

Sturbridge Conservation Commission

Meeting Minutes

Approved October 2nd, 2018

Tuesday, September 18th, 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); Leonard Jalbert (LJ); Erik Jenson (EJ); Tom Jenson (TJ); Christine Jensen (CJ); Paul Hurteau (PH); Stephen Herzog (SH); Frank Bicchieri (FB); William Sanderson (WS); Mary-Lou Sanderson (MS); Michael Weetman (MW).

Committee Updates:

CPA: Parks and Recreation asked for money to put a set of lights on the little league field by the town barn. This request was approved for \$150,000.

Trail Committee: Met last Thursday. Next meeting will take place Thursday October 11th, 2018.

Open Space Committee: None.

Lakes Advisory Committee: None.

Approval of minutes:

- Approval of September 4, 2018 minutes:
 - Page 3- concern about 1:1 slope commentary, make modification.
 - Insert a brief description of where the public can find the GZA third party review.

--Motion (DB): 2nd (SH) to approve the minutes as modified, VOTE: AIF (5-0).

Walk-ins

- 8 Birch Street; Hurteau, P.
 - PH came in for direction in regard to placing a second egress for handicap accessibility at his mobile home.
 - Conservation Agent provided a brief history of her experience with this property, the site history with previous owner and the current situation.
 - Options discussed included: adding a small deck/walkway (ADA compliant) to allow access to one set of doors and an option of adding a new door to the existing deck. A filing would be required for a new deck but not required for a new door on the existing deck.
 - PH expressed that he may move forward and place a door on the side of the house to the existing deck.

Public Hearings

- 6:15 **Notice of Intent; DEP File #300-tbd; 84 McGargle Road; Sikes, A. Raze and re-build of a single-family residence; Represented by Jalbert Engineering.**

Provided legal ad/abutter notification.

Summary: LJ presented for client. Razing and rebuilding of an existing structure. Went over the statute of limitations on the structure and the tight tank system history/regulations. Once tight tank is installed, it has to be put on the deed as a deed restriction for the building itself. In addition, the building itself has to be in performance with the code. Before any work is done, the existing cottage will be taken out. Also looking to put the well 32 feet from the lake. Trying to save a majority of the trees during performance of work. The provided area to perform work in is very tight to work within due to setbacks and wetland buffer zones. No expansion of parking proposed.

Comments:

- House will be on an insulated slab will be put around the building, there will be no foundation.
- Has to dig for frost protection on the side.
- House has a restriction “cottage for seasonal use.”
- Make sure trees are not impacted, add conditions to protect trees during work, in addition add a construction tracking pad at the entrance, remove old well pump in lake and condition for any type of maintenance on tight tank.

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

--Motion (DB): 2nd (SC) to approve the project with the conditions discussed, 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: Scheduled site visit with GZA and applicant’s consultant for Friday. FB requested a continuation to October 2nd, 2018, 6:15PM.

VOTE: AIF (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: Presented by FB. Submitted plans late today. FB wanted to provide a summary to date. Generally, have the alignment set to move forward. Waiting for DPW to sign off on the plan. Seeking initial feedback on this meeting, however, no official approvals yet. More so information and gathering feedback. As well as requesting a continuance.

Comments:

- DB: Both sides of the road cross and head across to the Quinebaug- when it rains, there are major drainage concerns, are you going to be changing any of that? No.
- DB: Any disruption to that flow is going to be an impactful/major disruption.

Request for continuation, October 2nd, 2018 at 6:30 PM.

VOTE: AIF (5-0).

Old Business

- DEP #300-953; 272 Big Alum; Howard, J.
Summary: Chapter 91 was submitted to Boston. Glenn will get the final paperwork done within the next day or two. Interested in setting up a formal meeting.
- DEP File #300-1007; 1 Hare Rd, BWC Origination, LLC.
Summary: Presented by SHe. Met in the field and discussed planting 9 trees and preserving 9 trees. SHe and Art Allen selected ten trees to save because some of the trees were clustered together.

Comments:

- Do not interfere with the mosquito stream, no digging or excavating.
- Looking for a release of cease and desist.
- Still need Mayer Tree to sign a form of understanding of the work plan.

--VOTE: AIF of removing the cease and desist when we receive the letter from Mayer Tree, VOTE (4-1) DB voted not in favor.

- Landscaping water withdrawal, 4 Birch Street
Summary: RG provided additional information. Questions about pumping water from lake and permitting requirements. Structures on bank and impacts to land under water is a reviewable activity. (SC) Have them show us in their application and on their plan-future use... etc. Needs to include details on proposed use, intakes etc. and proposed location.
- Sturbridge Wetland Bylaw Regulation Revisions
Summary:
The Commissioners were provided with a copy of the current Bylaw Regulations (2004), a draft up to date version with current revisions, a copy of the February 22nd, 2018 minutes that referenced the last regulation change discussion, and correspondence between KP Law and RG.
 - Waiting to hear back from KP Law for additional guidance.
 - Went over February 22nd, 2018 discussion to familiarize with last changes.
 - Reviewed comments from KP Law. Discussed revisions based on this guidance. Some additional questions asked for clarification. Sections discussed include Section 4.16 and Section 6.1.

New Business

- Eagle Scout Invasive Species Removal Project, Leadmine Mountain Conservation Area

Summary: EJ, Boy Scout with troop 161 in Sturbridge, presented his project proposal to the Commission. Proposing to remove invasive species and install informative sign at the Leadmine property at the field on Eli's Way.

--Motion (DB): 2nd (SC) to approve the project as presented, VOTE: AIF (5-0).

- Cedar Lake MA DOT drainage issues

Summary: RG presented a draft Enforcement Order in response to observed violations to the WPA and SWB. RG presented the current situation. Drainage issues resulting from failing drainage structures associated with the Ma Turnpike. Significant amounts of erosion and fill has occurred from failure to properly maintain these structures which has resulted in fill entering resource areas. RG outlined the Enforcement Order and orders to correct. Conservation Commission would like to conduct site visit. The EO is issued to MA DOT.

VOTE: AIF of signing the Enforcement Order (5-0).

Signatures

Request for Certificate of Compliance

- DEP #300-0799; 88 Westwood Drive; Nawrot, B.

Signed.

Orders of Conditions

- DEP #300-1023; 42 Champeaux Road; Sullivan, J.

Signed.

- DEP File #300-935; 20 Cedar Lake Drive; Oxman, B.

Applicant never filed with the Worcester Registry of Deeds, therefore needed new signatures.

Resigned.

Letter Permits

- Wetland Bylaw Letter Permit Application; 11 Old Towne Way; MW present for discussion.

Comments: Applicant would like to put in an in ground pool. Asked for either one of two options for install on ECs will depend if they keep soil on-site. Conservation Agent believes either option could be conditioned.

- Location of the fence? Close to the pool.
- What kind of material will be put around the pool? Concrete pad.
- Went upon board of health for a variance.

--Approved for either EC option, with written conditions by the Conservation Agent.

- Tree Removal Permit Application: 5 Cooper Road; Sklenak, K.

Comments: The additional requested trees for this application may not be pursued for removal. RG will issue a letter just reminding applicant for additional information if they decide to move forward.

- Tree Removal Permit Application: 86 Paradise Lane; Sanderson, W.

--Approved the removal of two trees, VOTE: AIF (5-0).

Agent Report

- MACC Fall Conference
Commissioners provided with flyer. Let RG or AP know if they would like to go.

Informal Discussion:

- Discussion took place about the Hein's farm-beaver deceiver. RG working with trails committee. NOI needs to be created, RG needs additional information.

Motion (SC): 2nd (SH) to adjourn at 9:10 PM.