

CONSERVATION COMMISSION MINUTES

Date: October 5, 2021
Time: 6:00 -8:09 pm
Place: Hybrid Meeting Veterans Hall
<https://sturbridge.vod.castus.tv/vod>

With a quorum present, the meeting opened at 6:00 pm, Ed Goodwin presiding as Chair.
All Members present.

DECISIONS

I. PUBLIC HEARINGS

- **55, 75 Farquhar Road & 61 River Road- *continued* NOI- approx. 0.7-mile expansion of the Grand Trunk Trail with roadway improvements-DEP File#300-1111**
- Owner/Applicant: Town of Sturbridge Representatives: J. Bains, Eastern Federal Lands Highway Division
- Request: Issue a OOC
- Documents Presented: n/a
- Jurisdiction: Buffer Zone, BLSF and Riverfront Area
- Project Summary
 - Project was continued as the DEP file # and comments and NHESP comments had not been received
- Presentation and Discussion:
 - The Agent recommends approval.
 - DEP File # and comments have been received. DEP comments include FEMA Zone A impacts to be included as BLSF. Engineers provided calculations to be included. Project only results in temporary impacts to BLSF as compensatory flood storage has been provided. Net fill for total project is 673.45 cu. yds. Compensatory flood storage provided at 675 cu. yds.
 - Natural Heritage have no additional conditions for the project for wetland impacts, only for work during construction.
- Public Comment:
 - none
- Vote: On a motion of D. Barnicle, 2nd by E. Gaspar the Commission close the hearing for 55,75 Farquhar Road and 61 River Road, AIF 5-0.
 - On a motion of D. Barnicle, 2nd by E. Gaspar, the Commission vote to approve the Order of conditions for DEP File #300-1111, subject to the following conditions:
 - Standard OOC conditions.
 - Conditions for SWPPP prior to start of work.

2. 106 Westwood Drive– NOI- Landscape Improvements-DEP File #300-1109

- Owner/Applicant: Nicholas Salvadore Representatives: L. Jalbert, Jalbert Engineering
- Request: Issue an OOC
- Documents Presented: updated site plan
- Jurisdiction: Buffer Zone and LUW, Bank, and BLSF
- Project Status Summary
 - Project was continued to provide for a site visit with representatives to better review the design and site.
- Presentation and Discussion:
 - L. Jalbert provided the Commission an updated site plan reflecting their comments and the site visit with the contractor.
 - The agent recommends approval of the project as presented today.
 - As-built plans will be submitted at the completion of the project.
- Public Comment:



Conservation Agent

Rebecca Gendreau

Administrative Assistant

Erin Carson

Conservation Commission Members

Ed Goodwin
Steven Chidester
David Barnicle
Steve Halterman
Erik Gaspar
Roy Bishop

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- none
- Vote: On a motion of E. Gaspar, 2nd by D. Barnicle; the Commission vote to close the Public Hearing for 106 Westwood Drive. AIF 5-0
- On a motion of D. Barnicle, 2nd by E. Gaspar; the Commission vote to approve the Order of Conditions for DEP File #300-1109 with the following conditions:
 - Standard OOC conditions.
 - Shoreline work to be performed in dry conditions (i.e. during lake drawdown).
 - Require plantings as proposed and to include shrubbery as discussed.
 - Toe of boulders and stairs must end at existing toe of slope. Wall will have to conform to existing conditions.
 - As-built plan to demonstrate no net fill and as-built elevations to document compliance.
 - Applicant is required to receive all other permitting including a Chapter 91 license if required.
 - Site will be staked by the Engineer and pictures of the shoreline work before and after will be provided to the Commission at the conclusion of the project.
 - AIF 5-0

3. 30 Woodlawn Drive – NOI – Replacement of a failed septic system– DEP File #300-1110

- Owner/Applicant: Hibbard Family Trust Representative: J. Dubois, DC Engineering
- Request: Issue an Order of Conditions.
- Documents Presented: revised plan, PWS report & photographs
- Jurisdiction: Buffer Zone
- Project Status Summary:
 - Project was continued as board and staff had concerns with the wetland delineation. Board requested PWS review site
- Presentation and Discussion:
 - A written continuation request was received by the representative for the October 19th meeting.
 - PWS has visited the site to confirm the wetland flags and the Agent has concerns.
- Public Comment:
 - none
- Vote: By consensus vote the Commission continue the public hearing for 30 Woodlawn Drive to October 19, 2021. AIF 5-0

4. Lot 3 - 30 Main Street – ANRAD (Abbreviated Notice of Resource Area Delineation)-DEP File #300-XXXX

- Owner/Applicant: J. Stelmok Representative: P. Engle, McClure Engineering
- Request: Issue an ORAD
- Documents Presented: n/a
- Project Status Summary:
 - SCC requested additional information in form of a peer review.
- Presentation and Discussion:
 - Three RFP's were sent out and only two proposals have been received.
 - Both entities are qualified, one has worked for the applicant in the past but reports that shouldn't cause a conflict.
 - The Hearing will need to be continued to allow time for the 3rd party to review the site.
- Public Comment:
 - none
- Vote: On a motion of E. Gaspar, 2nd by D. Barnicle, the Commission vote to award Oxbow Associates the contract for peer review. AIF 5-0
- On a motion of E. Gaspar, 2nd by D. Barnicle, the Commission vote to continue the Hearing for Lot 3, 30 Main Street to November 16, 2021 which is agreed upon with the applicant. AIF 5-0

II. WETLANDS DECISIONS

5. 194 & 196 Lake Road-continued Tree Removal request

- Owner/Applicant: Brock Colwell Requester: same

- Request: Issue approval
- Documents Presented: arborist replanting plan
- Project Summary: Removal of 11 trees
- Presentation and Discussion:
 - After the site visit a new replanted plan was submitted with four trees, 2 ½ inch in diameter.
 - Commission discussed on site a replanting plan which included five trees.
 - The Agent recommends stumping some of the trees removed to provide space for the replanting.
- Vote: D. Barnicle make a motion to reject the tree removal for 194 and 196 Lake Road, with no 2nd the motion fails.
- On a motion of E. Gaspar, 2nd by R. Bishop; the commission approve the removal of eleven trees at 194 and 196 Lake Road, the homeowner will replace the trees with 5, 2 ½ diameter trees and shrubs detailed on the arborist replanting plan and insure survival for three growing seasons. AIF 4-1(Barnicle apposed)

6. 4 Preserve Way –Request for Certificate of Compliance-DEP File #300-471

- Original Permit Holder: Robert Moss Requester: B. Lapicki
- Request: Issue a COC
- Documents Presented: N/A
- Project Summary: Lot was part of larger subdivision. Lot not within buffer zone.
- Presentation and Discussion:
 - Site visit performed, project was constructed in compliance with the approved plans.
- Vote: On a motion of E. Gaspar, 2nd by D. Barnicle the commission vote to issue a partial Certificate of Compliance for DEP #300-471, 4 Preserve Way. AIF 5-0

7. 18 Tantasqua Shore Drive (fka 18 Shore Drive) –Request for Certificate of Compliance-DEP File #300-99

- Owner/ Applicant: Louis Fazen Requester: same
- Request: Issue a COC
- Documents Presented: N/A
- Jurisdiction: Buffer Zone
- Project Summary: Project was a house addition in 1986.
- Presentation and Discussion:
 - Site visit performed, site in compliance with the plans and the agent recommends issuance.
- Vote: On a motion of E. Gaspar, 2nd by D. Barnicle the commission vote to issue a Certificate of Compliance for DEP File #300-99, 18 Tantasqua Shore Drive. AIF 5-0

III. ADMINISTRATIVE DECISIONS

8. Minutes of 9/21/21 to be approved

- Documents Presented: draft minutes
- Vote: On a motion of D. Barnicle, 2nd by E. Gaspar the commission vote to accept the 9/21/21 minutes as written. AIF 5-0

9. Reorganization of the Board FY 2022

- D. Barnicle, 2nd by S. Chidester nominates Ed Goodwin as Chairman of the Con Com for FY 2022, AIF 5-0
- D. Barnicle, 2nd by E. Gaspar nominates Steven Chidester as Vice-Chairman of the Con Com for FY 2022, AIF 4-0-1(Chidester Abstain)
- D. Barnicle nominates Roy Bishop for Forest liaison for the Conservation Commission FY 2022, 2nd by E. Gaspar. AIF 5-0

UPDATES

IV. OLD BUSINESS

10. Project Modification Request -6 Picker Road, DEP File #300-1062

- Documents Presented: Detailed report of the stream crossing
- Project Status Summary: Discussion was continued from the last meeting. It was discovered that there were some variations in the installed culvert versus what was shown on the plans. Site visit performed to view changes.
- Discussion
 - A. Baum provided a detailed report on the stream crossing and an overview of the project to the Commission.
 - The original plan shows an 18.8 sq. ft. opening when the actual opening constructed was 11 sq. ft.

- The Agent recommends the applicant file an amendment request to address the change.
- Vote: On a motion of S. Chidester, 2nd by E. Gaspar the commission request the applicant to file an amendment to the current Order of Conditions for DEP file #300-1062. AIF 4-0-1(Barnicle Abstain)

11. Update-Forest Cutting Plan 208 Arnold Road

- Documents Presented: Letter from DCR
Project Status Summary: An existing stream crossing and stream was worked within which was not part of the approved FCP. Stream appears to have been bulldozed. DCR provided a copy of their fact finding meeting results.

12. MEPA Advisory Opinion Request

- Documents Presented: N/A
 S.Chidester recused himself from this discussion.
Summary: E. Gaspar suggested a brief discussion on the role MEPA has in the 508 International project. Although the applicant admits to altering over 22 acres of land, MEPA is choosing to not get involved. At this point the commission discussed getting our Senators and Representatives at the state level involved to ask MEPA again to review this site and provide feedback to this commission. The commission is in agreement to write a letter to Todd Smola and Ann Gobi’s office to ask for assistance in the matter.

V. ADMINISTRATIVE UPDATES

13. Committee Updates

- CPA: Met this week and approved use of \$1 million for 60 Cedar St updates and \$92 Thousand for Grand Trunk Trail expansion
- Trail Committee: 1 event scheduled for 10/31/21, Rotary is hosting a 5k starting at OSV
- Open Space Committee: N/A
- Lakes Advisory Committee: next meeting date: October 21, 2021

VI. NEW BUSINESS

14. Agent’s Report

- The Agent provided a list of the upcoming projects the office received.
- D. Barnicle-discussion of meetings
 - On a motion of D. Barnicle, 2nd by S. Chidester the commission require the vice-chair to run the meeting when the chair is attending the meeting remotely. AIF 5-0

Next Meeting Date: 10-19-21 Site Visits: 10-12-21 9-12 pm
ADJOURN at 8:09 pm Motion by S. Chidester, 2nd E. Gaspar AIF 5-0