

CONSERVATION COMMISSION AGENDA

Date: March 16, 2021

Time: 6:00 pm

NOTE: Items may be taken out of order at the Chair's discretion.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting law, G.L. c. 30A Section 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number people that may gather in one place, this meeting of the Sturbridge Conservation Commission will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation can be found on the Town's website at <https://www.sturbridge.gov/town-administrator/pages/how-access-virtual-meeting>. For this meeting, members of the public who wish to listen and or watch the meeting may do so either online via the Town's on demand video broadcast, on cable television on channel 191, or dial into the meeting at 774-304-1455, enter 1428# for the meeting number and 12345 for the access code. (This phone number is only active for the public during public meetings). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post of the Town's website an audio or video recording, transcript, or other comprehensive record of the proceedings as soon as possible after the meeting.

UPDATES

I. New BUSINESS

1. WPI Student Presentation: Trail Concept Plans 469A Main Street
2. Agents Report
3. Next Meeting-April 6, 2021 Site Visits-March 30,2021 – *staff recommends March 23, 2021 if the board can accommodate the date*

DECISIONS

II. PUBLIC HEARINGS

4. 11, 13, 15 Putnam Road – RDA – Construction of (3) SFH and associated site work (DET– whether work depicted on plans are subject to the WPA)
 - Owner/Applicant: G Lussier Builders Representatives: J. Dubois, DC Engineering
 - Request: DET
 - Documents Presented: colored plans
 - Jurisdiction: Buffer Zone
 - Project Summary:
 - Construction of 3 SFHs and associated site work.
 - Staff Notes:
 - Site visit performed to review wetland delineation. No concerns with delineation as shown. Wetlands are off site. There is a potential wetland concern related to work within resource areas off site. However, it is not related to this project or property.
 - Proposed work is within an existing field. All work is located within 200 feet of jurisdictional wetlands. 3 separate NOIs have been filed for review under the SWB.
 - Work is located over 50 feet from the wetlands. The only work proposed within WPA jurisdiction is the installation of the driveways.
 - Closest wetlands are located on the eastern side of the paved roadway. The site gently slopes to the west (rear of the lots).
 - NOIs have been filed for approval of work pursuant to the SWB.
 - Staff Recommendations:
 - Vote to issue a Negative #3: The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions:



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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- Anti-tracking pads shall be installed within the proposed driveways to reduce/eliminate tracking sediment, etc. onto the roadway due to wetlands across the street. These conditions will be added to the OOCs for all 3 sites.

5. 11 Putnam Road –SWB NOI – Construction of a SFH and associated site work

- Owner/Applicant: G. Lussier Representatives: J. Dubois, DC Engineering
- Request: Issue Order of Conditions.
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone
- Project Summary:
 - Construction of a SFH and associated site work to include sewage disposal systems.
- Staff Notes:
 - Site visit performed to review wetland delineation.
 - Work area is an existing field.
 - The site gently slopes to the west. There are 3 wetlands which project a BZ onto the site located to the east, south and west of the site.
 - All work is outside of the 100- ft WPA BZ. The middle portion of the site is not within BZ.
 - Appears that the sewage systems may have been placed in locations to
- Staff Recommendations: Vote to close the hearing and issue an Order of Conditions with the SCC’s standard conditions and the following special conditions:
 - Anti-tracking pad shall be installed.
 - Sedimentation controls are included at the limit of grading shown on the plan. The limit of grading shall serve as the limit of work for the project.

6. 13 Putnam Road-SWB NOI- Construction of a SFH and associated Site Work

- Owner/Applicant: G. Lussier Builders Representatives: J. Dubois, DC Engineering
- Request: Issue Order of Conditions.
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone
- Project Summary:
 - Construction of a SFH and associated site work to include sewage disposal systems.
- Staff Notes:
 - Site visit performed to review wetland delineation.
 - Work area is an existing field.
 - The site gently slopes to the west. There are 3 wetlands which project a BZ onto the site located to the east, south and west of the site.
 - All work is outside of the 100 ft WPA BZ. The middle portion of the site is not within BZ.
 - Appears that the sewage systems may have been placed in locations to
- Staff Recommendations: Vote to close the hearing and issue an Order of Conditions with the SCC’s standard conditions and the following special conditions:
 - Anti-tracking pad shall be installed.
 - Sedimentation controls are included at the limit of grading shown on the plan. The limit of grading shall serve as the limit of work for the project.

7. 15 Putnam Road –SWB NOI- Construction of a SFH and associated Site Work

- Owner/Applicant: G Lussier Builders Representative: J. Dubois, DC Engineering
- Request: Issue an Order of Conditions.
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone
- Project Summary:
 - Construction of a SFH and associated site work to include sewage disposal systems.
- Staff Notes:
 - Site visit performed to review wetland delineation.
 - Work area is an existing field.

- The site gently slopes to the west. There are 3 wetlands which project a BZ onto the site located to the east, south and west of the site.
- All work is outside of the 100 ft WPA BZ. The middle portion of the site is not within BZ.
- Appears that the sewage systems may have been placed in locations to
- Staff Recommendations: Vote to close the hearing and issue an Order of Conditions with the SCC's standard conditions and the following special conditions:
 - Anti-tracking pad shall be installed.
 - Sedimentation controls are included at the limit of grading shown on the plan. The limit of grading shall serve as the limit of work for the project.

8. 20 Cedar Lake Drive – NOI – Raze and Rebuild of a SHF and 250 ft shoreline wall restoration -- DEP File #300-XXX

- Owner/Applicant: Brian and Susan Oxman Representative: L. Jalbert, Jalbert Engineering
- Request: Issue Order of Conditions.
- Documents Presented: colored plans
- Jurisdiction: Bank, BLSF, Buffer Zone
- Project Summary:
 - Tear-down existing buildings and rebuild existing structures within the existing footprints including a SFH and shed structure. House will include new an addition and deck. Project also includes the additional of small stones and rip rap along 250 ft. of the shoreline.
- Staff Notes:
 - DEP has not provided a file # and comments.
 - Site visit performed.
 - Planning comments have been received for this project which include:
 - “This has been scheduled for a Public Hearing with the Zoning Board of Appeals on April 21st. The lot is non-conforming, but the setbacks will be met with the proposal. However, the proposed lot coverage is 23% and is significantly over the maximum allowed of 15%. The existing home is already over at just over 17% coverage. I am not sure what the outcome will be with the Board as a Special Permit is required for the additional lot coverage.”
 - Revised plan received since original submission with additional notes on flood zone, notation of one tree to be removed and notes that the existing house will be removed.
 - New structures are proposed to be located within the 25 foot no disturb zone and the 50 foot no build zone. The shed to be demolished and rebuilt is also within BLSF.
 - NOI needs to be revised to reflect work/impact within BLSF (unless the project is revised).
 - Project includes a leaching pit for roof runoff. Only appears to be for the garage.
 - Additional plan details are required for the shoreline work. The existing shoreline bank has previously been altered associated with past uses and sections include varied boulders, cement and stones. Other sections include concrete steps and stone walls in varying degree of stability. A portion of the wall was recently repaired under a previous OOC. Sections of the shoreline with remnant wall materials have eroded however sections appear to have naturalized over time to some degree.
- Staff Recommendations:
 - Staff recommend that the board request that the applicant provide alternative options to the proposed structures within the 50 foot no build zone. It appears that the project may not meet ZBA lot coverage requirements and therefore may require revisions regardless. New structures within the 50 foot no build would not meet SWB Regulations. Any such approval would require a waiver.
 - Staff recommend that the board require that the applicant explore alternative options for a natural shoreline restoration approach to serve the bank's interests pursuant to the WPA and SWB. The applicant s required to demonstrate alternatives options and /or demonstrate that such a proposal will not impact the resource area values and interests. No such information has been included in the application submittal. Staff have discussed some alternative options and it is our understanding that the applicant will explore these options. Staff can further assist with stabilization technique options.
 - Shoreline restoration plans shall be developed and submitted for review as there are no details on the site plan for this work. These plans shall be to scale and shall include a profile. No fill shall be permitted within Land Under Water. Plans shall show the existing toe of the existing slope or wall. Staff highly recommend that the slope is restored with plantings, coir logs and some boulders/stones to serve bank interests. This shoreline or a large

portion of it would be suitable for this. It is staff's understanding that the applicant will look into alternative options.

- BMPs for impervious surfaces should be expanded upon for reducing/eliminating storm-water runoff into the lake.
- Staff recommend continuing the public hearing to allow for such additional information to be submitted and as a DEP File # and comments have not been received. Staff recommend continuing to the next meeting, April 6, 2020.

9. 566 Route 15 –SWB NOI – Construction of single-family home and associated site work

- Owner/Applicant: Silver Tree Realty Representatives: G. Krevosky, EBT Environmental
- Request: Issue Order of Conditions.
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone and Vernal Pool Habitat
 - Project Summary: Construction of a SFH and associated site work to include sewage disposal systems.
- Staff Notes:
 - Site visit previously performed by board. Staff re-visited site prior to meeting. No changes. Perc tests performed on site.
 - No work is proposed within the vernal pool BZ. Portions of the project are within the local BZ. Some work is outside of jurisdiction.
 - Project includes BMPs during work including silt fence and wattle or compost sock, orange construction fence at VP BZ.
 - Project includes driveway and roof runoff BMPs to manage and infiltrate storm-water. It is unclear if storm-water from the whole house will be directed to the recharge unit.
 - This lot was previously subdivided from a larger parcel and given the address of #566. It has since been re-joined to a larger parcel and therefore is not a separate property. Staff have requested that the NOI and plans be revised to reflect this or that an ANR is filed to create the separate property. As pf 3/11, an ANR has been filed with the Planning Department to separate the proposed lot.
- Staff Recommendations:
 - An anti-tracking pad should be installed during work to comply with the local storm-water bylaw and shown on the plan.
 - Request clarification on roof runoff infiltration (whole house?). Staff would recommend that additional BMPs be added to manage roof runoff if not already proposed.
 - Staff would not recommend that the board vote to approve this project until the ANR plan is approved and recorded as the application and plans are technically inaccurate. Staff recommend that the project is continued until the ANR is approved. If the applicant does not concur with such continuation, staff would recommend that the project would have to be denied based on the insufficient information and inaccuracies. However, staff do not anticipate this issue as the applicant has filed the ANR plan. Recommend continuing to April 6, 2020.

10. 91 Clarke Road – NOI – construction of a new SFH and associated site work – DEP File #300-1095

- Owner: Jane Simpson Applicant: Randy Bercume Representative: Scott Morrison, EcoTec, Inc.
- Request: Issue Order of Conditions.
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone
- Project Summary: Construction of a SFH and associated site work to include sewage disposal systems.
- Staff Notes
 - DEP File # issued on 3-12-21 with no comments.
 - Application submittal was received past deadline and was incomplete. Staff worked with the applicant and representative to add this to this meeting agenda.
 - Project includes work on both 91 and 97 Clarke Rd. After further review of the project plans, staff became aware that the NOI did not list the 97 Clarke Rd. address. A finance sheet signoff and certified abutters list have not been provided for those addresses. Staff did contact the applicant and had been informed that an ANR had been submitted to the Planning Board and since has been approved on March 9, 2021. To date, staff have not been informed if the plan has been recorded. If or until the plan has been recorded, the NOI is technically inaccurate as the additional address is not reflected in the application submittal. If and when the plan is recorded, this matter would appear to not be a concern as all work would then be located on 97 Clarke Road. The application submittal should have been filed for both addresses, as that was the accurate information at the time. If the plan shall not be recorded or has not been recorded, the application materials must be revised to reflect both properties.

- Site visit performed. Snow cover prohibited review of resource area delineation. Board and staff have initial concerns with delineation near Clarke Rd. The board will require additional review of this area in appropriate weather conditions.
- Japanese knotweed, an invasive species, was observed on both properties. It appears that it may have originated on 97 Clarke Rd and has spread onto 91 Clarke Rd. The submitted BVW forms note that garlic mustard another invasive species was also observed on site during the wetland delineation on 1-8-21.
- Wetland delineation notes that additional wetland resource areas exist to the west and south; however, EcoTec's understanding is that no work is proposed within those areas.
- Staff have worked with the applicant to discuss options to minimize impacts within the BZ. Specifically, staff recommended the consideration of the additional land from 97 Clarke Rd. due to the presumed proximity of wetlands in the eastern portions of the site. Staff also recommended making efforts to move the limit of work/silt fence line in areas of closer proximity to the wetlands. The applicant has revised the plan to reflect some of these comments.
- DPW commented that a driveway permit will be required and that the plan will need to address drainage along the roadway.
- Staff Recommendations:
 - Staff recommend reviewing the wetland delineation during appropriate conditions with the applicant's consultant. Staff would recommend trying to accommodate this on March 23, 2021 vs. the scheduled site visit date of March 30, 2021 to make and provide any plan revisions, which may be necessary.
 - Staff recommend confirmation that the work is outside of the BZ associate with additional wetlands on site which have not have been delineated. This may be relevant to the limit of work associated with the barn and associated grading now that a LOW has been added to the plan. This should be confirmed on site.
 - Staff recommend reviewing the LOW closest to the wetlands to see if the removal of tree canopy, etc. in this area may have any impact on the wetlands.
 - Any such approvals should note that there are additional resource areas on site which have not been delineated or shown on the flag such as BVW and/or Bank if relevant.
 - Removal of the invasive species on site would be advised and warranted as the knotweed is spreading.
 - Staff recommend that the applicant provide a copy of the filed ANR plan or revise the application submittal and plans to reflect both properties in which work is proposed.
 - Storm-water BMPS for runoff from impervious surfaces (driveway and house) may be appropriate especially for the driveway. A pipe may be necessary under the driveway to convey flow along the side of Clarke Rd. The surface material of the driveway shall be shown on the plan.
 - Staff would not recommend that the board vote to approve this project until the ANR plan is recorded, as the application is technically inaccurate. Staff recommend that the project is continued until the ANR is filed and to review the delineation during appropriate weather conditions to see if it is accurate and for any project revisions which may be necessary. If the applicant does not concur with such continuation, staff would recommend that the project would have to be denied based on the insufficient information and the inaccuracies. However, staff do not anticipate this issue as the applicant has an approved ANR plan. Recommend continuing to April 6, 2020.

III. WETLANDS DECISIONS

11. 26 Cedar Lake Drive – Request for Certificate of Compliance-DEP File #300-394

- Original Applicant: Gary Tremblay Requester: same
- Request: Issue a Certificate of Compliance
- Documents Presented: n/a
- Staff Notes: Raze and rebuild of an existing SFH. Permit was issued in 2000 and never closed out. Project did not have an engineered plan. Plot plan submitted for re-build within the same footprint. Work appears consistent with plot plan.
- Staff Recommendations: Recommend issuance of a COC w/ perpetual condition: Special Condition #23 (no pesticide, fertilizer or herbicide use within 100' of wetland and no quick release fertilizer w/in 200 ft of wetland).

12. 14 Wildwood Drive – Request for Wetland Bylaw Letter Permit

- Applicant: Robert George
- Request: Issuance of a WBL Permit for project.
- Documents Presented: colored plan
- Project Summary:

- Project includes the construction of a 16' x 22' house addition, new driveway and tree removal around the perimeter of the developed areas. All work is outside the WPA buffer zone. Driveway to the addition is not within jurisdiction.
- Staff Notes:
 - Site visit conducted.
 - Trees were flagged. Trees viewed within jurisdiction were either dead or had structural issues.
- Staff Recommendations: Vote to issue an Order of Conditions with the SCC's standard conditions and the following special conditions:
 - Final plans for the house addition and driveway shall be submitted prior to the start of work on that portion of the project.
 - Stockpiling of soils shall occur outside of the BZ and shall be protected to prevent erosion.
 - Sedimentation controls shall be included at the limit of work associated with the house addition.
 - Tree roots and stumps shall not be removed.
 - No expansion of developed areas has been requested or approved.

IV. ADMINISTRATIVE UPDATES

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

V. OLD BUSINESS

VI. ADMINISTRATIVE DECISIONS

14. Minutes of March 2, 2021

- Staff Recommendations: Approve Minutes as written.

OTHER TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR
ADJOURN