

CONSERVATION COMMISSION MINUTES

Date: May 18, 2021
Time: 6:00 -8:09 pm
Place: Virtual Meeting
<https://sturbridge.vod.castus.tv/vod>

With a quorum present, the meeting opened at 6:00 pm, Ed Goodwin presiding as Chair.
Members Erik Gaspar and Steven Chidester also present.
David Barnicle and Steve Halterman absent

DECISIONS

I. PUBLIC HEARINGS

1. 110 Charlton Road –RDA – Parking lot Improvements

- Owner/Applicant: CIM Group-VEREIT MT Representatives: J. Panter, Kimley-Horn & Associates
- Request: Seeking a negative DET
- Documents Presented: site photos
- Jurisdiction: Buffer Zone
- Project Summary
 - Parking lot improvements to include milling, full depth removal, regrading and replacement of asphalt within various locations within an existing parking lot.
- Presentation and Discussion:
 - This project is within the current parking lot.
 - The Agent recommends approval.
 - There are wattles proposed between work area and the wetland and inlets will be protected.
- Public Comment:
 - None
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester the Commission close the hearing, AIF 3-0.
 - On a motion of E. Gaspar, 2nd by S. Chidester, the Commission vote to issue a Negative #3 and Positive #5 Determination for 110 Charlton Road with the SCC standard conditions. AIF 3-0

2. 263 New Boston Road – RDA – Seeking determination on wetlands’ status related to areas of pooling (potential vernal pool habitats)

- Owner/Applicant: Kenneth Leblanc Representatives: G. Krevosky, EBT Environmental
- Request: Seeking a negative Determination
- Documents Presented: site photos
- Jurisdiction: n/a
- Project Summary
 - The applicant is seeking site inspection through the RDA to view two wetland areas described in the RDA and see that there are no pooling areas on the lot.
- Presentation and Discussion:
 - Receipt of legal ad and abutter notification received.
 - A site visit occurred on Tuesday May 11th, because of the time of year it was hard to determine full vernal pool habitat.
 - The applicant is working on additional information to provide to the commission and requests a continuation to the next meeting.
 - The Commission is willing to give a continuation although the outcome will likely be the same.
- Public Comments:
 - None



Conservation Agent

Rebecca Gendreau

Administrative Assistant

Erin Carson

Conservation Commission Members

Ed Goodwin
Steven Chidester
David Barnicle
Steve Halterman
Erik Gaspar

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- Vote: On a motion of E. Gaspar, 2nd by S. Chidester the Commission vote to continue the Public Hearing for 263 New Boston Road to June 15, 2021. AIF 3-0

3. 150 Charlton Road-continued ANRAD-DEP File #300-1088

- Owner: Cobra Realty Trust Applicant: J. Proton, Interstate Towing Representatives: G. Krevosky, EBT Environmental
- Request: Issue an ORAD
- Documents Presented: n/a
- Jurisdiction: n/a
- Project Status Summary
 - The hearing for this project was continued to allow a peer review to be initiated.
- Presentation and Discussion:
 - Robin Casioppo from GZA provided the Commission with a brief overview of her review. She was in agreement with the flagging on-site
 - There are some areas on the property that she was unable to review.
 - The commission, agent, applicant and GZA will all go out on site next week to review the last portion of the site together.
- Public Comment:
 - none
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester the Commission continue the Public Hearing for 150 Charlton Road to June 1, 2021. AIF 3-0

4. 34 Cedar Street – continued NOI-Construction of a new SFH and associated site work- DEP File #300-1104

- Owner: Robert Zimmerman Applicant: Kenneth Mollicone Representative: J. Tallman, SITEC
- Request: Issue an Order of Conditions
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone
- Project Status Summary:
 - The Hearing as continued to allow the applicant time to address the comments of the first Hearing. A revised plan had been received and the engineer made additional revisions after working with the Agent.
- Presentation and Discussion:
 - The engineer made the following changes to the original plan: pulled back the limit of work, made the footprint of the house smaller, which reduced the graded needed on the side yard.
 - The Agent recommends approval of the project.
 - The Commission feels the changes to the design are beneficial to the site.
- Public Comments
 - None
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester, the Commission vote to close the public hearing for 34 Cedar Street. AIF 3-0
 - On a motion of E. Gaspar, 2nd by S. Chidester, the Commission vote to approve the Notice of Intent for 34 Cedar Street, DEP file #300-1104 with the SCC standard conditions. AIF 3-0

5. 650 and 680 Route 15 – continued NOI – Proposed development of a Nursery and Tree Farm to include a perennial stream crossing -- DEP File #300-1092

- Owner/Applicant: Mark Kubricky, Landing Rock LLC Representative: P. Engle, McClure Engineering
- Request: Issue an Order of Conditions.
- Documents Presented: n/a
- Jurisdiction: Buffer Zone
- Project Status Summary:
 - Peer reviews have been initiated but reports have not been received to date.
- Presentation and Discussion:
 - A request to continue to June 1, 2021 was received through the applicant's representative
- Public Comment:
 - none

- Vote: On a motion of E. Gaspar, 2nd by S. Chidester the Commission vote to continue the hearing for 650 and 680 Route 15 to June 1, 2021, . AIF 3-0

6. 30 Main Street/20 Fiske Hill Road–continued NOI –Development of a residential and commercial cul-de-sac subdivision -DEP file #300-1086

- Owner/Applicant: Matt Sosik Representative: P. Engle, McClure Engineering
- Request: Issue an Order of Conditions
- Documents Presented: n/a
- Jurisdiction:
- Project Summary
 - Hearing was continued to allow for plan revisions.
- Presentation and Discussion
 - The representative appeared before the commission and asked for a continuation for further plan revisions.
- Public Comments:
 - None
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester, the commission vote to continue the hearing for 30 Main/20 Fiske Hill to June 15, 2021. AIF 3-0

7. 30 River Road –continued Amendment request to OOC – DEP File #300-1021

- Owner:/Applicant: RV Management Representative: S. Morrison, EcoTec
- Request: Issue Order of Conditions.
- Documents Presented: revised plans
- Jurisdiction:
- Project Status Summary:
 - The applicant is seeking approval of amended plans, which reflect storm-water modifications on site completed to date which address the Enforcement Order.
- Presentation and Discussion
 - The applicant failed to notify abutters properly and the Hearing could not open until 7:15pm.
 - The Agent provided the following comments: The applicant needs to address the current Enforcement Order. There are documented impacts to the resource areas off-site. All resource areas on and off-site need to be addressed.
 - S. Morrison shared that all restoration is shown on the current plan, the PO plans on installing plantings this season and additional plantings are being purchased.
 - The commission is looking for clarification that the Amendment request can be approved while the Enforcement Order has not been completely addressed.
 - S. Morrison- The turbidity testing he performed showed the water quality far exceeds water quality prior to the current Owner.
 - The commission is feeling ignored over the offsite stream restoration although they are pleased with efforts made by the applicant in other areas.
 - The commission requests that the Property Owner joins the meeting on the Go To Meeting platform to discuss the Enforcement Order not the phone line used by the public.
- Public Comment:
 - Charlie Morse, 28 River Road called with concerns over the timeline of completion of the overall project. S. Morrison-completion is scheduled for the fall.
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester the commission vote to continue the hearing for 30 River Road to June 1, 2021, with discussion regarding the Enforcement Order first. AIF 3-0

8. 30 River Road –continued NOI –All work to complete the site- DEP File #300-1102

- Owner:/Applicant: RV Management Representative: S. Morrison, EcoTec
- Request: Issue Order of Conditions.
- Documents Presented: revised plans
- Jurisdiction:
- Project Status Summary:
 - The Hearing was continued from the previous meeting to allow the applicant time to revise plans. Revised plans and narrative were received for this Hearing.

- Presentation and Discussion
 - S. Morrison provided an update to revisions of the plan presented at the last meeting.
 - Final as-built plans will be part of the O and M plan for the project.
 - The pool parking area is hard packed gravel instead of the proposed grass and the plan reflects that change.
 - Plantings will be added to this plan in all zones.
- Public Comment:
 - none.
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester the commission vote to continue the hearing for 30 River Road to June 1, 2021. AIF 3-0

II. WETLANDS DECISIONS

9. Emergency Authorization –Wells Park Rd. & 138 Walker Pond Road

- Original Applicant: Sturbridge DPW
- Request: Ratify issued Emergency Authorization
- Documents Presented: N/A
- Jurisdiction: Buffer Zone
- Project Summary: This is a request for change of chemical for weed control in Cedar Lake.
- Presentation and Discussion:
 - There is an active Beaver Dam causing road flooding in the area of Wells Park Rd and 138 Walker Pond Rd. The Sturbridge DPW worked with Beaver Solutions to install a water flow device to lower the water level one foot which will eliminate the emergency.
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester the commission vote to ratify the issuance of the Emergency Authorization for a water flow device on Wells Park Rd and 138 Walker Pond Rd. AIF 3-0

III. ADMINISTRATIVE DECISIONS

10. Minutes of 5/4/21 to be approved

- Documents Presented: draft minutes
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester the commission vote to accept the 5/4/21 minutes as written. AIF 3-0

UPDATES

IV. OLD BUSINESS

11. RV Management Services- Enforcement Order

- Documents Presented: N/A
- Project Status Summary: An EO was issued in April of 2020. Extensions have been granted to seek compliance with the EO but new filings are now before the Commission to address many of the items on the EO
- Discussion
 - The discussion happened under #7.
- Vote: n/a

12. 205B and 205C Podunk Pike- Enforcement Order

- Documents Presented: N/A
- Project Status Summary: The commission did not meet quorum to discuss this matter, the applicant was notified prior to the start of the meeting.
- Discussion
 - The discussion is tabled until the June 1, 2021 meeting.
- Vote: n/a

13. 27 Ladd Road- Enforcement Order

- Documents Presented: N/A
- Project Status Summary: The commission did not meet quorum to discuss this matter, the applicant was notified prior to the start of the meeting.
- Discussion
 - The discussion is tabled until the June 1, 2021 meeting.
- Vote: n/a

14. 508 MEPA

- Documents Presented: N/A
- Project Status Summary
 - Discussion tabled until June 1, 2021 to allow for more members of the commission to be present.

V. ADMINISTRATIVE UPDATES

15. Committee Updates

- CPA: Met once since previous meeting.
- Trail Committee: N/A
- Open Space Committee: N/A
- Lakes Advisory Committee: N/A

VI. NEW BUSINESS

16. Codification Project

- The Agent asked the commission to approve the codification project. The Town of Sturbridge wants one document with all the bylaws and regulations. Currently there are regulations found in each department or committee and a separate place for the Town's bylaws.
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester the commission approve the codification project and authorize it to be presented at Town Meeting. AIF 3-0

17. Conservation Property-75 Farquhar Road

- The property is the planned location for the Grand Trunk Trail to pass through; the current easement on the property for the owner at 77 Farquhar needed to be adjusted for the Trail to continue as planned.
- Vote: On a motion of E. Gaspar, 2nd by S. Chidester, the commission vote to approve the revised easement for 75 Farquhar Road. AIF 3-0

18. Vote Reconsideration Procedures

- Member E. Gaspar proposes a procedure for future meetings: If a member wants to reconsider a vote, the discussion should be tabled until the next meeting to allow time for all the members to consider the topic. The commission members present discussed and will continue to the next meeting so all members can voice an opinion.

19. Agent's Report

- The Governor will lift the State of Emergency as of June 15th, the commission would like to have the virtual option for the meetings available after that date.
- Staff will looking into the fees and report back to the commission by the end of the year.
- Next Meeting Date: 6-1-21 Site Visits: 5-25-21

ADJOURN at 8:09 pm Motion by S. Chidester, 2nd by E. Gaspar. AIF 3-0