

# CONSERVATION COMMISSION DETAILED AGENDA

Posting Date: Sept. 29, 2023  
Meeting Date: Oct. 5, 2023  
Time: 6:00 pm



## DECISIONS

### I. WETLANDS DECISIONS

#### 1. 200 Charlton Road– Request for Determination of Applicability-Modifications to existing commercial site

- Applicant: Cornerstone Bank    Owner: Southbridge Savings Bank
- Representative: J. Bernardino, CMG Environmental
- Request: Issue DOA
- Project Summary:
  - Project includes demolishing the existing ATM's and associated concrete islands and canopy. The existing paved drive-thru lanes will be modified to accommodate a satellite canopy with ITM's.
- Staff Notes:
  - Proof of abutter notifications required to open hearing & proof of legal ad received.
  - Project site is not located within Priority Habitat or Estimated Habitat.
  - Site visit performed.
  - The majority of work has been proposed outside of the jurisdictional buffer zones and RA. The only work within RA would be to remove pavement which will be replaced with a landscape island (only within the 200 ft BZ).
  - Project will result in decrease of impervious surfaces and increase pervious areas and landscaping (inducing trees) on site.
  - Lawn cuttings, dead plants and other debris noted to be dumped near resource areas behind the parking lot. This should cease and debris removed.
  - Project includes BMPs to protect parking lot catch basins during work. Catch basins lead to wetlands.
  - Project includes stormwater standards evaluation. Entire project is being reviewed by Planning Board and a review with compliance with the standards should be done by that board.
- Staff Recommendations: Close the hearing and issue a DOA:
  - Negative # 4 (not subject to WPA unless work impacts an area subject to protection under the WPA).
  - Positive #2b: no resource area approval
  - Positive #5 w/ conditions:
    - Install catch basin protections during work.
    - Excavated material (not to be reused) to be removed from the site.
    - Protect any earthen materials from rain water that may be stockpiled during work or don't stockpile (all catch basins lead to wetlands).
    - Remove debris near wetland and cease dumping there.

**Conservation Agent**  
Rebecca Gendreau

**Assistant Agent**  
Erin Carson

**Conservation Commission Members**  
Ed Goodwin  
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#### 2. 3 Glenridge Road–Notice of Intent-Septic System Replacement-DEP File #300-1176

- Owner/Applicant: Joseph Guerra
- Representative: J. Vortuba, New England Environmental
- Request: Issue an Order of Conditions
- Jurisdiction: Buffer Zone & Riverfront Area
- Project Summary:
  - Project includes the repair of an existing septic system for a single family residence.
- Staff Notes:
  - DEP File # issued with no comments.

- Proof of abutter notifications required to open hearing & proof of legal ad received.
  - Project site is not located within Priority Habitat or Estimated Habitat.
  - Site visit performed.
  - Project site is a developed yard. Work is within the buffer zone and within a Riverfront Area. RA Standards do not apply to this project as exempt under the 321 CMR 10.58(6)(c) as is a repair of septic system prior to 8/7/1996.
  - Staff have requested a revised plan as shows buffer zones to Bank and BVW but no BVW or bank flags shown on plan. Plan needs flags from resource areas.
  - Stream bank being maintained as lawn. Vegetation management here should cease.
- Staff Recommendation: Continue hearing to next meeting, Oct. 26, 2023 to allow for plan submission unless provided.
- 3. 94 Hall Road -Notice of Intent- Culvert Replacement-DEP File #300-XXXX**
- Owner: J. Albert, Sturbridge DHC, LLC      Applicant: same    Representative: McClure Engineering
  - Request: Issue an Order of Conditions
  - Jurisdiction: Buffer Zone, Bank, Land Under Water
  - Project Summary: Project includes the relocation of an intermittent stream which is currently in a culvert which is failing and that abandonment of the existing pipe
  - Staff Notes:
    - DEP File # not issued.
    - Proof of abutter notifications required to open hearing & proof of legal ad received.
    - Project site is not located within Priority Habitat or Estimated Habitat.
    - Site visit performed.
    - Emergency Certificate issued for pipe failure in 2021. Different section of the culvert failed at that time and was replaced. This section of pipe was reviewed and noted to be failing. Pipe also goes under one structure. Culvert proposed to be replaced with larger pipe and relocated around the building. The relocation will increase the length of the culvert. Project is needed as current condition is a concern.
    - Plans include BMPs during work including bypass pumping of stream. Work will need to occur during low flow conditions.
    - Project is a redevelopment and subject to the MA Stormwater Standards to make improvements to the greatest extent practical. They are proposing to make improvements to on site stormwater. Currently, the stormwater enters the stream directly and is untreated. They are proposing to take 2 offline and add sumps for increased water quality. The one in the parking lot will include a hood for treatment of any potential contaminants that may enter. This is a good improvement. Is it necessary to have a catch basin in the lawn? If not, this should be removed and water should be allowed to infiltrate into the lawn.
    - The applicant should demonstrate that they explored all options to meet stream crossing standards. It is a heavily developed site and alternatives may not be feasible but a review of all alternatives must be shown. Review of stormwater standards included. There are additional stormwater structures (catch basins) that collect parking lot runoff. One is online with the stream. It would be an improvement to upgrade this one, too. Discharge not shown for other CB. No infiltration is provided on site and may not be feasible but should be looked at versus discharging into the stream.
    - Overall a good project but staff would recommend that some additional improvements are made and that all options to daylight the stream are made if possible. If at best the other catch basin should be taken off line and pretreatment added.
  - Staff Recommendations: Continue to next meeting, Oct. 26, 2023 to provide answers to those questions and for DEP File # issuance.
- 4. 82 Paradise Lane– Notice of Intent-Raze and rebuild of a lakefront cottage-DEP File #300-1170**
- Owner/Applicant: Glenn Ellis      Representative: L. Jalbert, Jalbert Engineering
  - Request: Issue an Order of Conditions
  - Documents Presented: n/a
  - Jurisdiction: Buffer Zone, Riverfront Area, SWB Regs. 365-1.1E - H.; 365-1.2, 365-1.3
  - Project Summary:
    - Project includes the removal of the existing house and rebuilding of a new house and associated site work.
  - Staff Notes:
    - Project was continued to address DEP and board comments.
    - RA has been shown on the plan and a restoration area included within the 25' no disturb zone to include shrub and tree plantings. An area to access the shoreline is provided.

- RA impact calcs need to be provided and compliance with RA standards demonstrated. Work is within outer RA. Area was developed as part of SFH residence. Area is developed so no loss of wildlife habitat lost.
- Staff Recommendation: Provided impact calculations and provided the board is satisfied, staff recommend to vote to close the hearing.
  - Vote to approve and issue an Order of Conditions pursuant to the WPA with the following special conditions:
    - Standard OOC conditions.
    - Submit maintenance requirements for drainage structures and pervious patio and driveway prior to the start of work.
    - Documentation of proper pervious paver installation and drainage structures, per the plan & manufacturer specifications, must be provided to the SCC.
    - Proposed trees and shrub plantings shall be planted as part of the approval for this project as noted in application. Trees shall be at least 1.5" caliper. Required to demonstrate that trees succeed for at least one growing season after installation. Deceased plants shall be replaced.
    - Perpetual conditions for stormwater structures.
    - The Buffer Zone Restoration Area shall not be altered.
  - Vote to approve and issue an Order of Conditions pursuant to the SWB with the following special conditions:
    - Conditions noted above.
    - Require a surety bond or deposit of money during work to ensure conditions are met. Funds to be returned or bond to be released upon issuance of a Certificate of Compliance. \$5,000 for SFH projects has been previously required. To be released upon issuance of a Certificate of Compliance.

**5. 263 New Boston Road– *continued* NOI- Construction of a Single Family House and associated site work-DEP File #300-1166**

- Owner/Applicant: Five Star Realty Trust      Representative: G. Krevosky, EBT Environmental
- Request: Issue an Order of Conditions
- 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.
- Documents Presented: EBT Report (posted on website)
- Staff Notes:
  - Site visit on 9-27-23 occurred. EBT report provided to staff at the site visit. Review of areas conducted.
  - One area to be modified for isolated wetland discussed near Flags 16A-18A. Area to be revised and include on plan. D series flag revisions to be changed. Area at toe of slope not agreed upon. Peer review of report and follow up after site visit expected of this area.
  - Staff are still concerned with this area. It appears that these were likely one wetland with deposited materials when gravel removal activities occurred and it does seem that the wetland extends beyond the current flagging. Area has past disturbance.
  - Board needs to review peer review's findings and then evaluate all info. Regardless, it does appear that the wetland in area of Flags 8A and 7A extends further into the proposed LOW as discussed on site. Therefore, there will be impact regardless. Based on the info presented it does appear that the wetlands are connected. Most of that channel lacks vegetation. One small section with small pine trees. Peer review will be attending the meeting to go over findings.
  - If it is deemed wetland, the board can consider allowing some impact if performance standards are met. Staff recommend that the project team review options to minimize disturbance (see peer review's original recommendations). Can the driveway entrance be relocated to lessen the slope to minimize fill needed? Appears driveway could come in from the side to lessen slope and therefore less wetland impacts.
  - Options to access site for title V perk are being explored. Staff are assisting w/ potential access options from Plimpton property. If upland access isn't possible then a separate NOI for temporary impacts to wetlands will be needed per DEP.
- Staff Recommendations: Listen to peer review findings and board should provide feedback. Discuss pathway forward.

**6. National Grid ROW 301 Line - Notice of Intent-Subsurface Geotechnical Borings-DEP File #300-1173**

- Owner:    Applicant: MA DOT      Representative: LE. Olson, VHB
- Request: Issue an Order of Conditions
- Jurisdiction: BVW, Bank, BLSF, Buffer Zone, Riverfront Area
- Documents Presented: n/a
- Project Summary: Project includes subsurface geotechnical borings.
- Staff Notes:
  - Project continued for peer review. Art Allen of EcoTec approved. Funds received 9/29/23.

- Staff Recommendations: Continue to next meeting, Oct. 26, 2023, to allow for peer review process to begin.
- 7. 200 Haynes Street -Notice of Intent- Commercial solar array**
  - Applicant: Sturbridge PV LLC      Owner: 30 Swift LLC      Representative: BSC Group, Inc.
  - Request: Issue an Order of Conditions
  - Jurisdiction: Buffer Zone, Riverfront Area
  - Project Summary: Project includes the construction of a commercial solar array on an approx. 14-acre parcel.
  - Staff Notes:
    - Project was continued. Applicant to provide access for town officials, staff and town agents to access adjacent parcels for delineation review. In addition, the wetland verification related to the southern buffer zone needs to be verified and plan updated to show wetlands in those areas.
    - Staff have been in communication with them and it is our understanding that they are working on these things.
    - Stormwater/engineering peer review is starting through planning department.
  - Staff Recommendations: Continue hearing to next meeting, Oct. 26, 2023, for those updates to be completed. Board should decide if they want to have the site visit on Oct. 18<sup>th</sup> as initially discussed or wait until peer review completed. Board should decide if they want to vote for peer review as it was held off at last meeting.
- 8. 595 Main Street & Rt. 20 ROW -Notice of Intent- MA DOT Rt. 20 Drainage Project-DEP File #300-1175**
  - Owner: Blackstone Building LLC      Applicant: MA DOT      Representative: LE. Olson, VHB
  - Request: Issue an Order of Conditions
  - Jurisdiction: Buffer Zone, Riverfront Area
  - Project Summary: Project includes the repair and replacement of failed drainage structures.
  - Staff Notes:
    - Project was continued to allow the project team to address DEP's comments and to obtain final property owner signature.
    - Project team is working on materials and has requested a continuation to the next meeting.
  - Staff Recommendations: Continue to next meeting, Oct. 26, 2023 as requested.

## II. WETLAND DECISIONS

- 9. 446 Main Street-Request for Certificate of Compliance –DEP File #300-0480**
  - Requester: Dong Ying      Request: Issue a COC
  - Staff Notes: Site visit to be conducted on 9-27-23. New OOC issued to complete work as this OOC expired. Concrete pad removed and previous beaver flow devices failed. Area was reviewed and flow devices are not suitable. Area will require monitoring for beaver activity and breaching when necessary. Currently no flooding issues.
  - Staff Recommendations: Issue complete CoC w/ perpetual conditions: Special Condition: 34. OOC to note that beaver culverts not there. Perpetual conditions only relate to stormwater O & M activities.
- 10. 446 Main Street-Request for Certificate of Compliance –DEP File #300-1161**
  - Requester: Dong Ying      Request: Issue a COC
  - Staff Notes: Site visit to be conducted on 9-27-23. New OOC for removal of concrete pad and beaver management/monitoring plan.
  - Staff Recommendations: Issue complete CoC w/ perpetual conditions: Special Conditions: 36-40.
- 11. 168 Lane Seven-Request for Certificate of Compliance –DEP File #300-1004**
  - Requester: Steven Quink      Request: Issue a COC
  - Staff Notes: Site visit to be conducted prior to meeting. Portions of project have not been completed and will be conducted under a new NOI with additional work. Only tree removal occurred. NOI will be on next meeting agenda.
  - Staff Recommendations: Provided no concerns w/ site, issue a CoC, w/ no perpetual conditions. Note work not completed.

## III. ADMINISTRATIVE DECISIONS

- 12. Minutes of 9/14/23 for approval**

## IV. OLD BUSINESS

- 13. 110 Brookfield Road**
  - Staff Notes: Plan to address compliance agreed upon at 8/24/2023 meeting. Work was to be completed prior to 10/1/2023 as agreed and update provided at this meeting. Staff have noticed work occurring and will be contacting owner prior to meeting to schedule site inspection.
  - A vote to formally release the EO should occur if all work is completed.
- 14. 392 Main Street**
  - Staff Notes: Existing condition plan provided with notes. Revised sketch restoration plan received based on site visit.

- Staff Recommendations: Recommend approval of replanting proposal. Final plan will need to be submitted with notes included and some type of bounds added. However, they will be asking for an easement area from the town. Easement needs to be defined so it is clear what uses. Discussed for walking easement. Easement will require Town approval beyond conservation and likely will take some time. Some type of visual monumentation should be required to prevent any possible future encroachment. Dumpsters, etc. need to be relocated onto the subject parcel. It would be advisable to start the planting as soon as possible. EO will need to be issued requiring the planting, submit final plan and discuss and come up with an agreement for visual bounds to be added to plan.

#### **V. ADMINISTRATIVE UPDATES**

- Committee Updates: CPA, Trails, Open Space, and Lakes

#### **VI. CORRESPONDENCE**

#### **VII. NEW BUSINESS**

**15. Agent's Report**

**16. Next Meeting-October 26, 2023 and Site Visit Schedule-Oct. 18, 2023**