

Sturbridge Conservation Commission

Minutes of
Thursday June 7, 2018
Center Office Building

Approved 7/19/2018

Mr. Goodwin 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)
Paul Zapun

Absent:

Steven Halterman (SH)

Also Present:

Rebecca Gendreau, Conservation Agent (RG)	Roger and Laurie Richard, abutters (RL)
Ashley Piascik, Administrative Assistant (AP)	William and Marsha Murphy, abutters (WM)
John Radner, Applicant (JR)	William and Denise Grudzien, abutters (WD)
Stephen Herzog, Amec Foster Wheeler (SH)	Phillip Moreau, RV Management Services (PM)
Ray Hanna, BWC Origination 8 LLC (RH)	Dan Wight, Pine Lake RV Resort (DW)
Scott Morrison, EcoTec, Inc. (SM)	Andy Cormier, Escape Estates Inc. (AC)
Steve Bressette, Summit Engineering (SB)	Frank Bicchieri, Bertin Engineering (FB)
Leonard Jalbert, Jalbert Engineering (LJ)	Kim and Mike Procon (KM)

Committee Updates:

CPA: Met last Monday, prior to Town Meeting.

Trail Committee: No meetings until next Thursday.

Open Space Committee: Planning department is looking for a letter of support. This will be further discussed once all members of the Commission have had a chance to take a look at Open Space and Recreation Report.

Lakes Advisory Committee: None.

Public Hearings

6:15: **Notice of Intent: DEP#300-1007; (Continued from 5/17/18) George Vinton Road; BWC Origination 8 LLC; Replacement of 2 culverts to provide access to the completed solar project. Work is located within Riverfront, Bank, Bordering Vegetated Wetlands and Land Under Water; represented by Amec Foster Wheeler.**

Note: PZ was not present for the initial public hearing, nor did he review the video, therefore was unable to vote on this project.

Presented by SH from Amec Foster Wheeler, for applicant RH (BWC Origination 8, LLC). SH conducted a brief history overview of George Vinton Road. In 2013, The Commission issued an

Order of Conditions for work associated with the solar project. In 2016, two arrays were constructed; the improvements were not made on George Vinton Road at that time. In 2017, BWC Origination 8, LLC, applied for an Army Core permit. Due to that review the project scope changed and due to project team changes, the OOC for the project expired therefore a new NOI for work related to replacement of the culverts was submitted. A recent site visit was conducted in May 2018. It was noted that the culvert at the perennial stream (CULV-1) was undersized and that the culvert replacement at the intermittent stream (SD-1) was oversized. An option was discussed to switch these structures to meet the Stream Crossing Standards. The crossing structure at the MA DOT Ditch location (closest to the array) is no longer required and it was discussed to restore this channel. The project team revised the plans to include these revisions. The project team additionally requested to clear trees at both constructed solar arrays, to allow more solar energy to reach the existing arrays.

The Board had the following questions, comments and concerns:

- #1-Perennial Stream Culvert (now SD-1):
 - Failed four-foot culvert at the perennial stream- EG questioned the invert, it is proposed at 573.97, the original plan was previously proposed as 573.5
 - EG expressed no concerns with boulders at culvert
 - RG commented slight concern with maintaining invert during work, which can be conditioned to provide oversight while work is being done
 - DB was unable to give input due to inadequate amount of time to review project details
- #2- Intermittent Stream Culvert (now CULV-1):
 - DB questioned the length of the pipe
 - SH stated the length of the pipe is 15ft
 - EG questioned the invert, 574.18
- #3-Culvert Removal/Restoration (MASS DOT Ditch):
 - EG expressed concerns with potential for drainage of wetland and stated that the upper ponded area must be maintained and should not be allowed to drain
 - EG questioned the invert area, however, it was not provided because of the inadequate amount of time
 - There was uncertainty amongst which print and plan will be used moving forward
 - RG advised a separate plan from the two, to provide more detail/clarification
 - DB would like to see that both sides of the new opening would be done in rip rap and would like to see it memorialized
 - The Commission is waiting to see an invert, width, and the rip rap
- Landscape/Tree Removal:
 - Both arrays will be treated similarly with proposed cutting and replanting
 - It was proposed to replace cut trees in the 100 buffer zone with shrubs
 - EG stated that he did not have an adequate amount of time to review the plans
 - RG expressed concern with the Heron or Osprey Nesting period and any disturbance with tree clearing at that time
 - Tree cutting should avoid the nesting season
 - Array 1 no major concerns with plan
 - Array 5 proposes clearing to the wetland edge
 - Can they set back to the 25 foot buffer zone as shown on Array 1 asked by RG

- DB stated there was not an adequate amount of time to review the entire plan; however, he had concerns with Note 7
- DB expressed concern with removal of trees and their proper function to shade the water and suggested a proper trade off must be made by an arborist as well as an environmental monitor
- SC noted that there was a very little buffer between commercial development and the Wetland (at Array 5), there was major concern with the trees that have already been removed, as well as removing additional trees
- Concern for the disturbance of wildlife and uncomfortable with how close the cutting is proposed to be
- SC is open to compromising with some cutting, however, not as much as is being asked
- Shrub shading will not provide shading and buffer to commercial activities, leaving the wetland to be disturbed
- EG has similar concerns as DB and SC
- EG would like to see a continuation, and was not ready to vote at this time

The public had the following questions, comments and concerns:

- JR: What would be the efficiency increase? Doing this versus leaving it?
- RH: Customers are anticipating a certain amount of renewable energy as part of their portfolio, as of right now it is underperforming considerably, typically you are looking at plus or minus 2% and they are currently around 13-15%

--Motion made by SC, 2nd by PZ, to close the public hearing with the understanding that we plan to amend the order of conditions to include the landscaping plan when it is revised.

Vote: AIF (3:0)

-- Motion made by SC, 2nd by DB, to approve the culvert work as discussed and as outlined in the plans with the change to the detail on the restoration to include rip rap plan, an invert shown on the plan and the width. Vote: AIF (3:0).

6:30 **Notice of Intent; DEP File #300-1016; 139-140 Lake Road; J. Radner; represented by Jalbert Engineering, Inc., Construction of a single-family house within the buffer zone.**

LJ presented on behalf of the applicant, JR. LJ stated that a few alternations from the previous meeting have been made. The first alternation is that new trees have to be planted in the back of the property. LJ plans to plant three trees, two Maples and one White Pine. LJ also addressed the concern of landscape in the front of the property. LJ plans to insert one Red Maple tree at the front of the property. The third concern was concerning drainage from leaving the site and entering the street. A cultic drywell is proposed. Gutters will be going into a cultic chamber, which will be a closed system and will not discharge in the roadway.

The board had the following questions, comments and concerns:

- Added three trees, for three trees removed
- Suggested a condition for a work plan for closing the erosion controls at night and to make sure that there is clear communication with contractor
- There is potential for erosion with steepness in the road
- Matching the grading with 138 Lake Road
- Cultic and planting were considered
- Concern about the amount of trees being taken down
- Native seed mix for stabilization

- Understand constraint with land, therefore comfortable with revisions made

The public had the following questions, comments and concerns:

- None

--Motion made by SC, 2nd by DB, to close the Public Hearing. Vote: AIF (4:0).

--Motion made by DB, 2nd by PZ to recommend the issuance of an Order of Conditions with our standard conditions. Vote: AIF (3:0).

6:45 **Abbreviated Notice of Resource Area Delineation; DEP File#300-1017; 14 & 50 Douty Road; P. O'Connell; represented by Bertin Engineering, Inc., Confirming the extent of wetland resource areas (Continued from 5/17/2018).**

FB presented that their current goal is to lock in the wetlands in preparation for the soon to be subdivision for roadways design and lots. FB was looking for direction from The Commission. There was an informal conversation during the last meeting (public hearing was not opened) that The Commission would like to have it peer reviewed by a third party reviewer.

The Board had the following questions, comments and concerns:

- Agent recommended third party review, has received list from project team and started researching the presented applicants
- Concerns from RG and EG that any missing flags need to be rehung before third party review
- The Commission would like to lock it, date set to have that done as soon as possible (TBD)
- How many lots? 45 total lots
- RG requested that areas near/adjacent to our resources areas are not to be mowed so third party review can be completed. Need to examine vegetation
- RG will interview and make a recommendation to the board for a third party reviewer and the project will go from there

The public had the following questions, comments and concerns:

- None

--All in favor for a third-party review and a continuation TBD. Vote: AIF (4:0).

7:00: **Notice of Intent; DEP File#300-1018; 14 & 50 Douty Road; P. O'Connell; represented by Bertin Engineering, Inc., Construction of sewer line application project.**

FB presented an introduction to their Sewer Line Extension project. The Commission could not vote at this time as the property owner has not signed the application. The Commission advised for Bertin Engineering to wait for the town's approval of the project. Bertin Engineering gave a quick overview. Their overall plan is to subdivide the property into 45 different lots which require sewer and water. The proposal of the Sewer Extension would begin at the top of Stallion Hill Road and connect down to OSV. The gravity line would follow down Douty road and then meet at a pump station at OSV, in order to pump the sewage back up. Bertin proposed a water booster station in front of OSV, going down and up the road. There is area for concern with extensive wetland located throughout. Applicant requested a continuation.

The Board had the following questions, comments and concerns:

- Wait for town's approval and sign off to review/vote on project
- Concern with resource areas and wash outs on Stallion Hill Rd
- Looking at about a four-month project to get completed
- Water trench/elevation, straight cross
- All work shall be shown on plans (i.e. work related to tie-ins, tree removal, etc.) Stallion Hill is a scenic road any tree removal may require a separate filing, check with Planning Department
- Erosion issues, a good work plan would be needed to ensure no impacts during construction
- How often this will be checked, etc. look into more protective measures
- Planning commented on tie ins shown that there was not limited work associated with that

The public had the following questions, comments and concerns:

- WG 3 Douty Road Fiskdale: Where is the sewer extension going to go? In which lot is the pump station going on?
- Bertin Engineering: Up and down from the beginning of Douty Road to OSV, there will be residential and remainder lots, the plan is to place it in the remainder lots at the bottom of the hill, the pump will be at the Village and it will end by Holland Road

--All in favor a June 21st continuation. Vote: AIF (4:0)

7:15: **Request for Determination of Applicability; 3 Meadow View Lane; Randy Bercume; Construction of a Single-Family House and associated site work.**

Intent to construct a single family house, associated site work with a 12 x 33 deck and a 20 x 40 in ground swimming pool behind the deck. Most work is located outside of the 100 foot buffer zone, which approaches the 100 foot buffer zone. The original owner maintained the area as lawn within the subdivision. The original plans for the subdivision showed that there was wetland behind the house lot. The lawn does slopes down towards the wetland and towards the road. It can be considered a previously disturbed site do to the existence of the maintained lawn. The current owner cuts it down each year. It used to be an existing farmhouse as well that has been taken down since.

The Board had the following questions, comments and concerns:

- RG requested to add conditions and monitoring during work
- DB advised to put some shrubs or trees in the relative area
- SC questioned if there were any further plans in the buffer zone
- EG notes, there are no issues with the plan. The owner should stop mowing at the 50 ft buffer and let area revegetate in order to protect the wetland
- Strongly advised to not mow the 50 ft buffer zone, at all
- Grow shrubs as a line/wall (allowed however, native berry bearing would be preferable)

The public had the following questions, comments and concerns:

- None

--Motion made by Mr. Barnicle, 2nd by SC, to close the Public Hearing, approve the RDA, recommended a Negative Determination # 3 with conditions and a Positive Determination #5. Vote: AIF (4:0).

Letter Permits

Wetland Letter Permit Application: 1 Old Sturbridge Village Road, installation of Proposed Historic Piggery. Proposed to put a piggery on top of field stone foundation and fence a portion of the existing field. Motion made by DB, 2nd by SC to approve the presented plan.
CONSENSUS to approve as submitted (4:0).

Tree Removal Permit Application: 133 Walker Pond Rd., Banks, E., Removal of 20 trees. Trees still need to be flagged. *Postponed until June 21st meeting.*

Tree Removal Permit Application: 74 Paradise Lane Sanderson, S. Removal of 4 trees. Reviewed an application last fall approved of hemlock removals. Site visit conducted, summarized observations: one tree observed in leaf some dead limbs. One tree should be limbed, other three should come down. **CONSENSUS to approve as submitted (4:0).**

Tree Removal Permit Application: Oaks Cove Rd, North Beach, Walker Pond, Removal of 3 trees. Asked by the Commission to ensure that one tree hanging over the water is not proposed to be removed but shares base with other trees. Trees all marked with an X is advised to come out. **CONSENSUS to approve as submitted (4:0).**

Old Business

- DEP File #300-975; 8 Birch St, Otis Land Management

New Business

- Opacum Land Trust Conservation Restriction Monitoring Reports
Discussion: Letters to abutters were sent out in relation to ATV usage. EG stated to speak with Opacum Land Trust, prior to making any motions. Mr. Barnicle stated to change language in relation to fire Fire Pond Cistern language under Riverlands Conservation Restriction Monitoring Report.
- Special Permit Request: Soil Workshop at Plimpton Community Forest
Discussion: Request to complete a Soil Workshop class at the end of September for the Society of Soil Scientists. EG-concern with finding of endangered species. Approval needed from Opacum Land Trust and Natural Heritage. Suggestion by David Barnicle to retrieve a report relative to soil types to add to Plimpton property folder.
- Event Request: Jaguar Association of NE at the Sturbridge Host Hotel
--Motion made by DB, 2nd by SC to approve the Jaguar Event taking place at the Sturbridge Host Hotel. Vote: AIF (4:0).
- Campground Redevelopment Proposal at 30 River Road
 - Informal campground redevelopment discussion located at 30 River Road presented by PM (RV Management Services), SB (Summit Engineering), and SM (EcoTec). Public Hearing is scheduled for a Notice of Intent represented by EcoTec, Inc. on Thursday June 21st for aquatic plant management of Pine Lake and wetland delineation boundary verification.
 - PM (RV Management Services): Business owner of RV Management Services. Currently owns 9 properties throughout the United States in the mid-Atlantic and Southwest Region. Has met with town officials, Summitt Engineering and EcoTec in order to help

create a five-star RV Resort in Sturbridge MA. There is a concern with the sewer and wastewater treatment facility. Business plan proposal addressed reducing sites, new buildings that are necessary, fitness center, private bath houses and suites, and other first class amenities as well as outdoor activities.

- SB (Summit Engineering): Waiting on DEP approval for construction to begin. Discussion amongst the perennial stream and Duck Pond took place.
- SM (EcoTec): Introduced overview of project: aquatic management plan, septic improvements, etc.
- The Commission will conduct a site visit on Tuesday June 19th, at 9 AM

Request for Certificate of Compliance

1. DEP File #300-943:140 Lake Road; Radner, G.
Project was completed late Fall/early Winter. The property owner revegetated the area and cleaned up the lawn. No dumping or additional alterations for on-going conditions. The Commission signed the Certificate of Compliance.
2. DEP File #300-460: 178 New Boston Road; Cahn, J.
RG went through the Orders of Conditions and conducted a site visit. There were special conditions in regard to the riverfront. It was noted that the required plant occurred. There was no disturbance of stonewall either. The front has been vegetated. The Commission signed the Partial Certificate of Compliance.

Approval of minutes: May 30, 2018

DB: Approve minutes, with the amended language presented by the Agent to include the number of hours (5) to the section discussing the continued use of Wetlands Funds for the Administrative Assistant position.

Vote: 4-0

Adjourn

On a motion made by Mr. Chidester, seconded by Mr. Goodwin and voted 4-0, the meeting adjourned at 9:05 PM.

Next Meeting: Thursday June 21st, 2018, starting at 6:00 PM

A copy of tonight's meeting can be found on our Town's website or is available upon request via the Audio Department: 508.347.7267