

CONSERVATION COMMISSION MEETING MINUTES

Date: January 25, 2024
Time: 6:00 -7:25 pm
Location: Town Hall Veterans Hall

Full video transcripts of the meeting can be found here: <https://www.sturbridge.gov/cable-advisory-committee-public-access-television/pages/sturbridge-meetings-demand>.

Full application plans and narratives referenced in these minutes are available on the Commission's website: <https://www.sturbridge.gov/conservation-commission/pages/2024-meeting-materials>

Quorum-Roll Call; Gaspar-present, Goodwin-present, Stueber-absent, Bishop-present, Winglass-present; quorum is achieved the meeting opened at 6:00 PM

DECISIONS

I. PUBLIC HEARINGS

1. 88 South Shore Drive – NOI – Amendment Request to Existing OOC– DEP File #300-1127

- Owner: S. & M. Reed Applicant: same
- Representatives: L. Jalbert, Jalbert Engineering, Inc.
- Request: Issue an Amended Order of Conditions (OOC)
- Documents Presented: plans
- Project Summary:
 - Applicant is requesting to amend the existing OOC to include installation of 2 geothermal wells, a new drinking water well, decommissioning of the existing drinking water well and a modification to the septic system.
- Presentation and Discussion:
 - Proof of legal ad and receipt of Abutter mailings received.
 - Site visit conducted.
 - Additional BMPs will be required for well work. Septic change is an improved system requested by the BOH which will result in increased treatment. LOW similar just modified slightly for the well.
 - Well location cited to be 100 feet from septic systems. Well location was changed by 7 ft. It can't move further from the water because of the Title V regulations.
- Vote:
- On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to close the Public Hearing for 88 South Shore Drive. AIF 4-0.
- On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to amend the Order of conditions for 88 Shore Drive, File #300-1127 with the following to be added to the OOC conditions under the joint WPA and SWB Special Conditions:
 - Prior to the start of work, a plan shall be developed and submitted for approval to include additional BMPs for the control of well drilling spoil materials and water for well installation and decommissioning. Erosion control BMPs must be installed between the work area and the decommissioned well. AIF 4-0

2. 505 Main Street– continued NOI – Commercial property redevelopment – DEP File #300-1185

- Owner: Jenny Bounphasaysonh Applicant: STL Group, LLC
- Representatives: R. Mendez, Graves Engineering, Inc.
- Request: Issue Order of Conditions (OOC)
- Documents Presented: revised plans, overlay, & response letter
- Project Summary:
 - Redevelopment of a commercial property including removal of existing building and parking areas and the construction of a new building, parking areas and associated stormwater management.
- Presentation and Discussion:



Conservation Agent
Rebecca Gendreau

Assistant
Erin Carson

Conservation Commission Members
Ed Goodwin
Erik Gaspar
Roy Bishop
A-Karsten Stueber
Ted Winglass

308 Main Street.
Sturbridge, MA
01566
T 508/347-2506

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- Applicant provided a written continuation request to February 15, 2024. No discussion took place.
- Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to continue the Hearing for 505 Main Street, DEP File #300-1185 to February 15, 2024. AIF 4-0

3. 274 Big Alum Road - *continued* NOI -Repair of historic boat notch - DEP #300-XXXX

- Owner/Applicant: Virginia Roscioli Representatives: n/a
- Request: Issue an OOC
- Documents Presented: Applicant’s response letter
- Project Summary:
 - Project includes the restoration of a former boat notch.
- Presentation and Discussion:
 - DEP File # and comments not received.
 - Staff have provided the Applicant with information to assist with demonstrating meeting performance standards for a shoreline wall project as requested by the board.
 - It is an interesting area as it has naturalized and the Bank in back portion of the notch is now a sloped natural Bank. It’s unknown if water fully extends underneath this or not and some of the upland pockets could be BVW.
 - 401 Water Quality Certification likely required.
 - Altering the area to provide boat parking does not seem to be a benefit and the presumption that the areas are not significant for the interests that they serve has not been overcome. The current conditions would be better for wildlife habitat.
 - As previously noted this is not a simple project per permitting standards. Typically an engineer would be needed for this type of project.
 - Applicant addressed with the Commission many of the points of the staff notes, the Commission reminded the applicant that it is the burden of the applicant to show the Commission all the impacts and calculations.
 - Applicant is requesting waiver on local filing fees. SWB Regulations allow fee waivers as noted: “Waivers. The Conservation Commission may waive the local filing fee for an application or request filed by a government agency, and may waive the filing fee for a request for determination of applicability filed by a person with no financial connection to the subject property. Said request for waiver shall be made at the time of submittal of the application.”
- Vote: on a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to reject the fee waiver for 274 Big Alum Road. AIF 4-0
- On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to continue the Hearing for 274 Big Alum Road to February 15, 20

4. Big Alum Pond - *continued* NOI – Big Alum Pond Aquatic Vegetation Management Plan - DEP #300-XXXX

- Owner/Applicant: Big Alum Lake Association Representatives: A. McMenemy, GEI Consultants
- Request: Issue an OOC
- Documents Presented: n/a
- Project Summary:
 - Project includes an aquatic vegetation management plan for Big Alum Pond.
- Presentation and Discussion:
 - Applicant provided a written request to continue the Hearing to February 15, 2024, no discussion took place.
- Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to continue the Hearing for Big Alum Lake to the next meeting, Feb. 15, 2024. AIF 4-0

5. 241 & 245 Main Street – *continued* NOI – Paving of a commercial parking lot – DEP File #300-1184

- Owner/Applicant: Sturbridge Service Center Representatives: R. Lussier, CMG Environmental
- Request: Issue Order of Conditions.
- Documents Presented: n/a
- Project Summary:
 - Project includes paving a parking lot at a commercial facility.
- Presentation and Discussion:
 - Applicant has a written continuation request to March 7, 2024, no discussion took place.
- Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to continue the Hearing for DEP File #300-1184, 241 & 245 Main Street to March 7, 2024. AIF 4-0

- 6. 263 New Boston Rd- *continued* Notice of Intent – Construction of a single-family house with associated appurtenances –DEP File #300-1166**
- Owner/Applicant: Five Star Realty Trust Representatives: G. Krevosky, EBT Environmental Consultants, Inc.
 - Request: Issue OOC.
 - Documents Presented: n/a
 - Jurisdiction:
 - Project Summary
 - Project includes the construction of a single-family house, private well, private septic and associated site work including a driveway to access the rear portions of the property for development
 - Presentation and Discussion:
 - Applicant provided a written continuation request to March 7, 2024.
 - No discussion took place.
 - Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to continue the Hearing for 263 New Boston Road, DEP File #300-1166 to March 7, 2024. AIF 4-0
- 7. 328 The Trail – *continued* Notice of Intent Construction of 2 cantilevered docks & repair of shoreline wall - DEP File #300-1182**
- Applicant/Owner: Rocco Falcone Representative: M. Lavigne, Ground Effects
 - Request: Issue an OOC.
 - Documents Presented: n/a
 - Project Summary:
 - Project includes the installation of two cantilevered docks and replacing an existing stone and mortar wall with a more natural bolder wall with planting pockets to enhance the natural look.
 - Presentation and Discussion:
 - The applicant provided a written request to continue out to September 12, 2024.
 - No discussion took place.
 - Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to continue the Hearing for 328 The Trail, DEP File #300-1182 September. 12, 2024. AIF 4-0
- 8. 324 The Trail – *continued* Notice of Intent Construction of 2 cantilevered docks - DEP File #300-1183**
- Applicant/Owner: Matt Kibbe Representative: M. Lavigne, Ground Effects
 - Request: Issue an OOC
 - Documents Presented: n/a
 - Project Summary: Project includes the installation of two cantilevered docks and replacing a concrete wall with a stone wall in a 7-foot section of existing wall.
 - Presentation and Discussion:
 - The applicant provided a written request to continue out to September 12, 2024.
 - No discussion took place.
 - Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to continue the Hearing for 324 The Trail, DEP File #300-1182 to Sept. 12, 2024.
- 9. 200 Haynes Street – *continued* SWB Notice of Intent-Construction of a commercial solar facility with associated appurtenances**
- Applicant: Sturbridge PV LLC Owner: 30 Swift LLC
 - Representative: BSC Group
 - Request: Issue OOC.
 - Documents Presented: n/a
 - Project Summary: Project includes the construction of a commercial solar array on an approx. 14-acre parcel.
 - Presentation and Discussion:
 - Applicant provided a written request to continue out to February 15, 2024.
 - No discussion took place.
 - Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to continue the Hearing for 200 Haynes Street to February 15, 2024. AIF 4-0

II. WETLAND DECISIONS

10. 505 Main Street – Request for a Certificate of Compliance - DEP File #300-0878

- Permit Holder: Jenny Bounphasayoh
- Request: Issue COC.
- Presentation and Discussion: Work was not conducted under this Order of Conditions.
- Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to issue an invalid Certificate of Compliance for work not conducted. AIF 4-0

11. 279 Holland Road – Request to Extend an Order of Conditions - DEP File #300-0977

- Permit Holder: Stevens Construction
- Requester: Alex J. Perron (current property owner)
- Request: Issue a 2-year extension
- Presentation and Discussion:
 - Project was permitted in 2017 received extension and then an automatic COVID extension. Permit expires in May of 2024. A new property owner is starting the project. Staff have conducted a pre-construction meeting. Work will start soon.
- Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to issue a 2-year extension to the Order of Conditions DEP File #300-0977 as requested. AIF 4-0

12. 125 Mashapaug Road – Request for a Certificate of Compliance - DEP File #300-0591

- Permit Holder: Stephen Celuzza
- Requester: same
- Request: Issue COC.
- Presentation and Discussion: Project included construction of a new house and associated site work. Permit issued in 2004. Property owner has plans for new work and it was realized that OOC was never closed. Site had been cleared prior to permit issuance and conditions included. An as-built plan was submitted. Site visit confirms as-built which includes new wetland delineation completed in Nov. 2023.
Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to issue a Certificate of Compliance for 125 Mashapaug Rd, DEP File #300-0591 including Special Condition 30 & 33. AIF 4-0

III. ENFORCEMENT ORDERS

13. Tsantinis, LLC & Cruise Control Transportation, 110 Brookfield Rd.

- Presentation and Discussion: Work has been completed as required through EO discussions. Agent confirmed that the plan has been recorded and recommends releasing the Enforcement Order.
- Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to release the Enforcement Order for 110 Brookfield Road. AIF 4-0

IV. ADMINISTRATIVE DECISIONS

14. Minutes for approval for the 12/7/23 and 1/4/24 meeting.

- Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to approve the minutes of December 7, 2023 as written. AIF 4-0
- Vote: On a motion of E. Gaspar, 2nd by T. Winglass the Commission vote to approve the minutes of January 4, 2024 as written. AIF 3-0-1(Bishop Abstain)

V. CONSERVATION LANDS

15. Long Pond Update

- The Agent provided the Commission a brief update of the status of the project. Staff have solicited two separate Land Survey firms to review the matter and an opinion from KP Law, all confirming the original established property line. The completion of the final plan and setting of pins has been put on hold awaiting the Town Administrator’s additional attorney’s review of the matter.

VI. OLD BUSINESS

VII. ADMINISTRATIVE UPDATES

- Committee Updates: CPA-funds were approved at Town Meeting to upgrade ADA compliance at the park for 60 Cedar St., Trails-Annual Meeting held on January 23, 2024, Open Space-no update and Lakes Advisory-no update

VIII. CORRESPONDENCE

VII. NEW BUSINESS

16. Vernal Pool Monitor request for Blueberry Hills DEP File #300-1156

- Vote: By consensus vote the Commission approve Art Allen form EcoTec as the vernal pool monitor for DEP File #300-1156. AIF 4-0.

17. Agent’s Report

The Agent provided the following update:

The Forest Cutting Plan has started on Ladd Road.

A joint meeting a scheduled with The Selectboard on 2/5 to discuss permanent docks. Ed & Ted will attend.

3/2 MACC Annual Conference will be held at Holy Cross.

Stromwater regulations changes are scheduled to be implemented by 2025.

Permit numbers which can be found in the annual report were shared with the Commission.

18. Next Meeting: Thursday February 15, 2024 **and Site Visit Schedule** – February 5, 2024

***ADJOURN –On a motion of R. Bishop, 2nd by T. Winglass the Commission vote to adjourn the meeting at 7:25 PM. AIF
4-0***