (DK); Christian Goess (CG); Justin Howard (JH); Amy Howard (AH); Dan McCarthy (DM); Tom Rievan (TR); Ray Hanna (RH); Stephen Herzog (SHe); Donald O’Neil (DO); Glenne Krevosky (GK).

Committee Updates:

CPA: None.  
Trail Committee: Meeting next week.  
Open Space Committee: None.  
Lakes Advisory Committee: None.

Approval of minutes:

- *Approval of August 16, 2018 minutes:*  
--Motion (DB): 2<sup>nd</sup> (PZ) to approve the minutes as revised, VOTE: AIF (4-1) SC abstained due to absence from the meeting.

Walk-ins

- 8 Birch Street – Did not show.

Public Hearings

6:15 **Notice of Intent; DEP File #300-1023;** 42 Champeaux Road; Sullivan, J. Construction to a single-family house; Represented by Summit Engineering & Survey Inc.

*Proof of legal ad and abutter notification sheet previously submitted.*

Summary: SB presented on behalf of client. Provided a brief summary of the property location and history. Proposed to keep the driveway on the existing car path and keep the existing excavation for the foundation of the house. Area was previously disturbed and foundation dug has grown in. Site contains a garage structure which will be taken down. Briefly discussed other additional plans for the property including sloping and grading in the backyard. Has add boulders to delineate the limit of work near septic system.

Comments:

- Most of the work is outside of the 100-foot buffer zone.
- Requested to move boulders up to the 50-foot buffer zone to help protect the intermittent stream in the back of the house.
- Slope? 3-1 easily maintained.

--Motion (DB): 2<sup>nd</sup> (SC) to close the public hearing, VOTE: AIF (5-0).

--Motion (DB), Issue an OOC under WPA and Town of Sturbridge Bylaw which the Conservation Agent will create 2<sup>nd</sup> (SH), VOTE: AIF (5-0)

- 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.

Summary: FB was present for discussion and review of KC third party review findings. KC with GZA presented her full written report to Commission from her review of the site and delineation (Please contact Conservation Department for report). She reviewed her findings on both sides of the road and made recommendations to the commission. Specifically noted that the northern parcel had the most discrepancies which should be reviewed again. KC noted areas of concern within the agricultural portions of the site and northern portion of property which was not previously delineated which appears to meet the criteria for resource area delineation.

Comments:

FB: EcoTec will need to reflag?

Clarity was provided.

EG: Review the third-party report- agree, come back with challenges, etc.

FB: Asked what would be the most efficient process?

RG: EcoTec communicate with GZA/include RG in correspondence.

FB asked for a continuation to process the information and begin working on next steps, VOTE: AIF for continuation (5-0).

- 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.**

Summary: FB provided a quick update. AC Jr. was present as well. Waiting for comments/latest plan and requested a continuance.

VOTE: AIF (5-0).

- 7:00 **Notice of Intent; DEP File #300-1022; 16 Hunter Lane; Weaver, J. Repair/Replacement of an existing failing retaining wall. Represented by Bertin Engineering, Inc.**

*Provided legal ad and abutter notification sheet.*

Summary: FB reviewed plans to remove and replace a failing retaining wall with a 2 to 1 slope. Originally designed to have a 1 to 1 slope, however, a retaining wall was built. The wall is starting to fail. The blocks are in a state of failure and will progress. Want to get the wall replaced as soon as possible. Simplest solution is to take out failing rocks and replace the wall. Another block wall would need grid reinforcement. Running back to where the deck and patio are located.

Provided alternative analysis which were considered. Take down the fence and let it naturalize. 1 to 1 slope was considered, but would not be as stable as a 2 to 1 slope and would require work area disturbance. Proposed mitigation plantings-pine, maple, oak, mountain laurels, shrubs and saplings- save and replant if possible. Will leave area to naturalize. Need a long-term economic solution. Most economical approach. (Put together alternative analysis).

Comments:

- Would be working within our 25 foot no touch, because of the issues with the site.
- Seed mix-happy to see it would be a wildlife mix. Erosion control blankets-great way to stabilize. Good idea trying to use some of the plants that are already there. Concerned with the outfalls shown-taking that water down there... perimeter drain underneath the wall? - Yes.
- Concern with undermining- rip rap...
- SC: Consider using some existing blocks to put down at the bottom. Did not see in the analysis- limit cutting. Want to see thorough planting/brought back to the way it is as much and as quickly as possible.
- DB: Total number of trees? 14. Go to the bottom of the slope. The energy dissipater- go back to the seriousness of the storms we have been getting. Blocks at the top-what is going to happen? The ones on top-will get rid of.
- EG: This is an emergency project. We need to do it right. Concerned about the 1 to 1, toward the neighbors on both side and how you are going to handle that. If you keep it all on your property-that is going to be a problem. Ask neighbors to fill behind their homes- FB does not want to interfere with liability. Distance-gone right to the edge of the 25 foot.
- DB: OOC, typical conditions, look at revising the planting as discussed tonight, monitor the outfalls and see how that works and if needed revise, part of OOC that you look at the likelihood at getting some of that mountain laurel, approve the project, one block push back away from the wetland, push the entire project back...
- SC pulling debris off to the side and distributing some of it-EG not in favor of debris on the slope.

The audience had the following comments, questions and concerns:

JS: Abutter to the right. The wall was built wrong originally. Would like this to be resolved as quickly as possible for them-winter is coming.

JW: This is something we inherited. Never alerted the wall was an issue. Asking to repair a problem they inherited. An existing condition. Trying to repair a wall.

--Motion (SH): 2<sup>nd</sup> (DB) to close the public hearing, VOTE: AIF (5-0).

--Motion (DB): 2<sup>nd</sup> (SH) submit revised plans, VOTE: AIF (5-0).

New Business

- Town of Sturbridge Special Event Committee holding an event at Sturbridge Host Hotel

KF notified the board of an upcoming event taking place at the Sturbridge Host Hotel on Thursday September 20, 2018. He proposed to have a bonfire located between the lake and the Oxhead Tavern Restaurant. (*Approved*).

Comments:

Refrain from touching the lake- keep at least a distance of 10 feet.

## Enforcement

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

### Comments:

-LJ remediation process- ten steps. Addressed concern with the dock area. LJ recommends not removing the concrete dock.

-GK gave a summary of the previously proposed work in 2017 and 2018 along with distance of footage from the concrete dock to the backyard. This new system is further from the lake by approximately three feet. Dock is closer to the house than was permitted originally. Addressed ten step remediation process.

-Remove shed/patio associated with the shed

RG: Improvements have been made. Concern with dock location.

RG: Where is the buried counter weight?

SH: Issue with the concrete (23 feet, 6 inches).

EG: Prefer not to take out the concrete slab.

*GK and LJ will come back with a request for an amendment to the OOC.*

- Cease and Desist, DEP File #300-1007; 1 Hare Rd.

Comments: SHe, RH and contractor were present. Trees were cut that were not part of the plan. SHe presented a new plan for moving forward. Environmental monitor, and RG and AMEC (SHe specifically) performed a site visit to review the restoration plan in person as well as the tree cutting that was done.

EG: Need to look at the site before a decision can be made.

The Commission provided permission to remove the slash- quickly. VOTE: AIF (5-0).

*Site visit will be conducted.*

## Minor Changes to Orders of Conditions

- SCC#17-29 OOC; 63 New Boston Rd, Revane Builders

Comments: Presented by TR (Revane Builders). OOC outside of 100-foot buffer zone, however, local OOC were issued. Wash out has been created from discharge from road stormwater pipe. Small retaining wall will be put in the back to avoid steep sloping. Trying to work with the town to resolve the issue. Created a leaching pit by road. Not sufficient to handle stormwater. Proposing to pipe from this leaching pit to another pit created within the limit of work. Needs to be addressed ASAP.

- Homeowners will be responsible for leaching the area.
- Working with DPW/GM.
- Homeowner will be responsible for any maintenance on their property.

--Motion (DB): Motion we approve the minor amendment as provided in the documentation, 2<sup>nd</sup> (SH), VOTE: AIF (5-0).

--Plan will be referenced for upcoming COC, VOTE: AIF (5-0).

## Letter Permit

- Tree Removal Permit Application: 70 South Shore Drive; Vacon, J.

Comments: Dead hemlock next to the powerlines on a steep slope.

VOTE: AIF (5-0). *Approved.*

- Tree Removal Permit Application: 5 Cooper Road; Sklenak, K.  
Comments: One dead elm tree will be removed. Will come back with an updated report/more information of additional tree trimming and/or removal. Conservation Agent will issue a letter of current standing to property owners. *Elm approved for removal other trees not approved.*

Informal discussion:

- Route 15, Cease and Desist ANR lots and FCP site: RG addressed correspondence received and issues associated. Not enough information to rule out specific areas. Waiting for an ANRAD.

*Adjourn by SC, at 9:23, 2<sup>nd</sup> by SH, AIF 5-0.*