

CONSERVATION COMMISSION DETAILED AGENDA

Date: November 17, 2022

Time: 6:00 pm



DECISIONS

I. WETLANDS DECISIONS

1. 132 Lane Nine – NOI – After the fact erosion and sediment stabilization– DEP File #300-1143

- Owner/Applicant: Randy Bercume Representatives: S. Morrison, EcoTec
- Request: Issue Order of Conditions.
- Documents Presented: n/a
- Jurisdiction: Buffer Zone
- Project Summary:
 - After the fact filing for removal of the accumulated sediments followed by the installation of stairs and stone to prevent washout and scouring that was occurring. No further work is proposed.
- Staff Notes:
 - Proof of abutter notifications required to open hearing & proof of legal ad received.
 - No DEP Comments.
 - All work was completed under an Emergency Authorization. No further work is required.
 - NHESP MESA approval provided.
- Staff Recommendations: Provided that the legal ad, abutter notifications and DEP File # are received, staff recommend to vote to close the hearing.
 - Vote to approve and issue an Order of Conditions pursuant to the WPA with no special conditions. OOC to be recorded and then immediately file for a Certificate of Compliance.
 - Vote to approve and issue an Order of Conditions pursuant to the SWB with no special conditions. OOC to be recorded and then immediately file for a Certificate of Compliance.

2. 136 Lake Road –RDA – Minor shoreline repair and tree removal

- Owner/Applicant: Bruce Gran & Beverly Litchfield Representatives: none
- Request: Issue DOA
- Documents Presented: site photos
- Project Summary:
 - Project includes the removal of three trees with replacements and the restacking of 8 ft section of a boulder wall.
- Staff Notes:
 - Proof of abutter notifications & proof of legal ad received.
 - Project is not within Priority or Estimated Habitat.
 - Tree removal includes 2 dead hemlocks and a declining 20" oak. Arborist report included with restoration recommendations to include a no disturb area to be planted with shrubs and the planting of a tree near the location of the oak.
 - Shoreline is mostly a concrete block wall with the exception of one 8' section of dry laid stone. This has fallen down or partially fallen down. Plan to repair the wall by restacking the wall and to include adding stone and filter fabric behind it.
- Staff Recommendations: Vote to close the hearing and issue a Determination:
 - Negative #3 w/ conditions:
 - Standard pre-work and sign off conditions.
 - All work shall follow the submitted and approved protocol. The replacement wall shall not exceed the footprint of the existing wall.

**Conservation
Agent**

Rebecca Gendreau

**Administrative
Assistant**

Erin Carson

**Conservation
Commission
Members**

Ed Goodwin

Roy Bishop

Erik Gaspar

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- All activities, which may be located within areas that are subject to high water conditions, shall only occur in low water conditions. If working in dry conditions is not possible, then a plan must be developed to protect resource areas during work. Such plan shall be provided to the Conservation Department for prior review and approval.
- No materials shall be deposited within Land Under Water. All fallen materials shall be removed at the end of each work day.
- Straw wattle install until stabilized.
- Require plantings as proposed.
- Positive #2b: no resource area approval.
- Positive #5 w/ conditions noted above.

3. 231 & 233 Cedar Street – *continued* NOI –Construction of a Single Family Home and associated site work - DEP File #300-1139

- Owner/Applicant: Bradley Marszalkowski Representative: S. Jordan, Ecotec
- Request: Issue an Order of Conditions
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone
- Project Status Summary: Project was continued to allow Applicant to address staff and SCC notes.
- Staff Notes:
 - See 9-15-2022 Detailed Agenda for original staff notes, performance standards, etc.
 - New materials received including revised plan and EcoTec, Inc's. "Project Description, Construction Sequence & Wetlands Interest Assessment". Waiver requested for driveway within the 25 foot no disturb.
 - Project revisions include: "pitch to drain arrows along the driveway to ensure that driveway runoff reaches the basins, clear distinction of where wattle and wattle/silt fence will be used, and a note at the bottom of the plan regarding the signage along the limit of work/lawn on the site".
- Staff Recommendations: 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 drainage structure O & M Plan prior to the start of work.
 - Permanent demarcations must be installed prior to Certificate of Compliance.
 - Remove debris dumped on site (plywood, lumber, barrel, etc.)
 - Remove existing drainage pipes.
 - Perpetual conditions for stormwater structures and signage.
 - 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 new single family house development has been previously required. To be released upon issuance of a Certificate of Compliance.

4. Lot 3, 20 Fiske Hill Road & 30 Main Street (Future Road named Berry Farm) – *continued* NOI-Construction of a 71 lot manufactured housing community-DEP File# 300-1132

- Owner: M. Sosik Applicant: Justin Stelmok Representative: B. Madden, LEC Environmental
- Request: Issue an Order of Conditions
- Documents Presented: n/a
- Project Summary: Project was continued to allow for project revisions based on comments to date.
- Staff Notes:
 - Email from LEC (Representative) received application withdrawn w/out prejudice. Planning to re-file for new public hearing. Requesting to waive the Town portion of the state fee.
 - Staff requested feedback from DEP on fee waiver request. DEP will await to review the new NOI to evaluate request. State fees not at Commission's discretion to waive just DEP.
- Staff Recommendations: Close hearing based on withdrawal request.

5. Lot 3, 20 Fiske Hill Road & 30 Main Street (Future Road named Berry Farm) – NOI-Construction of a 71 lot manufactured housing community-DEP File# 300-XXXX

- Owner: M. Sosik Applicant: Justin Stelmok Representative: B. Madden, LEC Environmental

- Request: Issue an Order of Conditions
- Documents Presented: n/a
- Project Summary: Project under DEP File #300-1132 was withdrawn without prejudice and re-filed.
- Staff Notes:
 - DEP File # and comments not received to date.
 - Proof of abutter notifications required to open hearing & proof of legal ad received.
 - Feedback from DEP required on fee waiver request. Check being held until guidance provided.
 - Applicant is requesting to waive the local filing fee. Previous local fee collected was \$50.00. Filing fees updated and now is \$750.00. Staff recommend not waiving fee as fee was minimal and has been exhausted.
 - Peer reviews were being conducted by Pare Corp. for stormwater/engineering and Oxbow Associates for wetlands/wildlife. Stormwater was being conducted in conjunction and through the Planning Dept. If allowable by the applicant, staff recommend that the need for 3 proposal requests be waived and only a new proposal be sought for the Oxbow Review.
- Staff Recommendations: Vote for peer review for both stormwater/engineering and wetlands/wildlife w/ proposal to be sought from Oxbow. Continue hearing to next meeting, December 8, 2002.

6. 68 Paradise Lane –RDA – Minor shoreline repair

- Owner/Applicant: Jeff Buchanan Representatives: S. Morrison, EcoTec
- Request: Issue DOA
- Documents Presented: n/a
- Project Summary:
 - Project includes the repair of existing masonry stairs into the lake.
- Staff Notes:
 - Proof of abutter notifications required & proof of legal ad received.
 - Project is not within Priority or Estimated Habitat.
 - Project is a minor repair of the existing stairs. Work is proposed during lake drawdown.
 - Work will not impact resource areas as bank is existing stairs and repair is minor in nature.
 - Property has recently been sold. Staff have been to site with previous owners. Appears cleanup activities have occurred outside of the developed yard within and near wetlands. No vegetation removal outside of the yard to occur.
- Staff Recommendations: Provided that the legal ad and abutter notifications are received, staff recommend to vote to close the hearing and issue a Determination:
 - Negative #3 w/ conditions:
 - Standard pre-work and sign off conditions.
 - The bottom stairs which have crumbled shall not exceed the footprint of the existing stairs.
 - All activities, which may be located within areas that are subject to high water conditions, shall only occur in low water conditions. If working in dry conditions is not possible, then a plan must be developed to protect resource areas during work. Such plan shall be provided to the Conservation Department for prior review and approval.
 - No materials shall be deposited within Land Under Water. All fallen materials shall be removed at the end of the work day.
 - Positive #2b: no resource area approval.
 - Positive #5 w/ conditions noted above.
 - Include language in letter in regards to vegetation management on site.

7. 698 Main Street– NOI-Construction of a commercial building with associated parking and utilities-DEP File# 300-1144

- Owner/Applicant: J. Procon, Interstate Towing Representative: G. Krevosky, EBT Environmental
- Request: Issue an Order of Conditions
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone
 - **10.53(1): General Provisions** “For work in the Buffer Zone subject to review under 310 CMR 10.02(2)(b)3., the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area. ... where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of [the Act]. ... The purpose of preconstruction review of work in

the Buffer Zone is to ensure that adjacent Resource Areas are not adversely affected during or after completion of the work.”

- Project Summary: Project includes the construction of a 7,000 sq. ft. commercial building with associated parking areas and utilities.
- Staff Notes:
 - DEP File # received. No comments.
 - Project is not within Priority or Estimated Habitat.
 - Proof of abutter notifications & proof of legal ad received.
 - Site visit performed.
 - NOI states inland resource area impacts; however, buffer zone only project.
 - Site is currently forested and includes some remnants of previous foundations and includes stonewalls. Site includes a bordering vegetated wetland which contains an intermittent stream. Appears stream was previous re-directed through the site many years ago as USGS maps show it on the adjacent parcel.
 - Resource Areas verified this year through an ORAD.
 - Project is a Land Use with a High Potential Pollutant Load.
 - Project has been filed with the Planning Board. A peer review has been initiated with Pare Corp. for stormwater and traffic. Proposal was solicited for joint review with anticipation of being required by Conservation.
 - Pare report received and provided to board. Some recommendations for revisions to stormwater components/plan edits but overall has been designed to meet MA stormwater standards.
 - Project has been designed in consultation with staff to meet bylaw regulation setbacks. No work proposed within 25 foot no disturb and no structures within 50 feet.
 - Wetlands eventually discharge into DOT drainage system and would appear to discharge across the street to East Brimfield Reservoir.
 - Project was designed to meet MA DEP Stormwater Standards for a LUHPPL. BMPs include deep sump catch basins with hoods, oil-grit separators, water quality units, underground infiltration chambers and a stormwater basin. 2,000-gallon oil grit separator will provide oil storage in case of a spill and TSS removal. See the Stormwater Report.
 - Staff recommend that the engineer provide quick presentation to go over the proposed stormwater system to include pre-treatment and by-pass flow in larger storm events.
 - Project includes an erosion control plan and long term O & M plan.
 - NPDES Permit will be required and can be conditioned to be provided prior to the start of work.
 - A fence is proposed along the truck and vehicle storage area. This proposed fence is a cedar 8’ tall stockade style fence. Staff approve of this fence to due to minimize impacts to wildlife habitat values. O & M Plan should include maintenance and replacement of fence as needed. Should be included as perpetual condition.
 - Provided acceptable by applicant to waive need for 3 proposals, vote for joint Pare Corp. peer review for stormwater compliance with MA DEP Stormwater Standards and bylaw regulations.
- Staff Recommendations: Vote for peer review and continue to Dec. 8th meeting to address peer review comments and any board comments.

8. **136 Lake Road– NOI-Construction of a permeable paver driveway-DEP File# 300-1146**

- Owner/Applicant: Bruce Gran & Beverly Litchfield Representative: G. Krevosky, EBT Environmental
- Request: Issue an Order of Conditions
- Documents Presented: colored sketch plan
- Jurisdiction: Buffer Zone
 - **10.53(1): General Provisions** “For work in the Buffer Zone subject to review under 310 CMR 10.02(2)(b)3., the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area. ... where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of [the Act]. ... The purpose of preconstruction review of work in the Buffer Zone is to ensure that adjacent Resource Areas are not adversely affected during or after completion of the work.”
- Project Summary: Project includes installation of permeable pavers in the footprint of an existing crushed stone driveway.
- Staff Notes:
 - DEP File # issued. No comments.

- Project is not within Priority or Estimated Habitat.
- Proof of abutter notifications & proof of legal ad received.
- Prior site plan utilized for existing conditions. Sketch includes limits of current project and includes permeable paver detail.
- Work is 54.5 feet from resource area. ECs proposed.
- Staff Recommendations: Provided abutter notifications received, staff recommend that the hearing is closed.
 - Vote to approve and issue an Order of Conditions pursuant to the WPA with the following special conditions:
 - Standard OOC conditions.
 - Excavated materials to be removed off site.
 - Manufacturer specs for maintenance to be provided prior to start of work.
 - Perpetual conditions for maintenance activities.
 - Vote to approve and issue an Order of Conditions pursuant to the SWB with the special conditions noted above.

9. 50 Whittemore Road – NOI – Landscape Improvements including a patio and fire pit – DEP File #300-XXXX

- Owner/Applicant: Joseph and Kristen Dalton Representatives: L. Jalbert, Jalbert Engineering
- Request: Issue Order of Conditions.
- Documents Presented: colored plans & site photos
- Jurisdiction: Buffer Zone
- Performance Standards
 - **10.53(1): General Provisions** “For work in the Buffer Zone subject to review under 310 CMR 10.02(2)(b)3., the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area. ... where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of [the Act]. ... The purpose of preconstruction review of work in the Buffer Zone is to ensure that adjacent Resource Areas are not adversely affected during or after completion of the work.”
- Project Summary: Project includes the addition of a patio, fire pit and landscape improvements.
- Staff Notes:
 - Proof of abutter notifications required to open hearing & proof of legal ad received.
 - DEP has not provided a file number for this project.
 - Project site is not located within Priority & Estimated Habitat.
 - Site visit performed. Yard is sloped. Some grading required. Steep drop off to wetland at the tree line.
 - Most of the work is occurring outside of the 50-foot buffer zone w/ in a developed yard.
 - Existing tree line isn’t shown on the plan. Engineer confirmed that all work is within the developed yard.
 - Will require grading and installation of retaining walls as currently sloped. Riprap drainage swale shown at edge of yard as long-term stormwater BMP.
- Staff Recommendation: Provided that the board is satisfied and that the legal ad, abutter notifications and DEP File # are received, 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.
 - Excess excavated materials to be removed off site (if any).
 - Maintenance activities for drainage swale to be provided prior to start of work.
 - Perpetual conditions for swale maintenance activities.
 - Vote to approve and issue an Order of Conditions pursuant to the SWB with the special conditions noted above.

10. 63 Beach Ave – NOI – Raising the existing house, addition and associated site work– DEP File #300-1145

- Owner/Applicant: Sean and Johanna Doyle Representatives: L. Jalbert, Jalbert Engineering
- Request: Issue Order of Conditions.
- Documents Presented: colored plans & site photos
- Jurisdiction: Buffer Zone
- Performance Standards
 - **10.53(1): General Provisions** “For work in the Buffer Zone subject to review under 310 CMR 10.02(2)(b)3., the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area. ... where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of [the Act]. ... The purpose of preconstruction

review of work in the Buffer Zone is to ensure that adjacent Resource Areas are not adversely affected during or after completion of the work.”

- Project Summary:
 - Project includes raising the existing house to provide a full basement. It also includes an addition, pervious paver walkway, a drip strip, landscaped areas, retaining walls and other landscape improvements.
- Staff Notes:
 - Proof of abutter notifications required to open hearing & proof of legal ad received.
 - DEP has provided a file number for this project w/ no comments.
 - Project site is not located within Priority & Estimated Habitat.
 - Past OOC issued for a deck which resulted in an EO as the deck became the sunroom and a concrete patio was poured without approval. The concrete patio was removed and replaced with a paver patio and included restoration plantings. This was done by a previous property owner.
 - Site visit performed.
 - Work will occur within the 25 foot no disturb but all is within a previous developed area. This work includes excavation to install a new foundation, new posts for the sunroom and removal and replacement of the existing pavers as needed. The house addition is proposed outside of the 50-foot buffer zone. Project has not been filed with the ZBA yet. Lot coverage may be a concern here. Work within the 25 foot no disturb requires a waiver. No waiver request received.
 - It is unclear to the extent of work involved to either repair add to the existing foundation. This needs to be clarified. Currently not clear on the plan. Has been stated. Project will result in extensive temporary alteration to install the new foundation for full basement.
 - Construction sequence plan and details needed in regards to excavation requirements to install a new foundation. How far out will need to be excavated from the foundation, where will materials be stockpiled and will the adjacent oak trees be required to be removed?
 - Site is fairly impervious and can benefit from stormwater management. A drip strip is shown on one side of the structure. Additional roof runoff and driveway runoff would be beneficial due to lot coverage.
 - Straw wattle proposed for ECs.
 - Project requires ZBA review. It would be advisable to start that process now as lot coverage may be a concern with the addition.
- Staff Recommendations: Continue the hearing to allow comments to be addressed. Continue to Dec. 8, 2022.

11. 72 & 72A Paradise Lane- continued NOI- Raze and Rebuild on a lakefront lot-DEP File #300-XXXX

- Applicant: Robert & Lisa Muscaro Representative: L. Jalbert, Jalbert Engineering
- Request: Issue a Determination
- Documents Presented: colored site plans
- Jurisdiction: Buffer Zone
 - **Buffer Zone 10.53(1): General Provisions**
 - “For work in the Buffer Zone subject to review under 310 CMR 10.02(2)(b)3., the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area. ... where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of [the Act]. ... The purpose of preconstruction review of work in the Buffer Zone is to ensure that adjacent Resource Areas are not adversely affected during or after completion of the work.”
 - SWB Regs. 365-1.1E - H.; 365-1.2, 365-1.3 (see: <https://ecode360.com/35319582>)
- Project Summary:
 - Project includes the removal of the existing house and rebuilding a new house.
- Staff Notes:
 - DEP File # has not been received.
 - Site visit performed.
 - A NOI was filed for this project and denied earlier this year.
 - The revised project includes the same house footprint as shown on the previous filing. The new project now includes: the removal of 23 trees, a proposed stone parking area (this appears to already be in existence on areas currently used by the abutter), paving of a portion of the existing stone driveway and to keep an additional parking area. Project also includes a pervious paver driveway and retaining wall, stormwater BMPs and a planting plan for removed vegetation. Project plans show a naturalized area to not be disturbed.

- Waiver is requested. SWB Regs 365-1.1 H(2) state: "A waiver (as stated above) to the fifty-foot "no structure" buffer and the twenty-five-foot "no disturb" buffer may also be granted to applicants under the following circumstances: the area is already previously disturbed and the proposed project will improve the protection to the resource area; or the applicant can prove with documented evidence that there are no other substantially equivalent alternatives available. Said applicant must show that measures will be incorporated into the project to ensure that there will be no significant adverse impact to the resource area and must provide additional protection at a ratio of 2:1 to the value of the resource buffer being altered."
- Filing includes additional information on stormwater management including maintenance activities. BMPs shown to assist with managing roof and driveway runoff.
- Impervious area on site noted as the same however appears to increase with paved driveway, increase in impervious portions of the house (excluding stairs and deck). Existing house shown as 904.5 sq. ft. new house is 1,441 sq. ft. As shed will be removed. Structures within the 25-50 ft. BZ: existing house (excluding stairs and deck) 505 sq. ft. new house at 525 sq. ft.
- Existing well shown to be removed (under house) new well location is not shown.
- Arborist report received. Some trees noted as dead or declining. Most trees required to be removed for new house. 8 in this area not noted as dead or stressed on the plan.
- Planting plan includes shrubs and trees. States 13 trees: eastern red cedar and service berry included with river birch and maple. Sizes of shrubs and trees should be noted. Area should not be lawn between plantings and noted maintained as landscaped in the future. SCC typically requires a 2:1 for proposed tree removal but exceptions can be made to include shrubs. Application states that the project includes restoration areas of approx. 1,300 sq. ft. but most of this area currently includes vegetation required to be removed. This could be considered compensation for trees to be removed. The board should discuss this.
- Would seem beneficial to include additional plantings that can provide canopy near the shoreline to replace the 2 removed there and along the other property line as is currently lawn. Regs require plantings to be located closest to resource area. Additional plantings closer to the resource area would be beneficial and may assist w/ demonstrating an improvement over the existing conditions.
- Alternative analysis has not been provided demonstrating that there is no practical alternative. Applicant required to demonstrate that they have met all requirements for a waiver.
- Staff Recommendation: As the DEP file # has not been provided the hearing should be continued. Recommend continuation to address comments. Continue to Dec. 8, 2022.

12. 16 Mt. Dan Road –continued NOI – Raze and rebuild of a lakefront home – DEP File #300-1135

- Owner/Applicant: Deborah Weber Representatives: L. Jalbert, Jalbert Engineering
- Request: Issue OOC.
- Documents Presented: n/a
- Jurisdiction: Buffer Zone, Bank
- Project Status Summary
 - Project includes the raze and rebuild of the existing house. The parking area will be expanded to park five cars with a gravel base and stone top on the opposite side of the private road. 2 sets of stairs proposed within the bank of the pond. Project was continued to allow the Applicant to address the board's comments.
- Staff Notes:
 - No new information has been received.
- Staff Recommendations: Continue to allow the project team to continue to work on project revisions. Continue to Dec. 8, 2022.

13. 86 & 88 South Shore Drive – continued NOI – Raze and rebuild of a single family home and associated site work – DEP File #300-1127

- Owner/Applicant: Steven and Marcy Reed Representative: L. Jalbert, Jalbert Engineering
- Request: Issue OOC.
- Documents Presented: revised plan & first floor rendering
- Jurisdiction: Riverfront Area and Buffer Zone to BVW and Bank
- Project Status Summary:
 - Project was continued for further revisions.
- Staff Notes:
 - Revised plan and narrative received from applicant.

- Project has been revised to leave the original structure which will be renovated. A house addition is proposed which will be outside of the 50 foot no new structure. Driveway surface stated to be gravel not paved.
- 3 trees to be removed. 3 deciduous trees proposed as replacements. Trees must be native and size to be stated. Sizes shall be documented. Should be at least 1.5" dbh.
- Tree protection required during work as trees are located within the ECs. ECs could be shifted to exclude these areas.
- Provided original house is not razed and rebuilt then it appears that the project would meet standards. Board previously discussed RA work and was not concerned w/ impacts as site is a developed yard. Septic and VP concerns addressed by issuing authority (BOH).
- Staff Recommendation: 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 prior to the start of work.
 - Submit tree protection plan prior to the start of work.
 - Landscape plantings must be installed in compliance with the approved plans.
 - Perpetual conditions for stormwater structures.
 - 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 single family house development has been previously required. To be released upon issuance of a Certificate of Compliance.

II. WETLAND DECISIONS

14. 289 Clarke Road Extension –Request for a Certificate of Compliance-DEP File#300-667

- Applicant: Lisa Bachand Permit Holder: same
- Request: Issue COC
- Staff Notes: NOI was result of erosion issues at a property in which a NOI had not been previously required. The plan included a drainage remedy to include soil stabilization, plantings and drainage swales in 2005. Site visit performed, letter of substantial compliance received: drainage project implemented properly. Project has been completed for some time. In addition, slope in backyard has also naturally relegated and grown in with successional vegetation (not lawn).
- Staff Recommendations: Issue complete CoC (no perpetual conditions noted in OOC).

15. 8 Birch Street –Request for an Extension of Order of Conditions-DEP File#300-1055

- Applicant: R. Nichols, Otis Land Management Permit Holder: same
- Request: Issue extension
- Staff Notes: Extension request received as last trailer has not been built yet.
- Staff Recommendations: Issue 3-year extension.

16. 7 Cove Drive –Request for a Certificate of Compliance-DEP File#300-1074

- Applicant: Kyle and Laura Tasse Permit Holder: same
- Request: Issue COC
- Staff Notes: Site visit performed and letter of substantial compliance and as-built plan received. Project varied slightly from approval. House was shifted to the south and driveway expanded within the previous house footprint. That did not result in a change to the approved LOW or encroach closer to resource areas. Additional plantings on site.
- Staff Recommendations: Issue complete CoC with perpetual special conditions: 50-53.

17. 1 South Paradise Lane –Request for a Certificate of Compliance-DEP File#300-239

- Applicant: Rob Scoble Permit Holder: Robert & Maureen Cartelli
- Request: Issue COC
- Staff Notes: This is an older OOC (1992) in which staff could not locate the file. Address f.k.a. Sunset Lane. Site plan located w/ Building Dept. files for project. Project was for a 2nd driveway and a house addition. The SCC recently reviewed and approved retaining wall repairs associated with this property. The site is consistent with what was shown on this plan.
- Staff Recommendations: Issue complete CoC. No special conditions noted.

18. 76 Stallion Hill Road–Request for a Certificate of Compliance-DEP File#300-1116

- Applicant: Jared Hamre Permit Holder: same

- Request: Issue COC
- Staff Notes: Project included septic replacement, garage pad and driveway removal and additional site improvements to include cleanup of dumped material and removal of bridge.
- Staff Recommendations: Issue complete CoC w/ perpetual conditions: 47-50.

III. ADMINISTRATIVE DECISIONS

19. Minutes of 10/6/22 to be approved

- Staff Recommendations: Vote to accept the 10/6/22 minutes.

IV. OLD BUSINESS

20. 413 Main Street-

- Staff Notes: Staff informed the board about this at the last meeting. Parking lot failure occurred. Immediate repairs occurred to stabilize slope and repair parking lot. McClure Engineering to investigate cause for failure as it was unclear what caused the failure and therefore who may be responsible to address. A significant amount of fine material had been deposited within Land Under Water, on Bank and in the adjacent Bordering Vegetated Wetland associated with Cedar Meadow Brook. The area is also within Riverfront Area.
- After the fact approval would be required, however, additional site review is required to determine the cause of the failure and a remedy to prevent further future slope failure. Unclear of cause and who may be responsible for sediment removal. In addition, a plan to remove fill deposited in the wetlands would be required.
- A letter was issued requesting an update on this matter, actions taken and an anticipated timeline.
- Staff Recommendations: Discuss next steps and set reasonable deadline for application submittal to ensure that it is done. Imperative that sediment is removed as soon as possible.

21. 110 Brookfield Road-

- Staff Notes: Staff informed the board about this at the previous meetings. NOI required for work occurring on property. A follow up letter was issued requesting an update on actions taken to file NOI and timeline on when NOI would be submitted as update for this meeting.
- Staff Recommendations: Property owner has informed that working on NOI. Staff recommended assistance from an engineering firm as commercial site. Discuss next steps and set reasonable deadline for application submittal to ensure that it is done.

UPDATES

V. ADMINISTRATIVE UPDATES

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

VI. CORRESPONDENCE

22. Opacum Land Trust Letter

VII. NEW BUSINESS

23. 446 Main Street – DEP File #300-480

- Staff Notes: Staff became aware that there was an open permit for this property as lawyer called due to upcoming transfer of property. Project was for the redevelopment of the commercial property and included stormwater BMPs and management of flooding created by beavers on the property. There have been historic issues with beaver flooding in this area. Staff informed the representative that based on the current conditions of the property it did not appear that the property was in compliance with the permit. The wetlands have drastically expanded on the site due to prolonged flooding and the swale is essential nonfunctioning. Appears the maintenance for the swale and culvert and flow devices have not been kept up which has caused flooding. Recently an abutter was experiencing flooding of their parking lot. Staff notified representative of concerns with no response. Letter was issued to property owner.
- Staff Recommendations: Staff have been contacted by two representatives. In receipt of letter and working to address concerns. Staff have provided past OOCs and plans to assist, etc. They plan to attend meeting to discuss items working on. Will need to figure out how stormwater and beaver issues can now be addressed. Permit expired and new work will be required which appears new NOI/OOC may be best option moving forward. Discuss next steps and set reasonable deadline for application submittal to ensure that it is done.

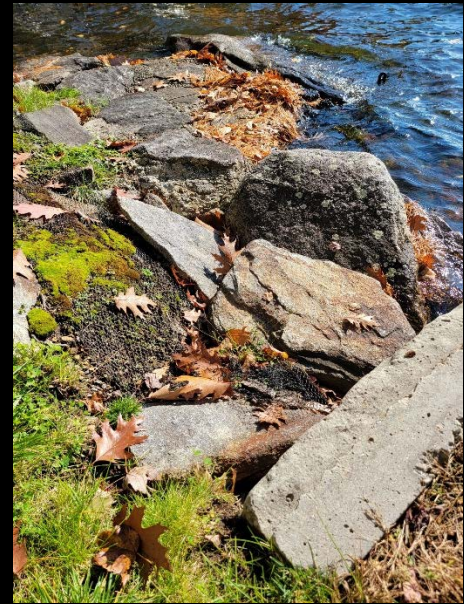
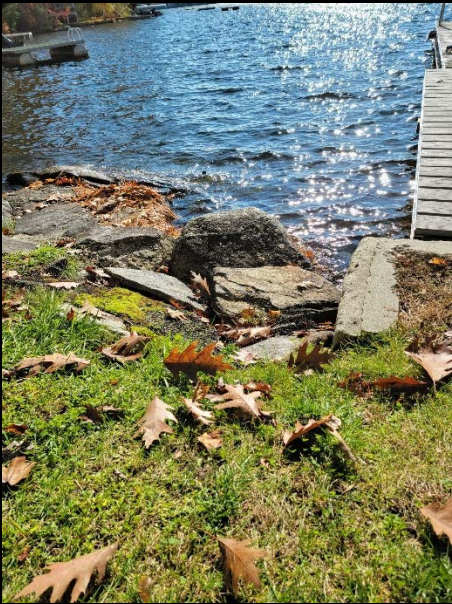
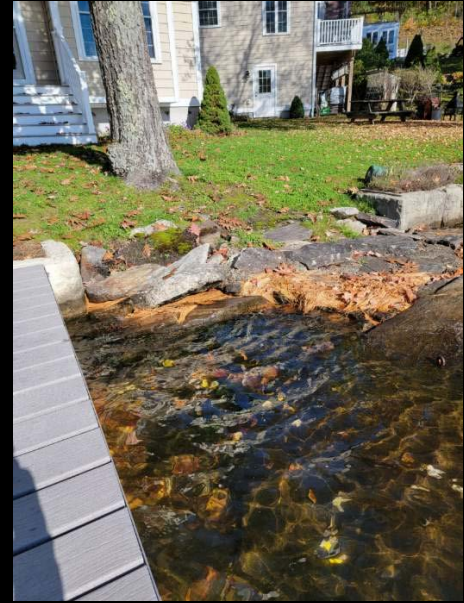
24. FY 24 Budget, Betterment and Capital Requests

25. Agent's Report

26. Next Meeting-Thursdays December 8, 2022 and Site Visit Schedule-Nov. 29th, 9 AM

136 Lake Rd.

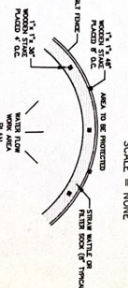
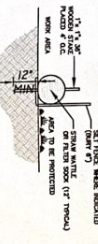




NOT TO BE CONSIDERED INTO THIS SYSTEM UNLESS OTHERWISE SPECIFIED

6) MAINTENANCE OWNER TO HAVE SYSTEM INSPECTED ANNUALLY BY TRAINED OPERATOR AND SUBMIT CHECKLIST TO LOCAL AUTHORITY FOR THE CONSTRUCTION OF THE EFFLUENT DISPOSAL SYSTEM SHOWN. ANYONE USING INFORMATION FROM THIS DOCUMENT FOR ANY OTHER PURPOSE DOES SO AT THEIR OWN RISK IN ACCORDANCE WITH THE STATE OF NEW YORK.

7) STATE OF NEW YORK APPROVAL FOR CONSTRUCTION IS VALID FOR 4 YEARS FROM DATE OF ISSUE



INSPECTION PORT
3.5 O.C. TYP.

PLAN DETAIL

SCALE: NONE

PERCOLATION TEST AND DEEP HOLE OBSERVATIONS

TEST PERFORMED AS PER TITLE 5
DATE OF TEST: 5/25/22
TEST TAKEN 48" BELOW EXISTING GRADE.
RESULT: 55 MINUTES BEHIND GRADE.
DESIGNED AT 80" TOWARD S. JALBERT P.E.
WITNESSED BY: KENNETH B. LACEY

OBSERVATION PITS

TEST #	TEST DATE	TEST TIME	TEST RESULT	TEST COMMENTS
1	5/25/22	10:00 AM	55 MIN	48" BELOW EXISTING GRADE
2	5/25/22	10:15 AM	55 MIN	48" BELOW EXISTING GRADE
3	5/25/22	10:30 AM	55 MIN	48" BELOW EXISTING GRADE
4	5/25/22	10:45 AM	55 MIN	48" BELOW EXISTING GRADE
5	5/25/22	11:00 AM	55 MIN	48" BELOW EXISTING GRADE
6	5/25/22	11:15 AM	55 MIN	48" BELOW EXISTING GRADE
7	5/25/22	11:30 AM	55 MIN	48" BELOW EXISTING GRADE
8	5/25/22	11:45 AM	55 MIN	48" BELOW EXISTING GRADE
9	5/25/22	12:00 PM	55 MIN	48" BELOW EXISTING GRADE
10	5/25/22	12:15 PM	55 MIN	48" BELOW EXISTING GRADE

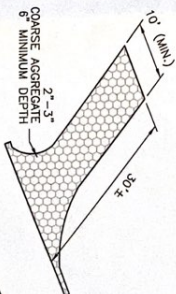
SCHEDULE OF ELEVATIONS

TOP OF FOUNDATION
INVERT IN SEPTIC TANK
INVERT OUT SEPTIC TANK

INVERT IN D BOX
INVERT OUT D BOX
BOTTOM OF PIPE (12.1)
BOTTOM OF PIPE (12.2)
BOTTOM OF PIPE (12.3)
BOTTOM OF PIPE (12.4)

PERCOLATION TEST

TEST PERFORMED AS PER
DATE OF TEST: 5/25/22
TEST TAKEN 48" BELOW
RESULT: 55 MINUTES BE
DESIGNED AT 80" TOWARD
PERFORMED BY: KENNETH
WITNESSED BY: KENNETH



LOT LOCUS
SCALE: NONE

CRUSHED STONE, TRACK PAD
CONSTRUCTION ENTRANCE
NOT TO SCALE

100'

JALBERT EN

Summitville, Mo
Telephone: (580) 347-513

ORIGINAL

Rev	Date	Description	Mode	Check	App.
1	9/8/22	CONCOM COMMENTS	AMT	LSJ	LSJ
2	9/23/22	PRESBY SYSTEM	AMT	LSJ	LSJ
3	10/4/22	REMOVE PUMP SYSTEM	AMT	LSJ	LSJ
4	10/6/22	CONST. ENTRANCE, SILT FENCE	AMT	LSJ	LSJ
5	10/13/22	CONCOM MEETING COMMENTS	AMT	LSJ	LSJ

REVISIONS

MAINTENANCE NOTE

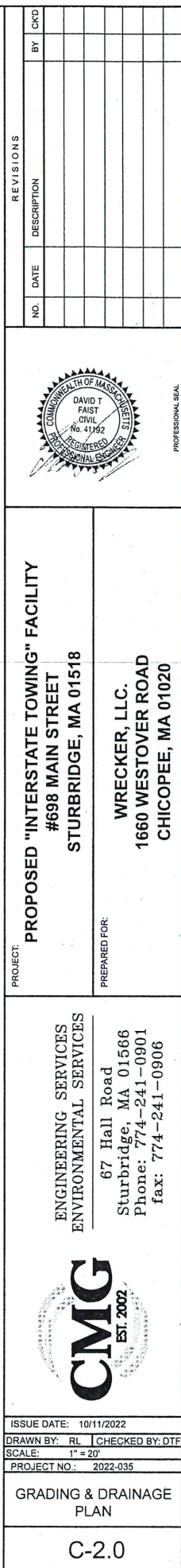
THE LIMIT OF WORK/AVENUE AREA SHALL BE DEMARCATED WITH STAKES TO PREVENT FUTURE CLEARING, DUMPING, OR FILLING BEYOND THE APPROVED LIMIT OF WORK. THE SIGN SHALL HAVE THE FOLLOWING OR SIMILAR LANGUAGE APPROVED BY THE STURBRIDGE CONSERVATION COMMISSION:

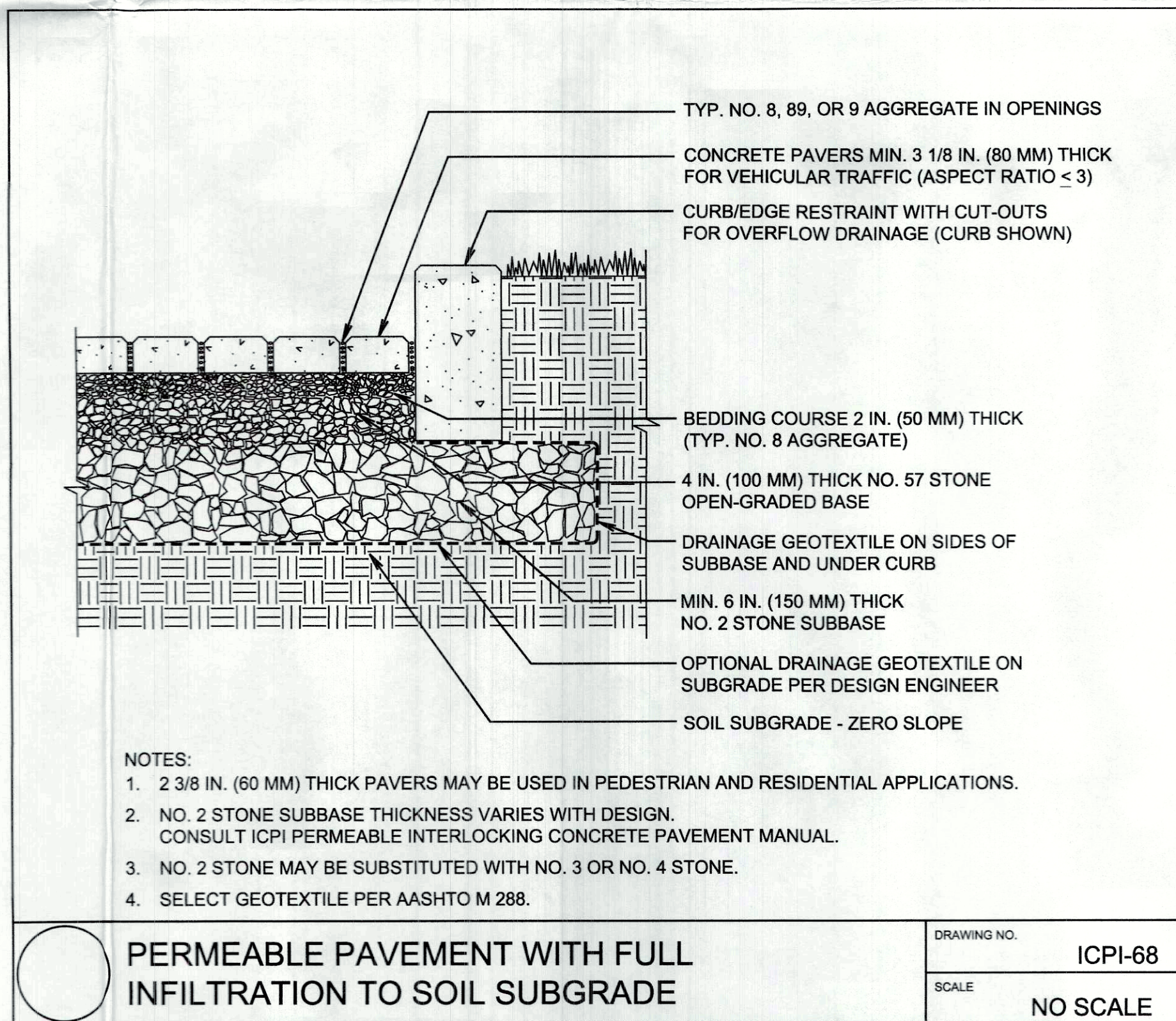
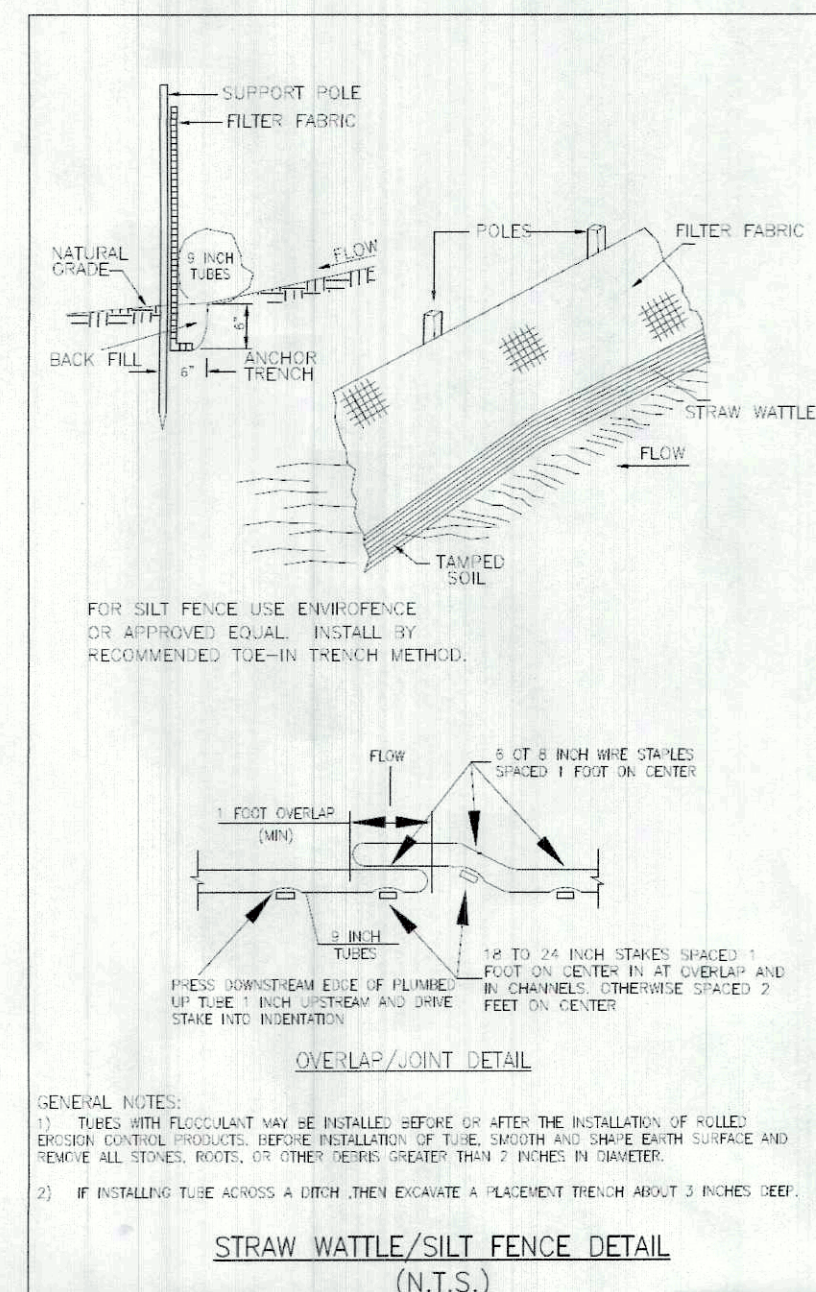
WETLAND CONSERVATION EASEMENT. NO MOVING, CUTTING, CONSTRUCTION, FILLING, APPLICATION OF CHEMICALS OR BREEDING ALLOWED.



68 Paradise Lane







STURBRIDGE ZONING: SUBURBAN RESIDENTIAL		
REQUIRED	EXISTING	PROPOSED
AREA: 32,670 S.F.	AREA: 10,195 S.F.	AREA: NO CHANGE
FRONTAGE: 125'	FRONTAGE: 87.42'	FRONTAGE: N.C.
FRONT YARD: 30'	FRONT YARD: 10.5'	FRONT YARD: 11'
SIDE YARD: 15'	SIDE YARD: 1.3'	SIDE YARD: 5'
REAR YARD: 15'	REAR YARD: 11.2'	REAR YARD: 25'
%COVERAGE: 15	%COVERAGE: 23.16	%COVERAGE: 21.53

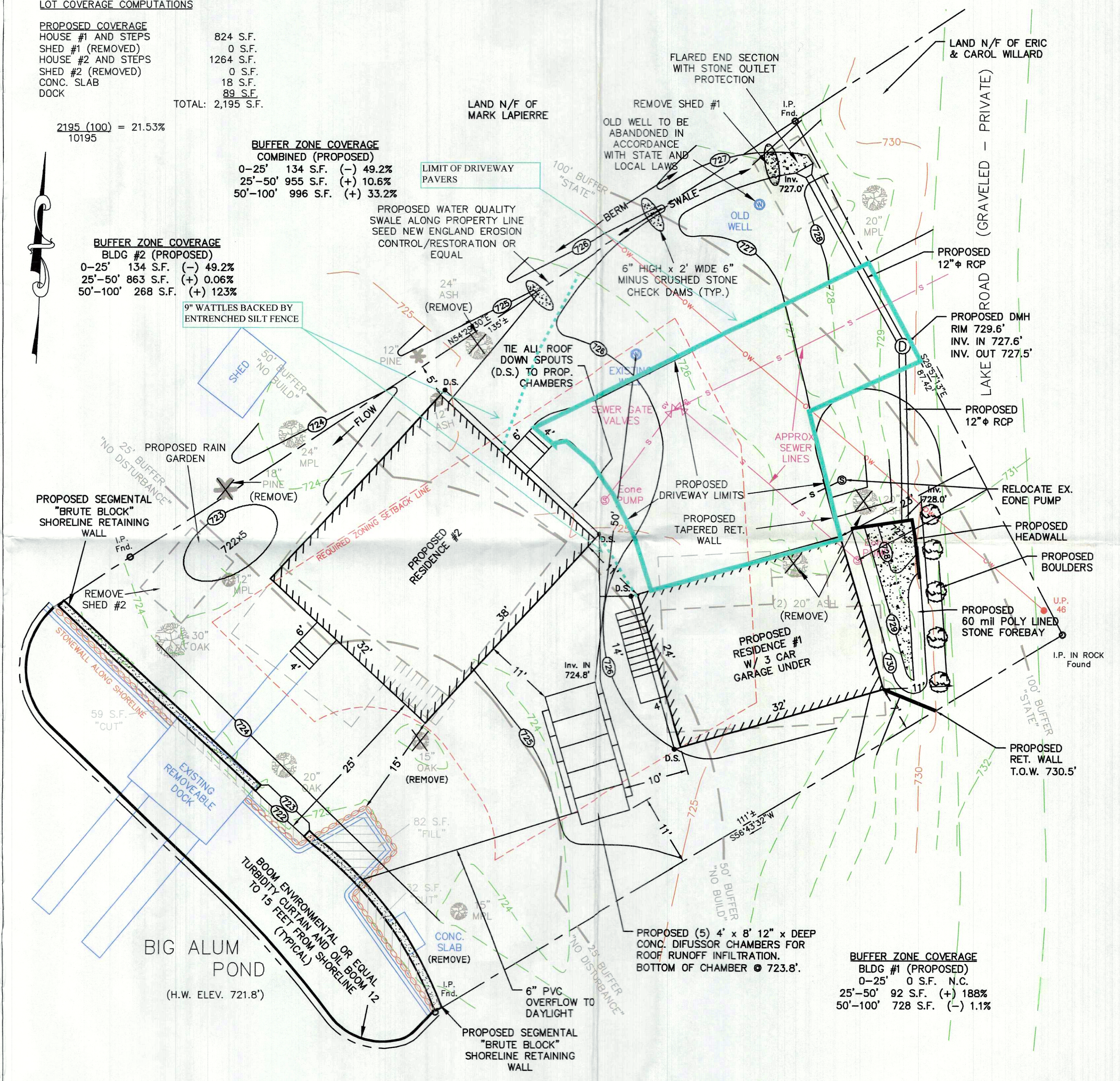
LOT COVERAGE COMPUTATIONS

PROPOSED COVERAGE	
HOUSE #1 AND STEPS	824 S.F.
SHED #1 (REMOVED)	0 S.F.
HOUSE #2 AND STEPS	1264 S.F.
SHED #2 (REMOVED)	0 S.F.
CONC. SLAB	18 S.F.
DOCK	89 S.F.
TOTAL:	2,195 S.F.

$$\frac{2195}{10195} = 21.53\%$$

BUFFER ZONE COVERAGE	
BLDG #2 (PROPOSED)	
0-25'	134 S.F. (-) 49.2%
25'-50'	863 S.F. (+) 0.06%
50'-100'	268 S.F. (+) 123%

BUFFER ZONE COVERAGE	
COMBINED (PROPOSED)	
0-25'	134 S.F. (-) 49.2%
25'-50'	955 S.F. (+) 10.6%
50'-100'	996 S.F. (+) 33.2%



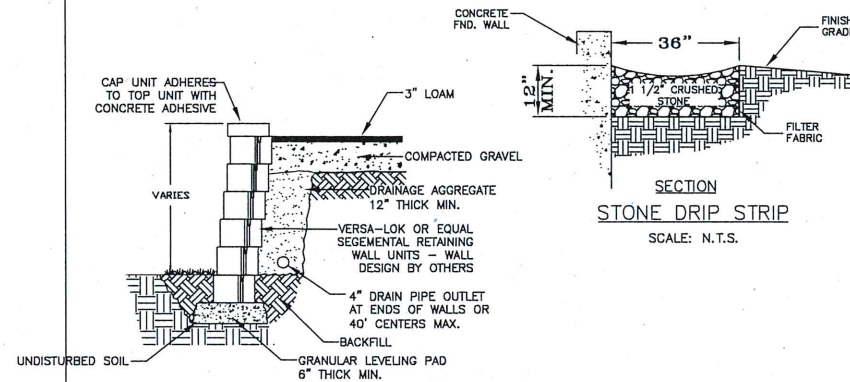
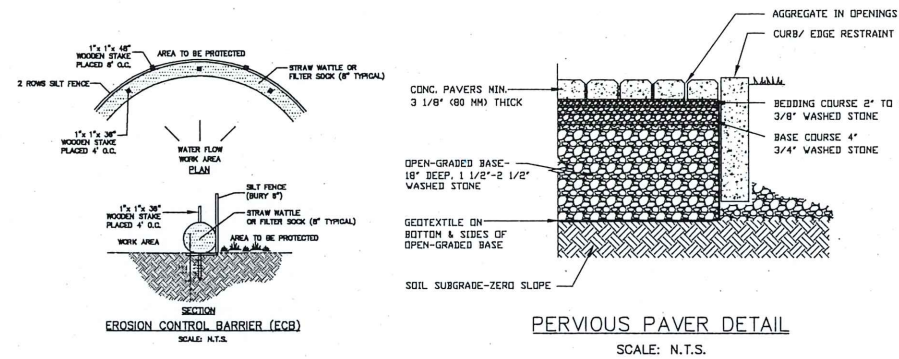
JALBERT ENGINEERING, INC.
CIVIL ENGINEERS & SURVEYORS
54 Main Street
Sturbridge, Massachusetts 01566-1244
Telephone: (508) 347-5136 • Toll Free: 1-800-339-5136
Fax: (508) 347-7962

SITE PLAN FOR
BRUCE H. GRAN & BEVERLY J. LITCHFIELD
136 LAKE ROAD, STURBRIDGE, MA
0' 10' 20' 30'
SCALE: 1" = 10'

PLAN DATE:
04/14/15
DWG NUMBER
13154
SHEET 1 OF 2
REVISION 4

50 Whittemore Rd. Site Photos 11-8-22





STURBRIDGE ZONING: SUBURBAN RESIDENTIAL		
REQUIRED	EXISTING	PROPOSED
AREA: 1/2 ACRE	AREA: 0.10 ACRES	AREA: 0.10 ACRES
FRONTAGE: 125'	FRONTAGE: 50'	FRONTAGE: 50'
FRONT YARD: 30'	FRONT YARD: 21.4'	FRONT YARD: 14.2'
SIDE YARD: 15'	SIDE YARD: 3.5/9.5	SIDE YARD: 13.0/11.5'
REAR YARD: 15'	REAR YARD: 13.5'	REAR YARD: 13.5'
%COVERAGE: 15	%COVERAGE: 31.91	%COVERAGE: 31.73

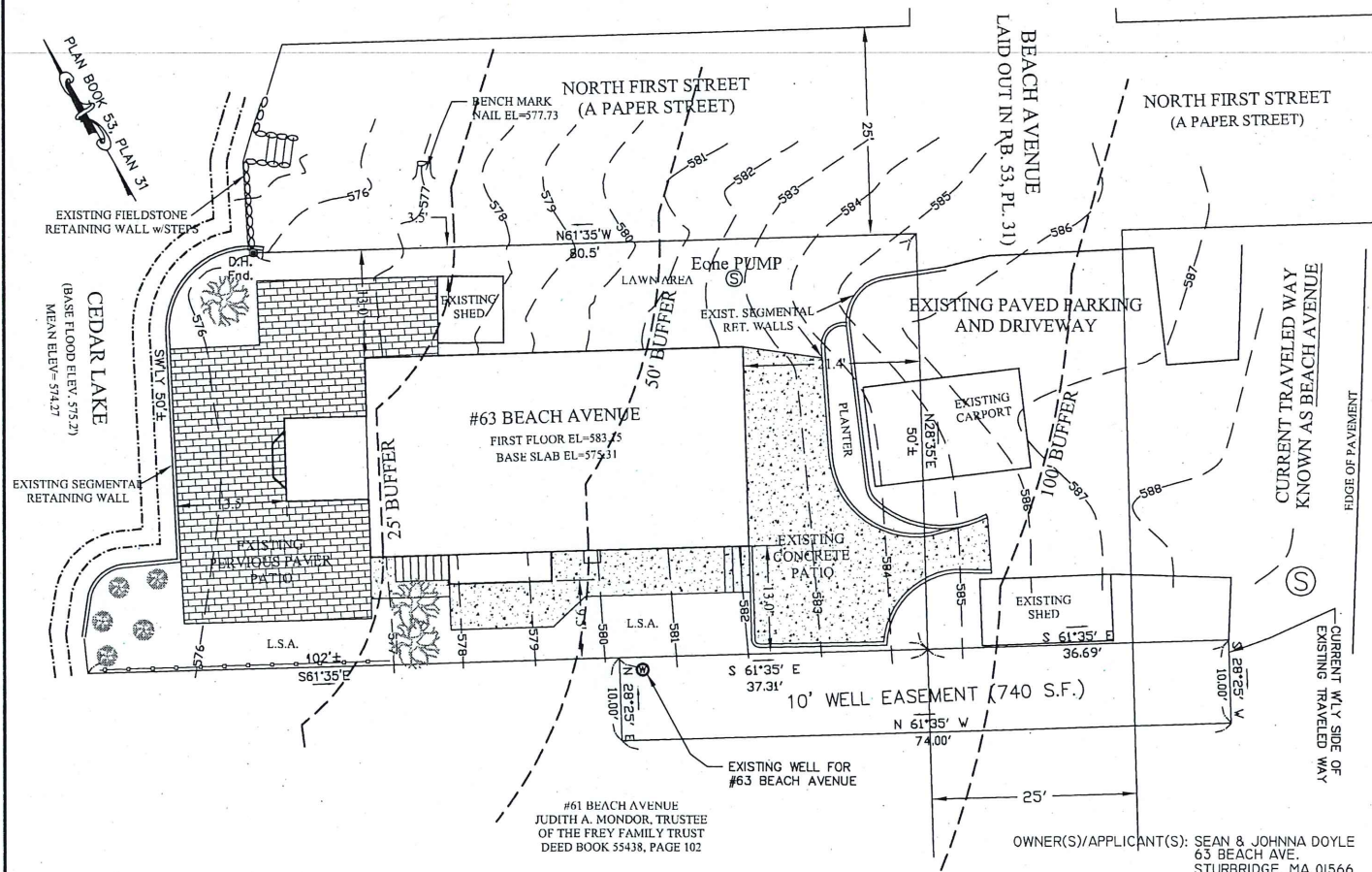
LOT IS SERVICED BY TOWN SEWER AND PRIVATE WELL

EXISTING LOT COVERAGE COMPUTATIONS	
EXISTING HOUSE & PORCH	1246 S.F.
EXISTING CARPORT	78 S.F.
EXISTING SHED	64 S.F.
TOTAL	1388 S.F.

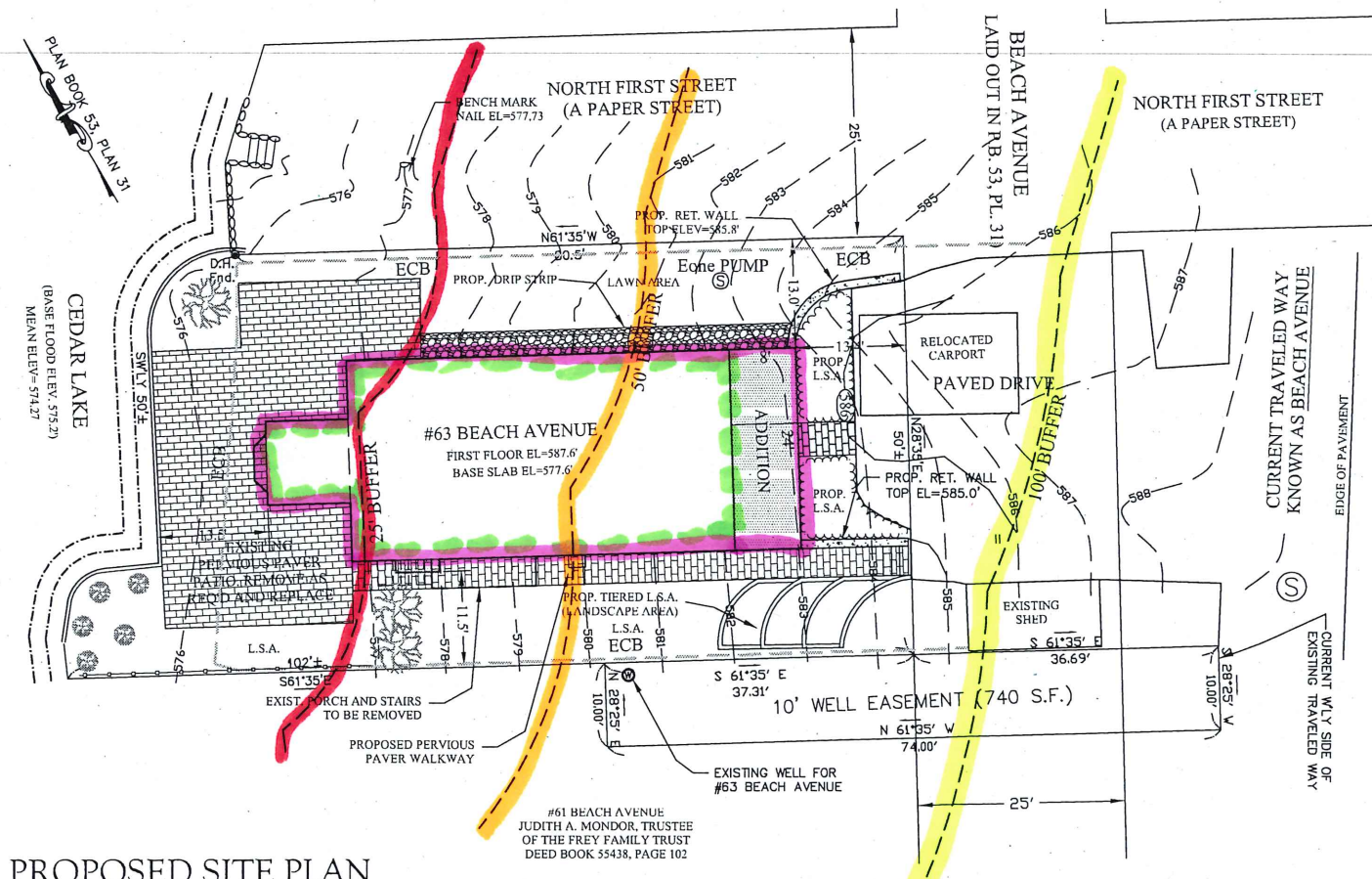
1,398 X 100 = 32.09%
4,356

PROPOSED LOT COVERAGE	
EXISTING HOUSE	1104 S.F.
ADDITION	192 S.F.
OVERHANGS	8 S.F.
RELOCATED CARPORT	70 S.F.
TOTAL	1374 S.F.

1,374 X 100 = 31.54%
4,356



EXISTING SITE PLAN



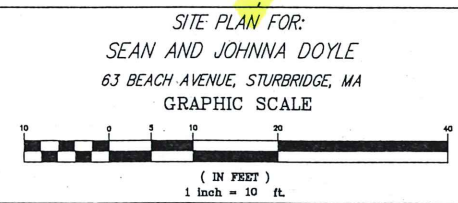
PROPOSED SITE PLAN

ORIGINAL		REVISIONS	
DATE	BY	REV.	DESCRIPTION
10/11/22	AMT		
	LSJ		
	LSJ		
	MLJ		

RECORDING: DEED BOOK 65909, PAGES 250
ASSESSORS REF: TAX MAP 21, PARCELS 63



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54 Main Street
Sturbridge, Massachusetts 01566-1244
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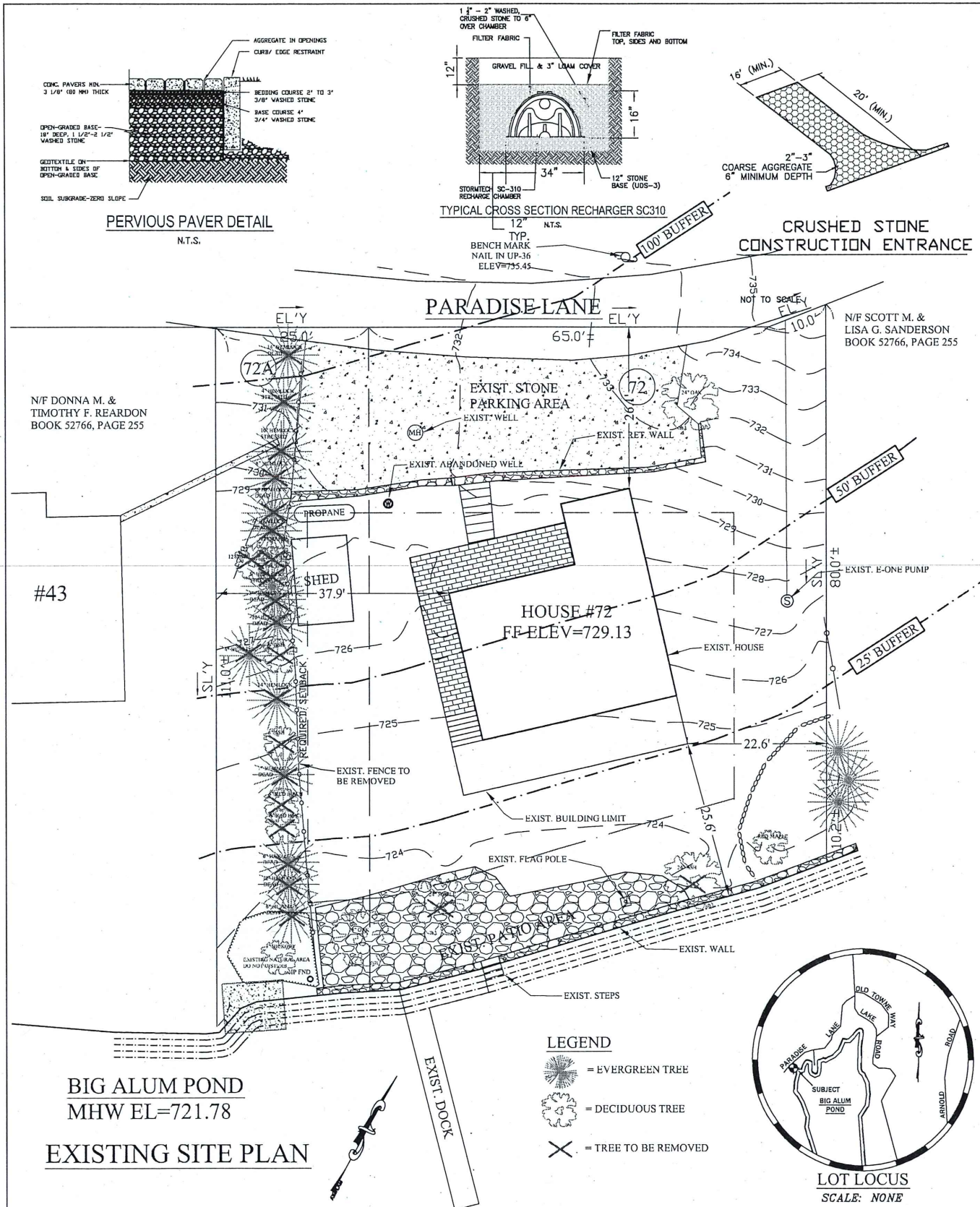


PLAN DATE: 10/11/22
DWG NUMBER 22035

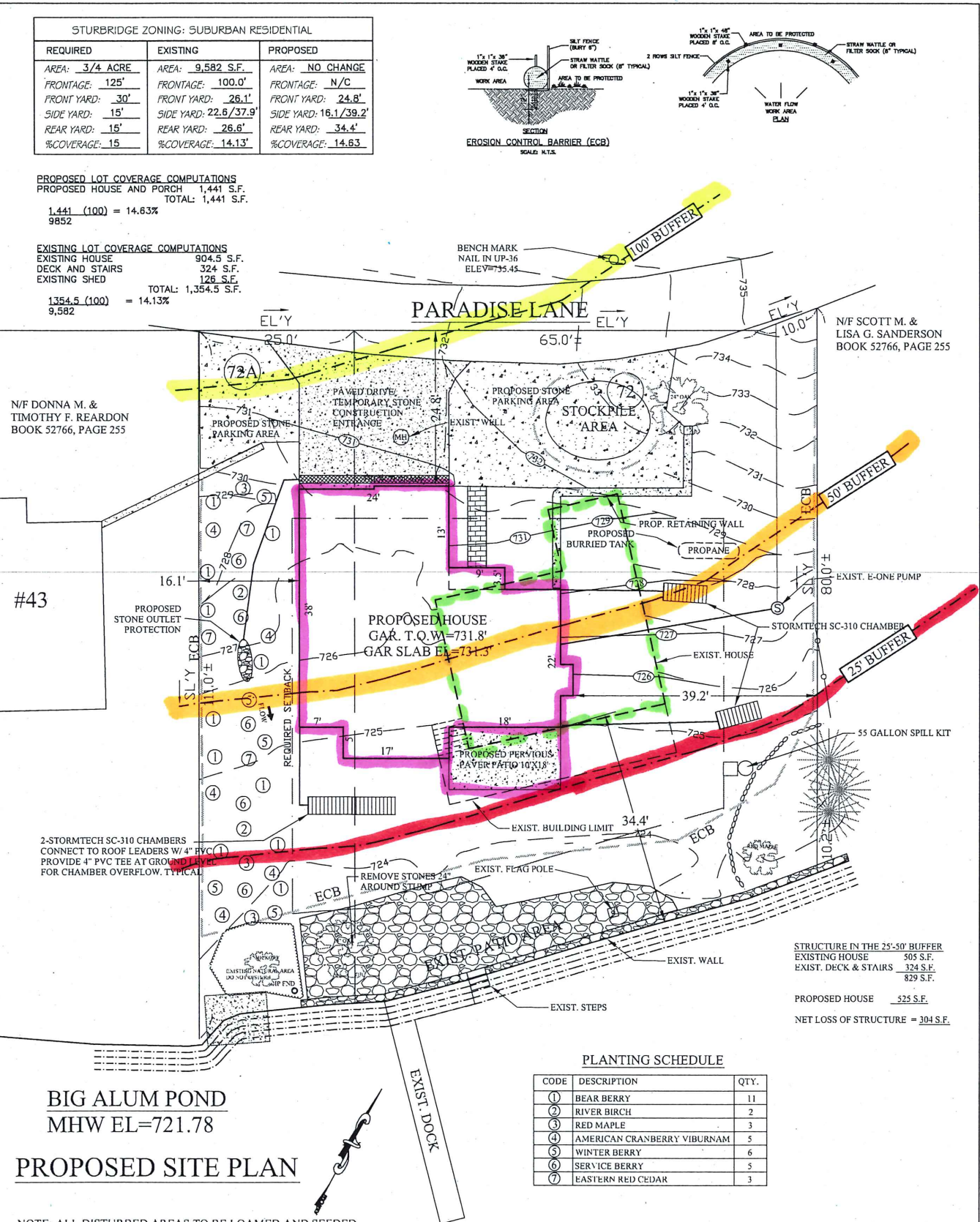
63 Beach Ave. Site Photos 11-8-22







DATE	BY	REV.	DATE	DESCRIPTION	MADE	CHK'D	AP'D
4/7/22	AMT	1	6/9/22	ADD RETAINING WALL	AMT	LSJ	LSJ
	LSJ	2	6/23/22	REDUCE FOOTPRINT, MOVE	AMT	LSJ	LSJ
	LSJ	3	9/22/22	NEW FOOTPRINT	AMT	LSJ	LSJ
	LSJ	4	10/27/22	PLANTING PLAN, FOOTPRINT	AMT	LSJ	LSJ



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Sturbridge, Massachusetts 01566-1244
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Fax: (508) 347-7962

SITE PLAN FOR:
ROBERT M. & LISA A. MUSCARO
72/72A PARADISE LANE, STURBRIDGE, MA

GRAPHIC SCALE
0' 10' 20' 30'
SCALE: 1"= 10'

PLAN DATE: 4/7/22
DWG NUMBER: 21098
REV. 4

72 & 72A Paradise Lane Site Photos 11-8-22







Town of Sturbridge
308 Main Street,
Sturbridge MA 01566

October 17, 2022

Attn: Trails Committee, Brandon Goodwin Chair; Rebecca Gendreau, Conservation Agent; Robin Grimm, Town Administrator; Conservation Commission and Board of Selectmen

Thank you for sharing your enthusiasm for creating recreational trails within the town of Sturbridge. It is important to have a committee assuring public access and enjoyment of these places. As the Conservation Restriction (CR) holder on Riverlands, Plimpton Community Forest, and Long Pond properties, **Opacum Land Trust is required by the Town of Sturbridge to uphold the conservation values** of the properties in balance with public access and trails.

We have reviewed your presentation from September 7, 2022, and have walked the properties. At this time, we cannot approve the trails as proposed. **However, we want to continue discussions on trails on these three properties and work with the Trails Committee, Conservation Commission, and Town Administrator on the best procedures for reviewing and approving trails that do not inhibit the conservation values of these properties.** In a follow-up meeting, we can provide specific details as to what is and is not allowed on these properties regarding conservation. Going forward, we want to have open communications on trails, and the pre-approval from us prior to installation. Opacum Land Trust agrees that public access and trails are important and allowed in the CR, but we must balance this with protecting the conservation values of these properties.

We plan to hold a meeting with the Trails Committee, Conservation Commission, Conservation Agent Rebecca Gendreau, and Town Administrator Robin Grimm to discuss trails and conservation on these properties, as we have a few concerns we would like to address. Opacum Land Trust is working to create procedures for approvals and communications regarding CRs we hold on municipal lands for all the towns we work in. The meeting will be coordinated over email and we will be in touch.

Thank you!

Laney Wilder

Executive Director, Opacum Land Trust

CC: Opacum Board Directors Leslie Duthie, Howie Fife, Glenn Colburn, Jeff Burdick

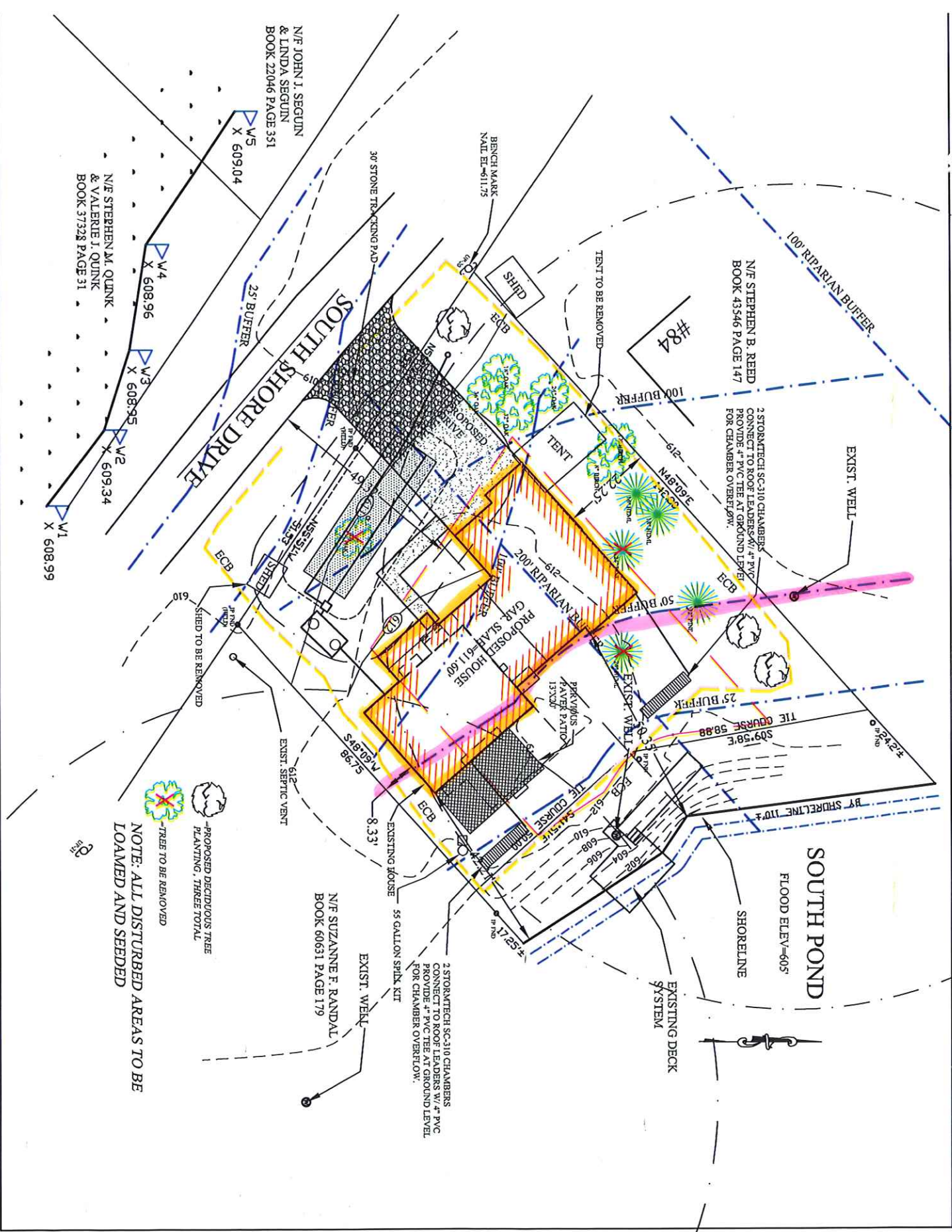
Protecting land, water, and wildlife in south-central Massachusetts.

P.O. Box 233 Sturbridge, MA 01566 • (508) 347- 9144 • info@opacumLT.org • www.opacumLT.org

#10

CRUSHED STONE CONSTRUCTION ENTRANCE

NOT TO SCALE



NOTE: ALL DISTURBED AREAS TO BE
LOAMED AND SEEDED

22046328 SITE PLAN

PLAN REFERENCE

To: The Members of the Sturbridge Conservation Commission
From: Steve & Marcy Reed
Re: 88 South Shore Drive – 11/17/22 meeting

Thank you for allowing us to put on paper for you what we are trying to accomplish at our home at 88 South Shore Drive. We currently reside next door at 84 South Shore Drive, having purchased that home in 2008 as a summer house. We bought the home at #84, because it is next to the cottage Marcy's grandfather bought in the 1960's at #88. The cottage at #88 was used by many family members, and we wanted a more permanent space of our own right there on South Pond. For many years (2008-2021), #84 served its purpose as a summer house where we were adjacent to family next door.

In 2021, we both retired from our jobs. We took the opportunity as new retirees to sell our home closer to Boston and move fulltime to our summer house at #84. We just love living full-time on the lake. Over the past year, we purchased Marcy's grandfather's cottage from her family members, and we now look forward to renovating it so that it can accommodate single-floor living as we get older.

Before we delve into the specifics of our house plan, please allow us to review the history of the lots at #86 and #88 South Shore Drive. When the grandfather purchased the two lots almost 60 years ago, they were separately deeded and remained so for decades. The cottage sat on #88, and #86 served as a vacant lot where we enjoyed family recreation and kept our rowboat in the off-season. A number of years ago (15-20?), family members merged the lots at #86 and #88, and now we refer to it as just #88. The cottage built on the original #88 was built for that single lot. In our current proposed plan, we are using the larger merged lot to occupy the renovated house and addition. In prior meetings, mention has been made of the large increase in the size of our proposal versus the grandfather's cottage. That's a bit of an apples and oranges comparison, since the new design is on the merged 2 lots, and the cottage was on a single lot.

The home we envision has all the essential living on a single level. We provided you with a sample floor plan so that it is easier for you to see what we envision. The plan includes an open space living area with dining and kitchen all included. It's not excessively large yet will accommodate Thanksgiving and other holidays when the extended family looks forward to returning to the lake. There's also a half bathroom for guests to use. The plan also incorporates a master bedroom and bathroom along with a laundry space. We include a 2-car garage for our vehicles, and the driveway will be dirt and crushed stone, like the other houses on the street.

The existing cottage will be renovated to accommodate the new living room, dining area, and part of the kitchen. An addition will be added to the cottage to house the bedroom, bathrooms, laundry, garage, and a bit of the kitchen. This addition will fully exist outside of the 50-foot setback, respecting the guidelines discussed in prior meetings. Becky was very helpful in getting us to this point where we can now fit within all the rules and guidelines. The addition will utilize part of what was originally the vacant lot at #86 before it was merged with #88. Lastly, we will place a second floor on the house for two guest bedrooms and bathrooms.

You will note that we have amended our request from prior meetings when we were requesting permission for a raze and rebuild. We were not able to find a way to do that and keep within all the

guidelines. This revised proposal – to renovate the original cottage and extend it to the left with an addition – complies with all your guidelines and is one we look forward to enjoying for the rest of our lives.

We hope this narrative helps to more fully explain our intentions and our proposal. We have loved South Pond life for decades and look forward to many more to come. Please do let us know if there are questions we can answer for you in advance of the November 17th meeting. Marcy's cell phone is 978-505-8243, and her email is marcyreed23@gmail.com. She's the easier of the two of us to reach.

Thank you for your attention and considerate review of our plan.

