

CONSERVATION DEPARTMENT DETAILED AGENDA

Date: September 21, 2021

Time: 6:00 pm



DECISIONS

I. PUBLIC HEARINGS

1. 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 Representative: J. Bains, Eastern Federal Lands Highway Division
- Request: Issue OOC
- Documents Presented: n/a
- Jurisdiction: Buffer Zone, BLSF and Riverfront Area
- Project Status Summary:
 - Project was continued as the DEP file # and comments and NHESP comments had not been received.
- Staff Notes:
 - 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.
 - NHESP comments have been received. Project will not result in adverse impact to the resource area habitat of state listed species. Therefore, no NHESP conditions are required to be included under the WPA. Under MESA needs to be conditioned to avoid a take: turtle protection plan and removal of ECs after work.
 - As previously noted, project does result in RA impacts. Alternative analysis demonstrated for project location. Project does not appear to result in significant impact on the RA.
- Staff Recommendations: Vote to close the hearing and issue an Order of Conditions with the following special conditions.
 - Standard OOC conditions.
 - Conditions for SWPPP prior to start of work.

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

- Owner/Applicant: Nicholas Salvatore Representative: L. Jalbert, Jalbert Engineering
- Request: Issue an OOC.
- Documents Presented: colored plan & site photos
- Jurisdiction: Bank, BLSF and Buffer Zone
- Project Status Summary: Project was continued to provide for a site visit with representatives to better review the design and site.
- Staff Notes:
 - Site visit performed.
 - Representative has confirmed that the project will only result in temporary impacts to BLSF. Material will be removed not added to. Bank characteristics and stability reviewed. Elevations demonstrated by contractor. Land Under water not proposed to be impacted as part of project. Alternative options discussed. Options discussed to incorporate vegetation in low use areas along the bank. Bank height and condition varies. Bank is highly used as developed house lot and therefore likely may not be significant for wildlife habitat. Previous portions of the bank had been previously altered. Confirmed that 3 pine trees are proposed to be removed as part of the project. Two replacement trees had been shown on revised plan.
 - The buffer zone is steep in areas and the proposed stairs and retaining wall in the upland areas would appear to be beneficial to prevent erosion and decrease slope and runoff.

Conservation Agent

Rebecca Gendreau

Administrative Assistant

Erin Carson

Conservation Commission Members

Ed Goodwin
Steven Chidester
David Barnicle
Erik Gaspar

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- Staff Recommendations:
 - The board should evaluate the modifications to the bank to see if meets performance standards. If bank is not considered significant to wildlife in current state, then would appear permissible.
 - Staff recommend additional shrub plantings (at least 2) along remaining bank to provide stability and wildlife habitat and to mitigate for tree removal.
 - If the board is satisfied, staff recommend approval of the project 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.

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

- Owner/Applicant: Hibbard Family Trust Representatives: J. Dubois, DC Engineering
- Request: Issue Order of Conditions.
- Documents Presented: revised plan, PWS report & photographs
- Project Status Summary: Project was continued as board and staff had concerns with the wetland delineation. Board requested PWS review site.
- Staff Notes: PWS report received. Wetland line was changed in one area by 8 feet. Report provided to the board. Staff reviewed site and could not confirm the PWS's findings. Test holes dug confirm hydric soils and indicators of hydrology outside of the flagged wetland areas both within the developed areas and between the flagged wetland and road. Property owner was present and concerns discussed with him. Staff informed the engineer of the concerns and additional review needed to modify the flagged line. Staff also informed that altered wetlands will require some level of restoration. The site is required to be evaluated and re-delineated and a plan developed to address altered wetlands. Staff have been informed that a continuance request will be submitted to provide additional site evaluation to address the comments.
- Staff Recommendations: Continue the hearing if requested. Continuance should be to the Nov. 2, 2021 meeting to provide sufficient time. If a continuance is not received, it would appear that the project would have to be denied for insufficient information (inaccurate wetland line) and formal actions may be required to restore altered wetlands and buffer zone. Staff do not anticipate this need at this time.

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.
- Staff Notes: RFPs sent out. Only 2 proposals have been received.
- Staff Recommendations: Select peer reviewer. Both entities have performed work for the SCC and are qualified. One performed work on the property previously but has worked for the applicant. The board may want to consider Oxbow Associates to avoid any potential conflict of interest if concerned.

II. WETLANDS DECISIONS

5. 194 & 196 Lake Road- *continued* -Tree Removal Request

- Owner/Applicant: Brock Colwell Requester: same
- Request: Issue approval
- Project Summary: Removal of 11 trees
- Staff Notes: Additional site visit performed to review for replanting options. Replacement plan submitted by arborist based on site observations.
- Staff Recommendations: Approve the request with the replacements. Replacements to be planted immediately after removal if completed during the growing season and must survive for 2 growing seasons.

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

- Permit holder: Robert Moss Requester: B. Lapicki
- Request: Issue a COC

- Staff Notes: Site visit performed. Project constructed in compliance with the approved plans. Lot was part of larger subdivision. Lot not within buffer zone.
 - Staff Recommendations: Issue partial CoC for this property.
7. **18 Tantasqua Shore Drive (fka 18 Shore Dr.)-Request for Certificate of Compliance – DEP File #300-99**
8. Permit holder: Louis Fazen Requester: same
- Request: Issue a COC
 - Staff Notes: Site visit performed. Project was for a house addition in 1986. Site in compliance with the plans.
 - Staff Recommendations: Issue complete CoC.

III. ADMINISTRATIVE DECISIONS

9. **Minutes of 9/21/21 to be approved**
10. **Reorganization of the Board FY 2022**
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UPDATES

IV. OLD BUSINESS

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

- 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. Additional documentation requested to be provided.
- Staff Notes: This is a change that varies from the approved plan. The board needs to evaluate a) if the change is acceptable or not and b) how to proceed. Appears streambed was not shown accurately on approved plans. Appears changes made to height and width of upstream side of culvert and height of downstream side of the culvert. Based on the information provided, the applicant has demonstrated that the project spans the channel (1.2 times bankfull width) and meets 100 yr storm carrying capacity. Staff asked to receive calculations of openness ratio to demonstrate meeting stream crossing standards which was the intent of design.
- Staff Recommendations: Provided that stream crossing standards are still being met, staff would recommend allowing the change. An amendment to the permit would be required for this type of change if acceptable.

12. Update FCP 208 Arnold Road 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.
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V. ADMINISTRATIVE UPDATES

13. **Committee Updates: CPA, Trails, Open Space, and Lake Advisory**

VI. NEW BUSINESS

14. **Agent's Report**
15. **Next Meeting-October 19, 2021 and Site Visit Schedule-October 12, 2021 9-12 pm**
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OTHER TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR

ADJOURN