

# CONSERVATION COMMISSION AGENDA

Date: April 6, 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.

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## Informal presentation 16 Mt. Dan Road

### DECISIONS

#### I. WETLANDS DECISIONS

##### 1. 5 Turner Lane – RDA – Installation of an in-ground swimming pool

- Owner/Applicant: Darlene and Paul LaFlamme      Representatives: N/A
- Request: Seeking a negative DET
- Documents Presented:
- Jurisdiction: Buffer Zone
- Project Summary:
  - Construction of an in-ground pool within an existing developed SFH lot
- Staff Notes:
  - Receipt of legal ad posting and abutter notifications received.
  - Site visit performed on March 23, 2021.
  - Work is located within 100 ft of a BVW. No work is proposed within the 50 ft BZ except the access route for equipment.
  - Removed materials will be utilized within the 100-200 ft BZ to level out a portion of the yard. This portion of the site slopes to away from the wetland.
  - Project will include a concrete patio and fence around the pool.
  - No tree removal proposed.
  - Staff Recommendations: Vote to issue a Negative #3 & a Positive #5 (subject to local bylaw): 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:
    - Standard construction conditions for pool installation
    - No pool water to discharge to wetlands

##### 2. 51A Seneca Lane – NOI – Construction of a new SFH, associated site work, and dock – DEP File #300-XXXX

- Owner/Applicant: Brian Sampson      Representatives: S. Bressette, Summit Engineering
- Request: Issue Order of Conditions.
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone, Bank, BLSF, LUW
- Project Summary:



**Conservation Agent**

Rebecca Gendreau

**Administrative Assistant**

Erin Carson

**Conservation Commission Members**

Ed Goodwin

Steven Chidester

David Barnicle

Steve Halterman

Erik Gaspar

308 Main Street.

Sturbridge, MA

01566

T 508/347-2506

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- The project includes the construction of a single family home, installation of a temporary dock and associated appurtenances.
- Staff Notes:
  - Receipt of legal ad posting.
  - **DEP has not provided a file number for this project.**
  - Site visit performed on March 30, 2021.
  - Staff have been working with the project engineer on this project.
  - The applicant is proposing stormwater infiltration for impervious surfaces including the new structure and driveway.
  - Retaining walls are proposed to minimize grading on site.
  - The majority of the work is outside of the 50 ft BZ.
  - Due to site concerns (powerlines) the house cannot be positioned further from the resource area.
  - The house is a modular house and areas are required for staging. The areas at the extent of the 200 ft BZ and outside of the 200 ft BZ are required to be cleared to stage. These areas will be restored as shown on the plan.
  - Removable dock is proposed includes bank impact of approx. 6 ft. No trees are proposed to be removed or direct only small shrubs may need to be cleared. LUW impacts associated with temporary dock should be quantified (anchors, footings footprint etc.) to be included in the permit. If the dock needs to be anchored to the bank those details should be included too for permitting.
  - There are 3 mature oak trees within the 50 ft BZ that are proposed for removal. These trees were noted on site.
  - Town Planner comments-This lot is conforming and the ANR has been endorsed by the Planning Board. The plan should be recorded prior to starting work (if that has not been done)
  - DPW comments-DPW spoke with the engineer on the work and they will need to submit a sewer permit application to connect to sewer line.
- Staff Recommendations: Continue the public hearing as a DEP File # has not been issued and to allow for plan revision of tree removal and for additional documents pertaining to the dock. When appropriate, staff would recommend approval of the project with the above noted revisions/information.

### 3. 92 Paradise Lane-RDA- Landscape Improvements

- Owner/Applicant: Lisa & Steve Dalberth      Representatives: Michael Thibeault, Landscape Evolution
- Request: Seeking a negative DET
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone
- Project Summary: Landscape project to include new upland retaining wall, permeable pathway and patio area.
- Staff Notes:
  - Receipt of legal ad posting and abutter notifications received.
  - Site visit performed on March 23, 2021.
  - Project is located within the buffer zone to Bank and LUW. All work is located within an existing developed lakefront SFH lot. The patio will be located within existing lawn. Lawn will be removed and replanted with groundcover and/or perennials. Patio and walkway within 25 ft of the lake.
  - No native vegetation is proposed to be removed as part of the project.
  - Town Planner Comments-I have no concerns with the pervious paver patio and fire pit as proposed and ZBA approval is not required for this landscape feature.
- Staff Recommendations: Vote to issue a Negative #3 & a Positive #5 (subject to local bylaw): 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:
  1. Standard conditions for erosion/sedimentation controls during work

### 4. 126 Arnold Road –NOI-Clear cut a Wooded lot to convert to Agricultural use- DEP File #300-1094

- Owner/Applicant: Matt Sosik      Representative: N/A
- Request: Issue an OOC.
- Documents Presented: colored plans
- Jurisdiction: Riverfront Area, Buffer Zone
- Project Summary:

- The applicant is proposing to clear cut and stump the property as shown on the plan. The site will be loamed and seeded. Proposed plantings, as noted on the plan, include: wine grapes, orchard fruit trees and a meadow/hayfield.
- Staff Notes
  - Receipt of legal ad.
  - Site visit performed on March 30, 2021.
  - DEP comments - Please provide the Commission and Mass DEP with an Alternative Analysis Performance Standard) for work in Riverfront Area.
  - Town Planner comments-Neither Planning Board or ZBA approval is required for this proposed project.
  - DPW comments-DPW would request a driveway permit for access to the lot.
  - Staff checked with DEP on comments and since Agriculture and not within 100 ft RA (for new agriculture) the alternative analysis required by 321 CMR 10.58 is not applicable.
  - Staff reviewed the wetland report and requested that the wetland consultant review the site again as the assessment was conducted in Dec. 2021.
  - Areas observed at site visit with water flow and saturation, which were not noted in report. Off-site wetlands which project BZ onto site need to be flagged.
  - Staff researched records for septic install on adjacent property on Arnold Rd. No filing was made with Conservation. BOH plan reviewed. Plan notes swale and notes an intermittent stream in location of perennial stream. No wetland flagging shown on the plan for either area. Swale feeding the perennial stream was existing. Water flow observed at site visit.
  - Staff recommend that the plan is revised to reflect the limit of work (LOW) discussed for agricultural uses and a separate LOW areas of selective tree removal as noted on site. Staff also recommend that this is done after the wetlands are reviewed again. Additional detail on the approximate areas for hayfield, trees and vines should be disclosed as part of the review. If meadow is to be located along the perimeter, staff recommend a mowing restriction be applied in the wildlife habitat.
  - Staff recommend that additional buffer zone is provided adjacent to resource areas especially to the C Series wetland. The vegetative buffer shouldn't interfere with shading the site as it is to the north. The site slopes to this wetland and all wetlands and additional buffer should be provided. If the full area is not required for agricultural uses, staff would also recommend that RA impacts are avoided. Alternatives to full site conversion should be explored.
  - The project will require a SWPPP with the EPA.
  - The clearing and grubbing should be phased to minimize areas open at one time. A plan shall be developed which outlines this to include additional erosion controls beyond what is shown on the plan.
  - Perpetual conditions should be noted for RA agricultural and any potential conversion to other uses. Any proposed changes and/or work would require a new NOI filing and would have to meet the performance standards for 321 CMR 10.58.
  - Herbicide, fertilizer and pesticide use which can be associated with agriculture is a concern.
- Staff Recommendations: Staff recommend that the board require additional information in regards to wetland delineation as discussed and plan revisions. Continue the public hearing to allow for additional site recon by wetland consultant and for plan revisions. Continue to the next meeting May 4, 2021. If applicant does not grant continuance, staff would have to recommend that the project be denied for lack of information and failure to meet performance standards.

**5. 122 Main Street – cont'd NOI – redevelopment of a Gas Station/Convenience Store -- DEP File #300-1093**

- Owner/Applicant: Swaminarayan Realty Representative: S. Gioiosa, SITEC
- Request: Issue an OOC.
- Documents Presented: colored plans
- Jurisdiction: Buffer Zone
- Project Status Summary: Project includes the redevelopment of an existing gas station with convenience store to include installation of fuel tanks, new canopies and additions to the commercial building. Project was discussed at the March 2, 2021 meeting. The SCC requested additional information and to review the additional of stormwater management.
- Staff Notes:

- Revised plans and memo received on April 1, 2021. Some measures included to manage runoff on site. Roof runoff collection proposed and a small stormwater basin. Staff appreciates the inclusions however this is a LUHPL and the stormwater runoff from the parking lot is a priority to be treated and managed.
- No site visit was performed as additional information had not been received.
- The project is a redevelopment and is providing improvements however stormwater should be prioritized especially as the amount of pumps/use of the site will increase.
- Had the tanks not been installed at the rear of the parking lot, this area could have been used for underground stormwater management. Can the tanks be removed and this area be utilized?
- The site does slope to the southwest and will be re-graded as part of the project. Staff would recommend that the northern part of the parking lot be graded to the north and/or catch basins are installed to collect stormwater and direct it to that area. An underground or an above ground system could be installed in the unused portion of the site. Deep sump catch basins and oil grit separators should be incorporated to treat LUHPP stormwater.
- DEP Comments:  
 "Please refer to the redevelopment checklist found in Volume 2, Chapter 3 of the Stormwater Handbook. Additional LID measures and Stormwater BMPs should be proposed, if possible, to provide additional treatment of stormwater.

If more than 1,000 vehicle trips per day will be generated by the proposed station the applicant should also address compliance with Stormwater Standard 5.

MassDEP encourages native species to be utilized in the planting schedule.

All revisions should be submitted to MassDEP and the Commission prior to closing the hearing."

- DEP's comments must be addressed/answered.
  - O & M Plan to be revised to include new BMPs.
  - Erosion controls were installed on site. However, it was just a silt fence and only in a portion of the site. The fence was not trenched and needs to be trenched in as shown on the plan. Proper erosion controls must be installed.
  - Staff Recommendations:
    - The board could require a third party review of the stormwater by a P.E to assist with the review of stormwater management and designs. For re-developments this has not always been necessary as the board has worked with the project team to make improvements that meet the board's concerns. It may be in the applicant's interest to work with their engineer to make revisions to avoid a peer review which may result in project revisions regardless. Options exist which could be implemented to improve stormwater.
    - Staff recommend that a site visit is scheduled with the project engineer to review stormwater flow and options to manage and treat parking lot runoff.
    - Staff also recommend that alternative options are explored to treat and manage parking lot stormwater.
    - DEP's comments are addressed and stormwater checklist and analysis revised accordingly.
    - Erosion controls must be properly installed by end of week or fines should start to be imposed. The safety fences should be repaired as the site is open and a hazard.
- 6. 57 Caron Road – NOI – Addition to a SFH and associated site work – DEP File #300-XXXX**
- Owner/Applicant: Jesse and Jennifer Causabon Representative: L. Jalbert, Jalbert Engineering
  - Request: Issue OOC.
  - Documents Presented: colored plans
  - Jurisdiction: Buffer Zone
  - Project Summary
    - Applicant is proposing a house addition, the removal of an existing garage, pervious walkways and patio and the removal of impervious surfaces.
  - Staff Notes
    - Receipt of legal ad posting and abutter notifications received.
    - **DEP has not provided a file number for this project.**
    - Site visit performed on March 30, 2021.



- No work is proposed within resource area. Buffer zone only.
- Portion of the house addition will occur within the 50 ft no new structures however majority will be located outside of this area. Addition will include drip strips for roof runoff.
- Project will remove impervious surfaces within 50 ft of the lake to include the concrete drainage swales. Areas will be loamed and seeded. New field stone steps and pervious patio proposed within 25 ft no disturb, however all work is within existing lawn.
- No trees are proposed to be removed as part of this project.
- Project will result in an improvement over the existing conditions.
- Town Planner comments-The lot is non-conforming and this project will require a Determination from the ZBA. I have been in contact with the engineer to discuss this. I expect an application will be filed soon.

- Staff Recommendations: Continue the public hearing as a DEP File # has not been issued to the next meeting: May 4, 2021. When appropriate, staff would recommend approval of the project with standard special conditions and a condition for the landscape plan to be submitted to the SCC when completed. Recommend native plantings and shade tolerant ground cover or shade tolerant lawn due to shade.

**7. 20 Cedar Lake Drive – cont'd NOI – Raze and rebuild of a SFH and Shoreline wall restoration – DEP File #300-1096**

- Owner/Applicant: Brian & Sarah Oxman      Representative: L. Jalbert, Jalbert Engineering
- Request: Issue OOC
- Documents Presented: colored plans, sketch images
- Jurisdiction: Bank, BLSF, Buffer Zone
- Project Status 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. Project was discussed at the last meeting and revisions requested.
- Staff Notes
  - Staff have discussed revisions with the applicant and representative. Revised plans have been received.
  - House and deck have been removed from the 25 ft buffer zone. Shed will still be located within the 25 ft BZ, however has been moved away from the top of the bank (approx. 5.5 ft). Structure will be located on pilings to not impede flooding capacity of the BLSF. Building code restrictions apply to structures located within flood zones. Shed will have gutters and rain barrel for runoff collection.
  - New structure will be located within the 50 ft BZ. However, the increase will only be 114 sq. ft as provided by the engineer. Additional measures have been incorporated to capture roof runoff.
  - Project also includes revisions to the shoreline wall. The applicant is proposing a more natural restoration of the shoreline which includes coir logs, coir mats and plantings. Some sections will include a stone base. These are sections which are more subject to wave action and erosion. Toe of slope shall not exceed existing toe of slope. This design would not appear to require a wildlife habitat evaluation and would be an improvement over the existing conditions for wildlife and increase flood capacity.
  - DEP comments-Although a file # is being issued, please note the following:

“Work in Bank must comply with 310 CMR 10.54(4) and may require a wildlife habitat survey for work that cumulatively alters up to 10% or 50 ft, whichever is less, of the length of the bank.

If wall/riprap will fall within the Mean Annual High Water line, i.e. the wall will be in contact with the waterline during a typical year, the project may require a Ch. 91 license. The existing dock may also require a Ch. 91 license if it does not already have one.

Project appears to be in Bordering Land Subject to Flooding (BLSF) and impact is not quantified in the NOI or narrative. The applicant must also demonstrate that flood waters will not be deflected to abutters. Final grades must match existing grades to comply with 10.57(4) for Bordering Land Subject to Flooding.

ADDITIONAL REQUIREMENTS:

Chapter 91 license may be required. Application and transmittal form are available on the MassDEP website <http://www.mass.gov/eea/agencies/massdep/water/approvals/wetlands-and-waterways-forms.html#2>. If necessary, contact MassDEP Waterways Program at 617-292-5929 for direct mailing or provide information why license is not required.”

- Staff Recommendations:
  - Staff recommend issuance of a waiver for the new structures due to the improvements made on site. The improvements would appear to meet the 2 to 1 mitigation requirements.
  - Vote to close the hearing and issue an Order of Conditions with the SCC’s standard conditions and the following special conditions:
    1. deck boards include gaps for runoff and that a pea stone or similar material is placed under the deck at a minimum depth to infiltrate runoff (at least 4 in.).
    2. Toe of slope shall not exceed existing toe of slope. Existing toe of slope to be documented by P.E. Profile sketch(s) for shoreline work shall be submitted to the SCC with existing conditions and proposed.
    3. Qualified landscape contractor to monitor shoreline work (wall and plantings) twice a year (during the growing season) for 2 full growing seasons. Landscape plantings must have a survival rate of 75% of after 2 growing seasons. Reports shall be submitted to the SCC.

**8. 650 & 680 Route 15 – cont’d NOI-Proposed development of a nursery and tree farm to include a perennial stream crossing – DEP File #300-1092**

- Owner/Applicant: M. Kubricky, Landing Rock      Representative: P. Engle, McClure Engineering
- Request: Issue COC.
- Documents Presented: N/A
- a. Jurisdiction: Riverfront Area, Bank, Land Under Water, BLSF, BVW, Buffer Zone
- Project Status Summary: Approved work included the demolition of existing single-family home with associated site features, removal of existing pool and pool deck, and construction of a new single-family home with associated site features. Project was discussed at the March 2, 2021 meeting. The SCC requested additional information in the form of peer reviews for stormwater compliance, the WPA and SWB and additional information from the property owner in regards to alternative analysis and property ownership.
- Staff Notes:
  - Wetland/wildlife peer review: Staff have sent out RFPs for the peer reviews and received proposals for the board to review. 3 proposals had been received for NOI review but one has since been declined due to conflict. Both firms/consultants are capable of the reviews and the town has worked with both firms.
  - P.E. peer review: Staff have sent out RFPs for the peer reviews and received proposals for the board to review. 3 proposals had been received. All firms are capable of the review. The town has worked with 2 of the firms before for town projects and peer reviews. The additional firm has presented plans to the board and has documented experience providing such services to municipalities.
- Staff Recommendations:
  - Vote to select a P.E. peer review for stormwater compliance and vote to select a wildlife/wetland consultant for the peer review.
  - Staff would recommend Oxbow Associates for this project. Oxbow has two scientists/biologists for the review which will be useful with the scope of services for this project.
  - Staff recommend Graves Engineering for P.E. peer review.
  - Recommend continuing to May 4, 2021 to allow peer reviews to be initiated.

**9. 231, 233, and 235 Cedar Street – cont’d ANRAD– DEP File #300-1090**

- Owner/Applicant: Michael and Gail Young      Representative: P. McMantus, EcoTec,
- Request: Issue ORAD
- Documents Presented: n/a
- Status Summary: Review of the ANRAD was continued to allow for submission of additional information to support delineation as shown.
- Staff Notes:

- No new information has been received. Staff have been in contact with the representative and the representative has reviewed the SCC's files. It's staff's understanding that additional site recon will occur to examine if/what work may have been complete and if work was in compliance with the SOOC's which had been issued.
- Continuation request has been received to the next meeting.
- Staff Recommendations:
  - Continue the public hearing to the next meeting. Continue to May 4, 2021.

**10. 566 Route 15 – cont'd local NOI– Construction of a SFH and associated site work**

- Owner/Applicant: Silver Tree Realty      Representative: G. Krevosky, EBT Environmental
- Request: Issue OOC
- Documents Presented: n/a
- Jurisdiction: Buffer Zone
- Project Status Summary: Approved work included the demolition of existing single-family home with associated site features, removal of existing pool and pool deck, and construction of a new single-family home with associated site features.
- Staff Notes:
  - Staff have been informed that the ANR has been recorded and the lot is assigned an address.
- Staff Recommendations: Vote to close the hearing and issue an Order of Conditions with the SCC's standard conditions and condition for having an anti-tracking pad.

**11. 150 Charlton Road – continued ANRAD– DEP file #300-1088**

- Owner: Cobra Realty Trust      Applicant: J. Procon, Interstate Towing      Representative: G. Krevosky, EBT Environmental
- Request: Issue ORAD
- Documents Presented: n/a
- Project Status Summary: Hearing was continued to allow for time for
- Staff Notes:
  - Staff has sent out RFPs for the peer reviews and received proposals for the board to review.
  - 3 proposals received from EcoTec, Inc.; GZA Associates and Oxbow Associates
  - All firms/consultants are qualified.
- Staff Recommendations:
  - Staff would support all firms for selection. Staff recommend GZA due to inclusion of meeting attendance and site walk with board included in initial cost. Vote to select firm/consultant for the peer review. Recommend continuing to May 4, 2021 to allow peer reviews to be conducted.

**12. 118 Leadmine Lane – cont'd NOI– Construction of a SFH and associated site work- DEP file #300-1073**

- Owner: G. Kellaheer      Applicant: A. Kellaheer      Representative: G. Krevosky, EBT Environmental
- Request: Issue OOC
- Documents Presented: n/a
- Jurisdiction: Buffer Zone, IVW
- Project Status Summary: The project was last discussed at the 2-2-21 meeting since continued. In addition, the EO was discussed as it relates to DEP File #300-684 in which the property owner is also in violation for. The project was continued to provide the new consultant opportunity to revise the project based on SCC comments.
- Staff Notes:
  - No new information has been received.
- Staff Recommendations:
  - Staff recommends no discussion since no new information has been received. Staff recommend that this public hearing is continued out to a further meeting date to allow the property to be brought into compliance before any new work is considered or permitted. Staff recommend that this is continued until at least June 1, 2021 as that should give the property owner time to reach compliance. If the applicant does not agree to the continuation, staff would recommend denial of the application for insufficient information and failure to meet performance standards.

**13. 91 Clarke Road – cont'd NOI– Construction of a SFH and associated site work- DEP file #300-1095**

- Owner: J. Simpson      Applicant: R. Bercume      Representative: S. Morrison, EcoTec
- Request: Issue OOC

- Documents Presented: colored site plan
- Jurisdiction: Buffer Zone
- Project Status Summary: Construction of a SFH and associated site work to include sewage disposal systems. Project was continued as additional site visit was necessary to review the wetlands due to previous snow cover and for the ANR plan to be recorded.
- Staff Notes:
  - Staff and members of the board visited the site on March 23, 2021.
  - There are concerns with the wetland delineation as shown on the plan. The limit of wetlands appears to exceed what is shown on the plan near Clarke road. In addition, the limit of work would therefore be much closer to the wetland edge.
- Staff Recommendations: Staff recommended that the board request additional information pertaining to the wetland delineation and request a continuation to May 4, 2021 for the submission of such information. The wetland was delineated in the winter (1-8-21). The applicant's consultant should review the wetland and submit BVW data sheets to either support the line as shown or to change the line where necessary. If a continuation is not granted, staff recommend that the project is denied for lack of information.

## II. WETLANDS DECISIONS

### 14. 17 South Road – SWB Letter Permit-Addition to a SFH

- Owner/Applicant: Mikal Carrier    Representative: N/A
- Request: Issue Letter Permit
- Documents Presented: colored site plans
- Jurisdiction: Buffer Zone
- Staff Notes:
  - Project is located at the outer extent of the buffer zone. Work area is flat but area steeply drops off to a Bordering Vegetated Wetland (BVW). No work proposed on the slope.
  - Project will be located on pilings. No earth removal proposed as part of the project.
  - No gutters or downspouts are proposed. Roof runoff will be allowed to drip below to an area covered with pea stone.
- Staff Recommendations: Staff recommend approval of the project as shown. No erosion controls would appear necessary as no earth work is proposed. Any changes to the project would require additional review including earth work or the directing of roof runoff to the wetland.

### 15. 91 Cedar Street – SWB Letter Permit Application-Installation of an above-ground pool

- Owner/Applicant: Jenna Trueman    Representative: N/A
- Request: Issue Letter permit, approve work within buffer zone
- Documents Presented: sketch drawing
- Jurisdiction: Buffer Zone
- Staff Notes:
  - Installation of an above ground pool within the buffer zone to a BVW. All work is within an existing developed yard and is approx. 70 ft from the BVW. Minor grading will be required to level the area of the pool. Area is lawn and does slope to the BVW.
  - Equipment will access from the north of the house.
  - Removed materials will be used within the existing yard and will be seeded and protected by erosion controls.
- Staff Recommendations: Staff recommend approval of the project with standard conditions and erosion controls between the wetland and work (straw wattles).

### 16. 21 Bennetts Road – Request for Certificate of Compliance-DEP file #300-928

- Original Applicant: David Zonia    Requester: same
- Request: Issue COC
- Documents Presented: colored as-built plans
- Jurisdiction: Buffer Zone
- Staff Notes:
  - Staff reviewed the file when request received. A minor change was approved for the relocation of the deck after issuance of the OOC. The board requested revisions to be reflected on an as built plan. Staff received the as-built plan and performed a site visit. No concerns noted. No perpetual conditions noted in the OOC.

- Staff Recommendations: Staff recommend issuance of a complete COC for the project.

### III. ADMINISTRATIVE DECISIONS

#### 17. Minutes of 3/16/21 to be approved

- Documents Presented: draft minutes
- Staff Recommendations: Vote to accept the 3/16/21 minutes.

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### UPDATES

#### IV. OLD BUSINESS

#### 18. 205B and 205C Podunk Pike Enforcement Order

- Documents Presented: n/a
- Project Status Summary: At the March 2, 2021 meeting the SCC discussed this outstanding EO. The SCC provided the Violators an additional time to come into compliance. A letter was issued to the violators on March 16, 2021 providing an additional 21 days to come into compliance or the matter may be referred to legal counsel and/or fining may begin.
- Staff Notes:
  - This letter was returned to the office as unaccepted (was sent certified) this week. We re-mailed the letter regular mail and emailed it to them. It was provided electronically to 508 International's counsel.
  - Staff Recommendations: Staff recommend that the Town refer the matter be referred to legal counsel, to file a lawsuit seeking compliance with the Enforcement Order in Superior Court.

#### 19. 118 Leadmine Lane-Enforcement Order- DEP File #300-684 & New Work

- Documents Presented: n/a
- Project Status Summary: At the March 2, 2021 meeting the SCC discussed this outstanding EO. The SCC provided additional time to the Violator to address the outstanding issues as they hired a new consultant.
- Staff Notes: Staff have been informed that the new representative has been working on this. However, no new materials have been received.
  - Staff Recommendations: Staff recommend that the SCC provide an additional 21 days to comply with the Enforcement Order. If they do not comply with the EO by that date then the SCC should refer this matter the Town of Sturbridge's legal counsel, to file a lawsuit seeking compliance with the Enforcement Order in Superior Court.

#### 20. Enforcement Policy

- Staff Notes: A draft EO policy has been provided for review. This document outlines a clear pathway related to how the SCC will handle violations and enforcement actions.

#### V. ADMINISTRATIVE UPDATES

#### 21. Committee Updates

- CPA
- Trail Committee
- Open Space Committee
- Lakes Advisory Committee

#### VI. NEW BUSINESS

#### 22. Landfill Discussion

#### 23. Agent's Report

#### 24. Next Meeting-May 4, 2021 and Site Visit schedule-April 27<sup>th</sup>, 9-12

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**OTHER TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR**

**ADJOURN**

 = wetland

 = 25' or riverfront

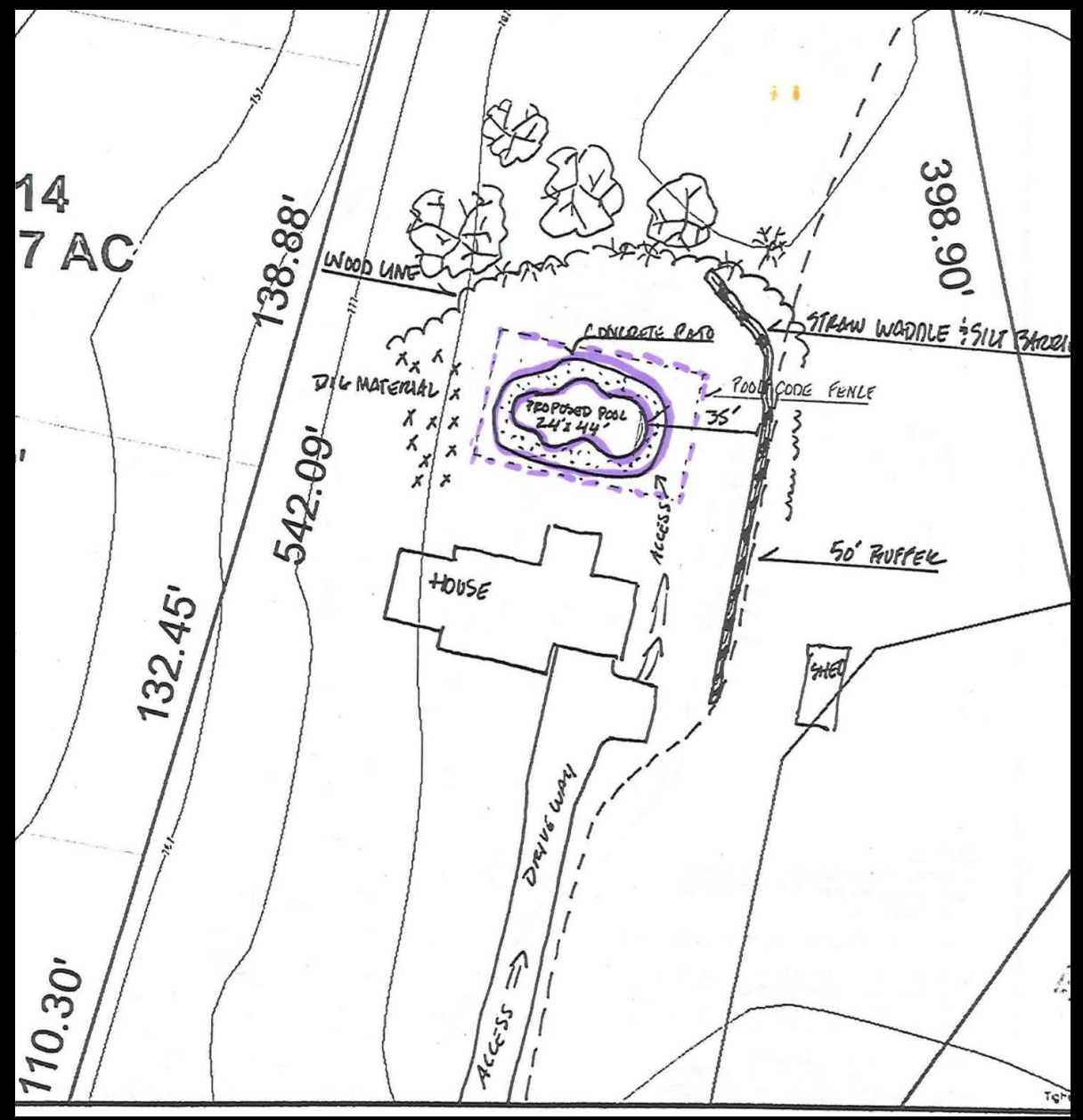
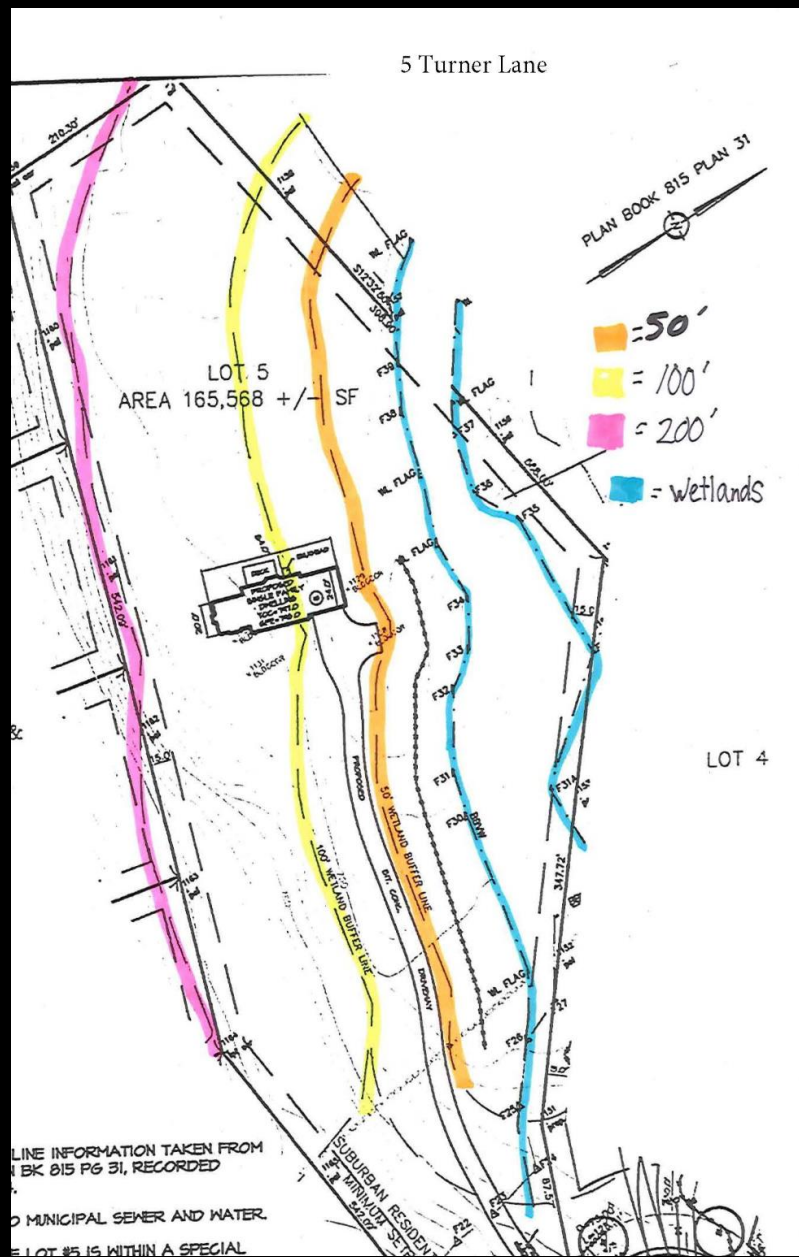
 = 50'

 = 100'

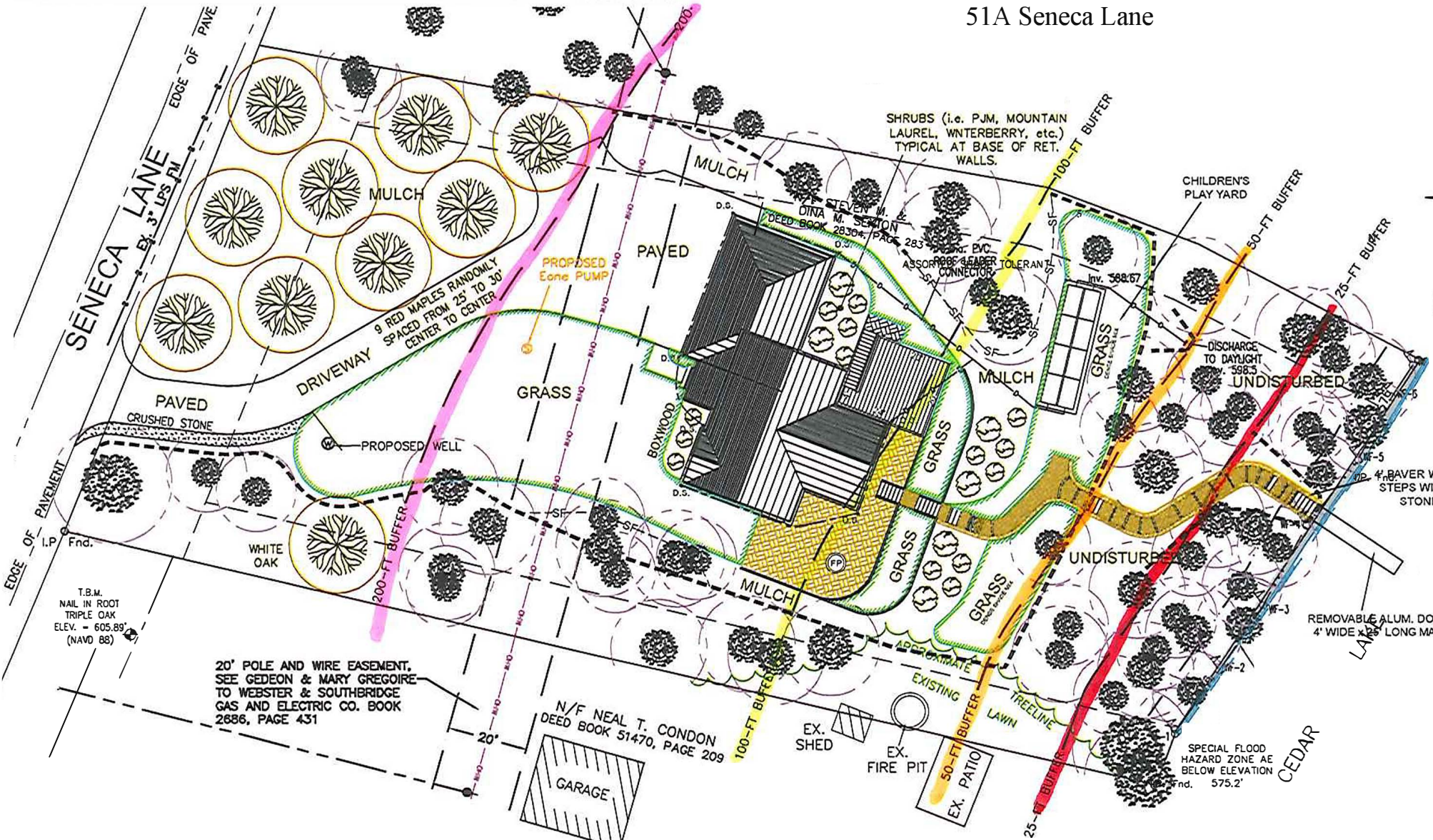
 = 200'

 = construction









PROPOSED LANDSCAPE PLAN



92 Paradise Lane

Site Plan Prepared For:

Steven & Lisa Dalberth

92 Paradise Lane

Fiskdale, MA

March 10, 2021

SCALE 1"=20'

Concrete Block Retaining Wall: 3'tall x 40' long

100' Buffer Zone

1 1/2' Tall Boulder Walls to allow for more gradual slope

Permeable Paver Patio replaces lawn

2 Stone Steps to Dock Area

Spaced Goshen Stone Walkway

Vinca Groundcover or Herbaceous Perennials

Native Vegetation

Straw Wattle & Silt Fence Erosion Control Line

Big Alum Pond

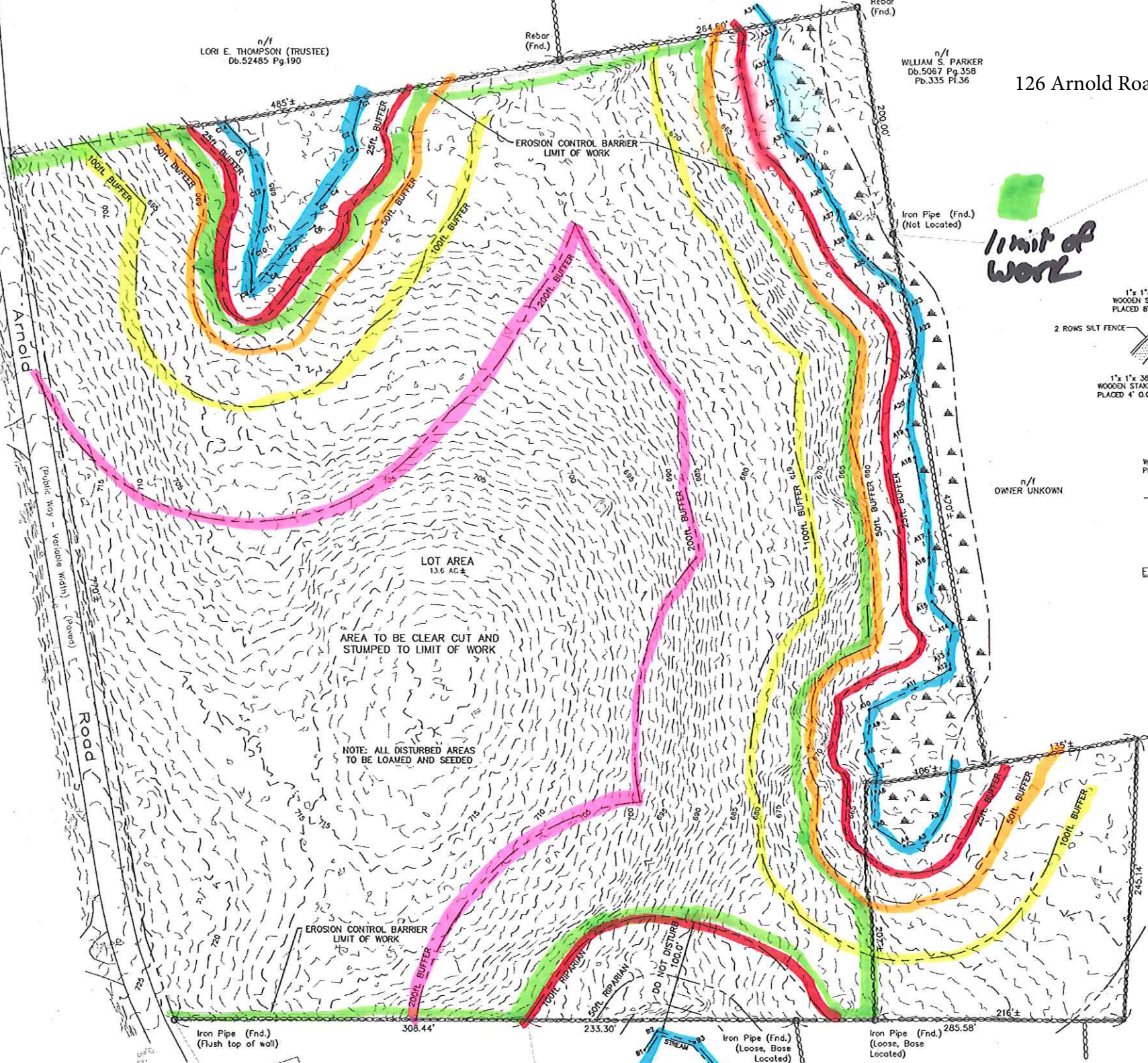
  
Landscape Evolution  
Design & Construction  
92 Wales Road • Holland, MA



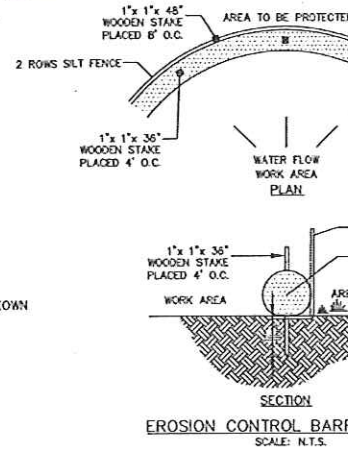
n/f  
LORI E. THOMPSON (TRUSTEE)  
Db.52485 Pg.190

n/f  
WILLIAM S. PARKER  
Db.5067 Pg.358  
Pb.335 Pl.36

126 Arnold Road

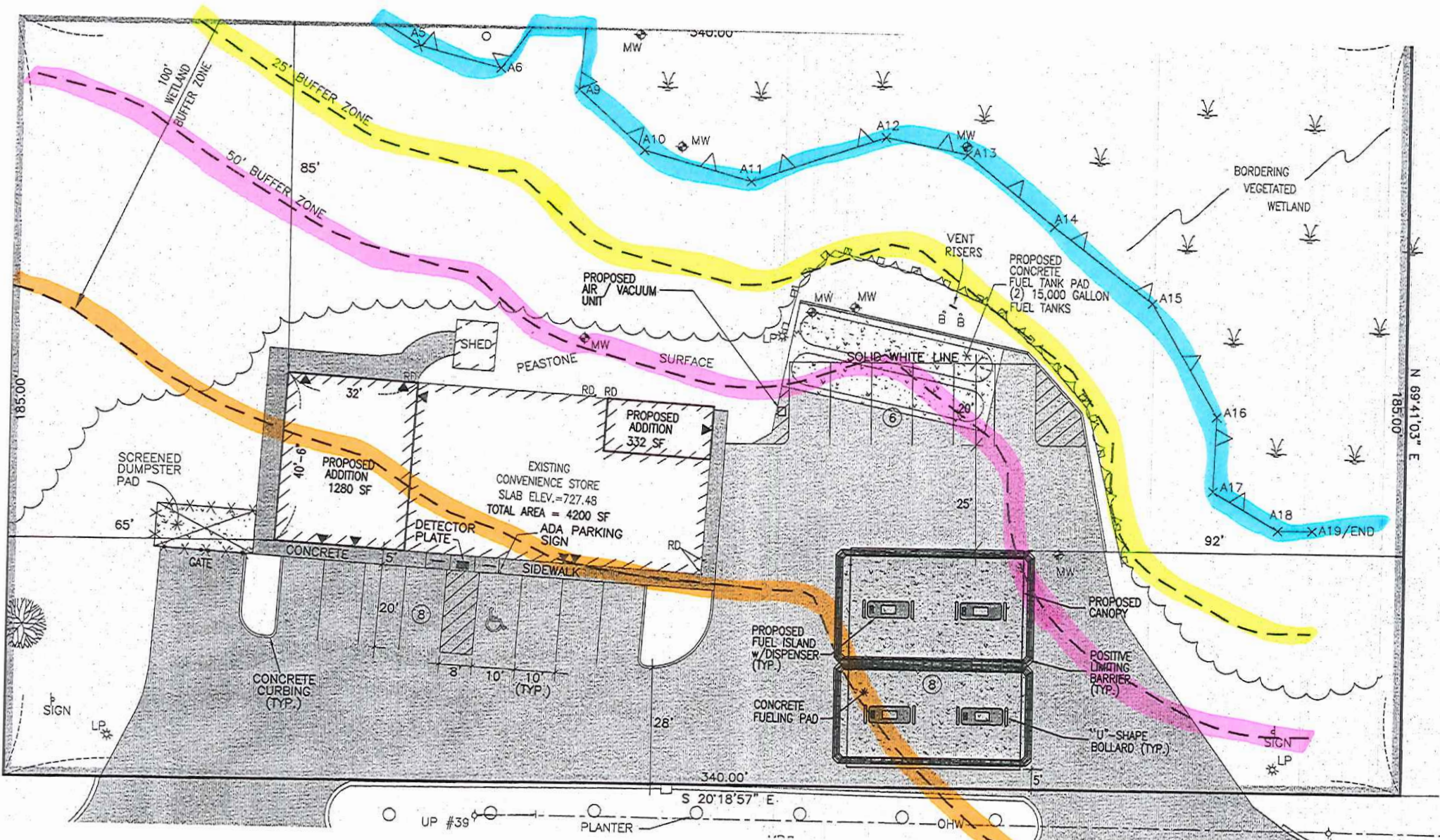


**limit of work**





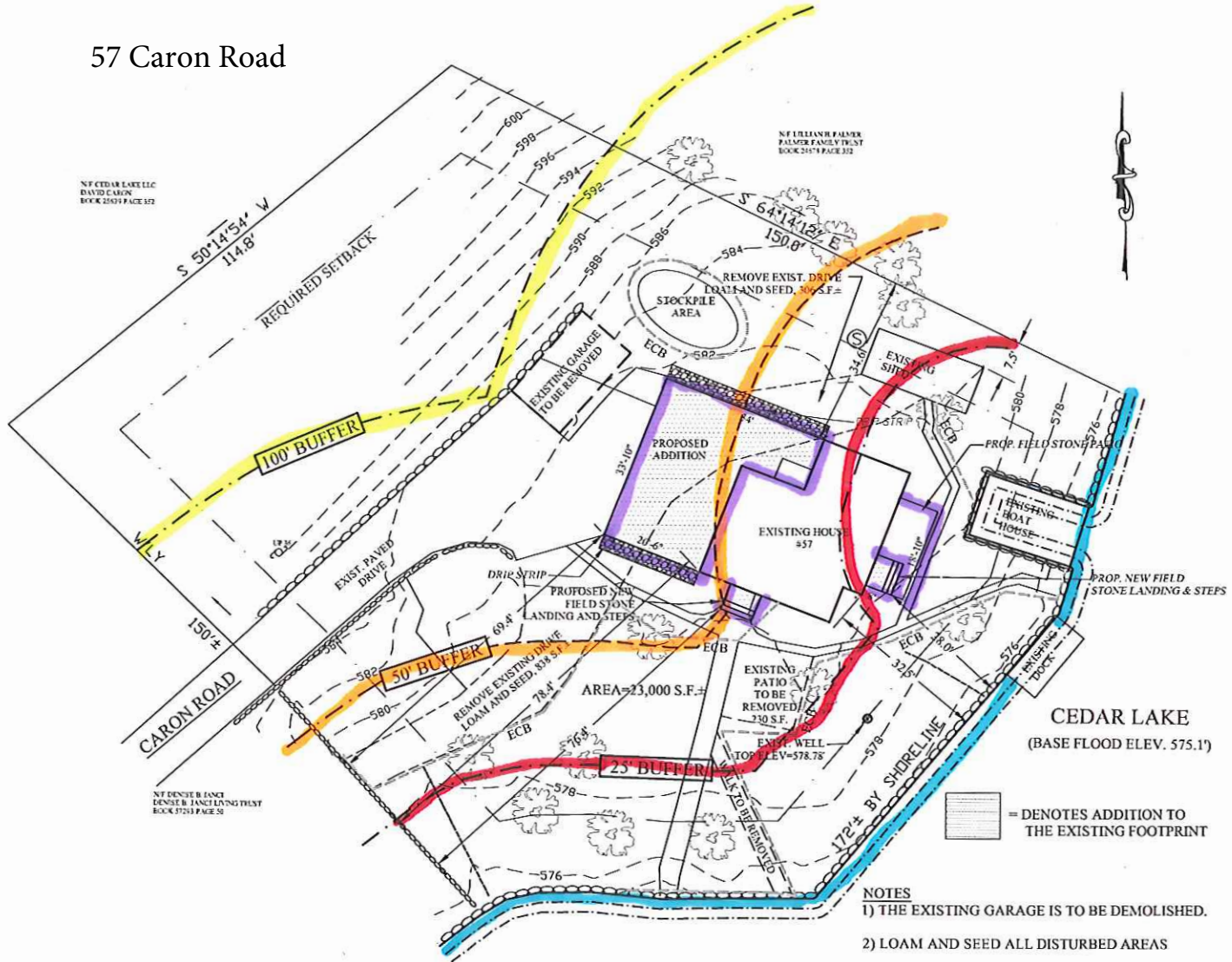
122 Main Street



= 25'  
 = 100'  
 = 50'  
 wetland line



# 57 Caron Road




NF CEDAR LAKE LLC  
DAVID CARRON  
BOOK 25019 PAGE 152

NF WILLIAM F. PALMER  
PALMER FAMILY TRUST  
BOOK 24179 PAGE 312

NF DENISE B. JANGI  
DENISE B. JANGI LIVING TRUST  
BOOK 37251 PAGE 25

**CEDAR LAKE**  
(BASE FLOOD ELEV. 575.1')

 = DENOTES ADDITION TO THE EXISTING FOOTPRINT

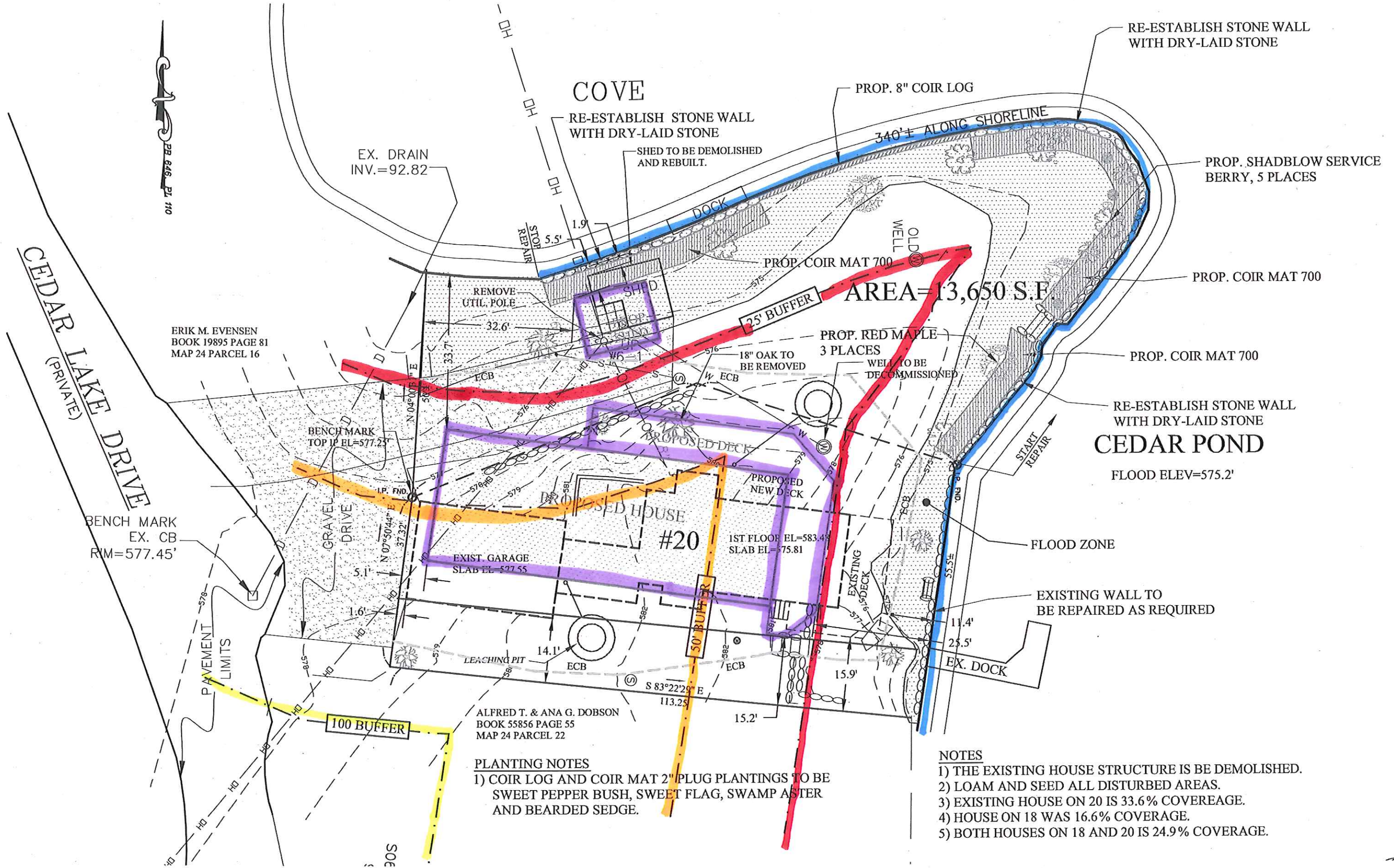
- NOTES**
- 1) THE EXISTING GARAGE IS TO BE DEMOLISHED.
  - 2) LOAM AND SEED ALL DISTURBED AREAS
  - 3) ALL REMAINING CONCRETE PATHS TO BE CONVERTED TO FIELD STONE



**PROPOSED 500 GALLON LEACHING PIT  
(TWO PROPOSED)**

Updated Site plan for 20 Cedar Lake

**LOCUS**  
SCALE:NONE



**PLANTING NOTES**  
 1) COIR LOG AND COIR MAT 2" PLUG PLANTINGS TO BE SWEET PEPPER BUSH, SWEET FLAG, SWAMP ASTER AND BEARDED SEDGE.

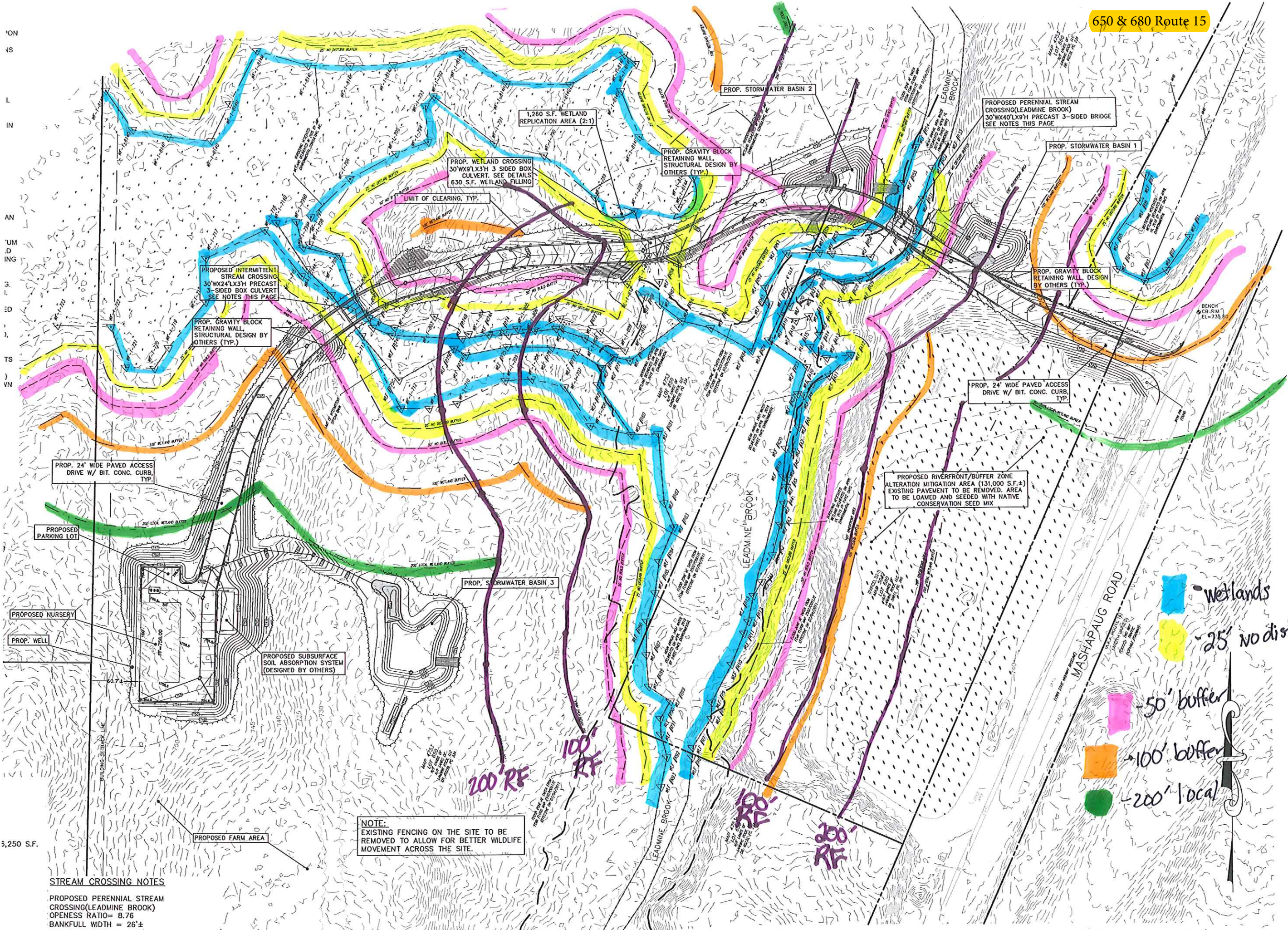
- NOTES**
- 1) THE EXISTING HOUSE STRUCTURE IS BE DEMOLISHED.
  - 2) LOAM AND SEED ALL DISTURBED AREAS.
  - 3) EXISTING HOUSE ON 20 IS 33.6% COVERAGE.
  - 4) HOUSE ON 18 WAS 16.6% COVERAGE.
  - 5) BOTH HOUSES ON 18 AND 20 IS 24.9% COVERAGE.



*LOCUS*



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3,250 S.F.

**STREAM CROSSING NOTES**

PROPOSED PERENNIAL STREAM CROSSING(LEADMINE BROOK)  
 OPENESS RATIO= 8.76  
 BANKFULL WIDTH = 26'±  
 FLOODPLAIN WIDTH = 38'±  
 BANKFULL WIDTH V 1.2 = 31.2' (MIN. COAM)

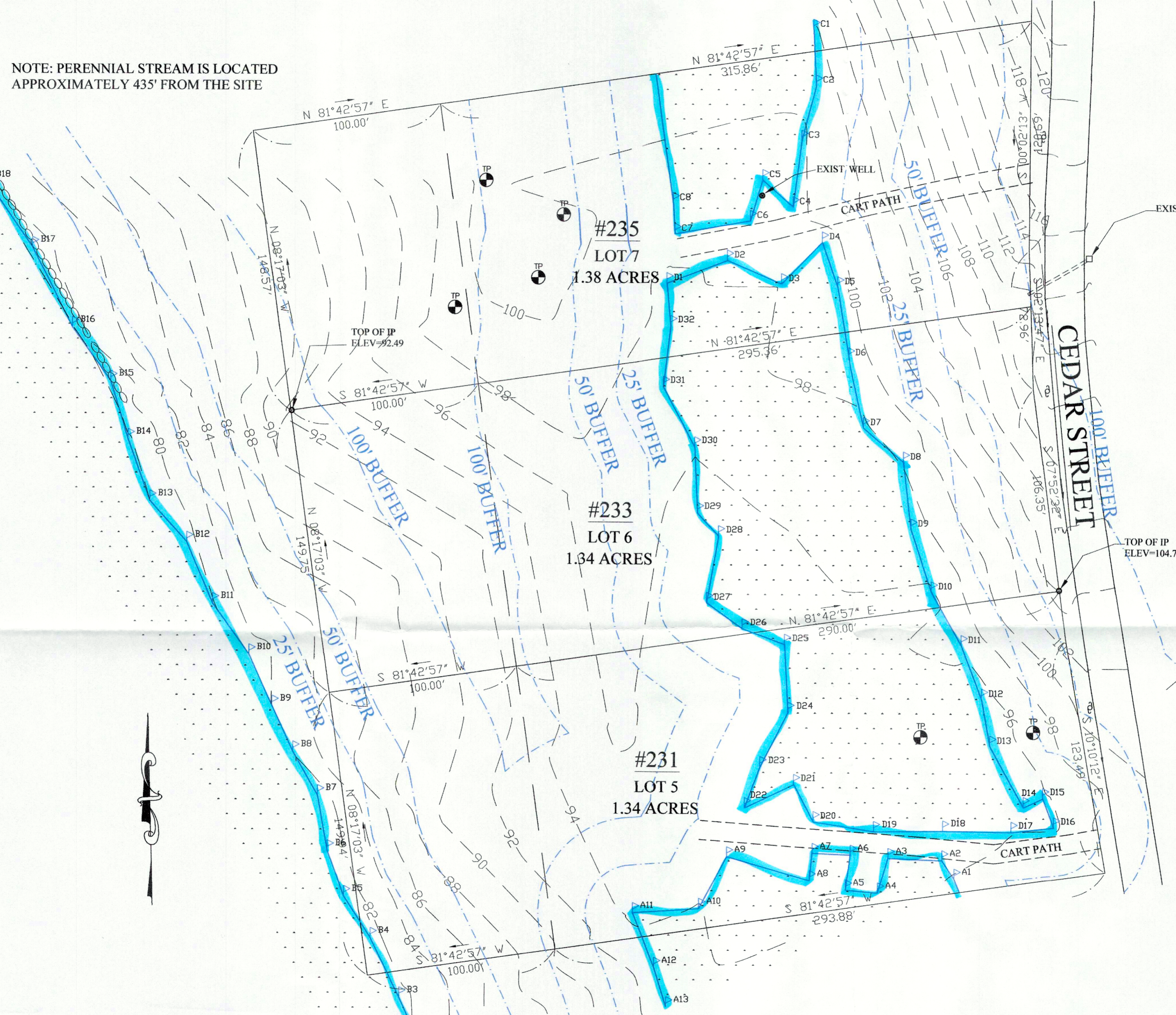
**NOTE:**  
 EXISTING FENCING ON THE SITE TO BE REMOVED TO ALLOW FOR BETTER WILDLIFE MOVEMENT ACROSS THE SITE.

GENERAL NOTES

DIG-SAFF NOTE (1-RRR-344-7233)



NOTE: PERENNIAL STREAM IS LOCATED APPROXIMATELY 435' FROM THE SITE



#235  
LOT 7  
1.38 ACRES

#233  
LOT 6  
1.34 ACRES

#231  
LOT 5  
1.34 ACRES

CEDAR STREET



TOP OF IP  
ELEV=92.49

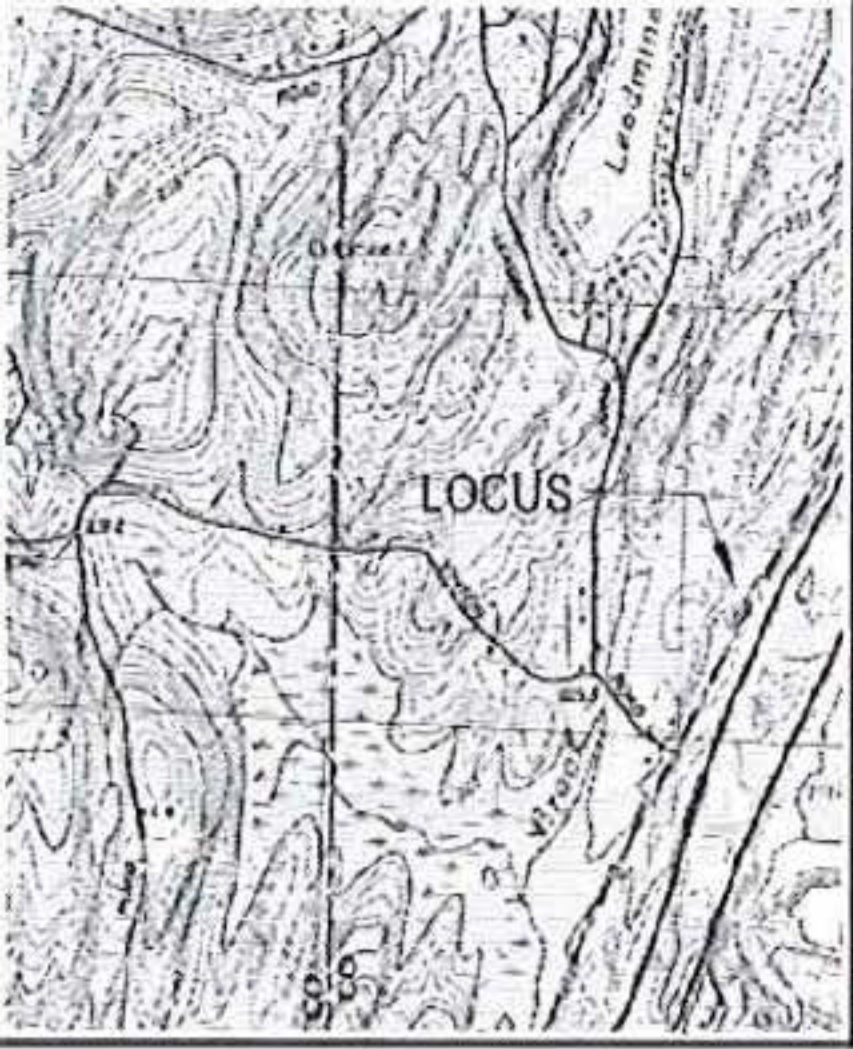
TOP OF IP  
ELEV=104.7

EXIST WELL

CART PATH

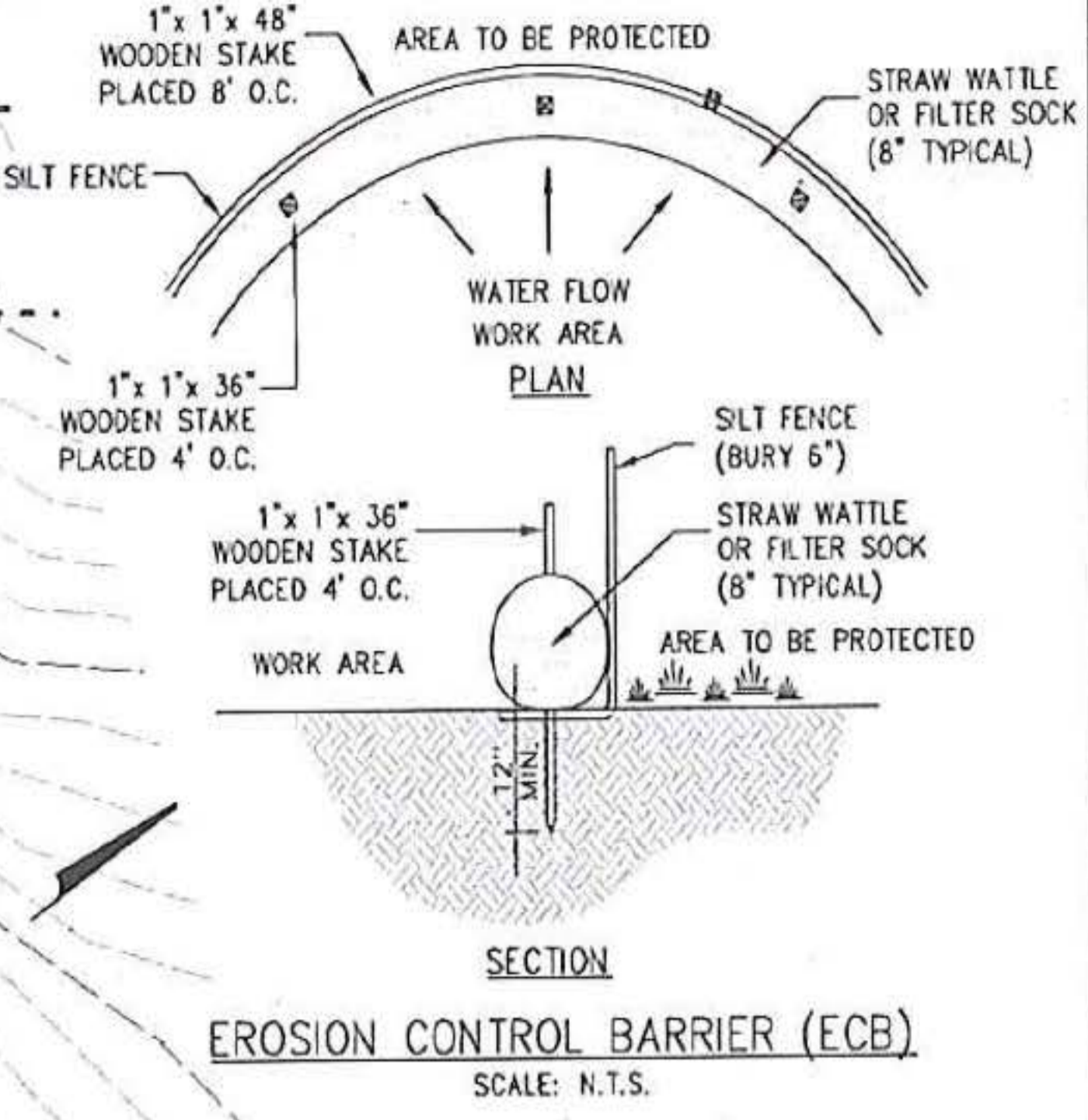
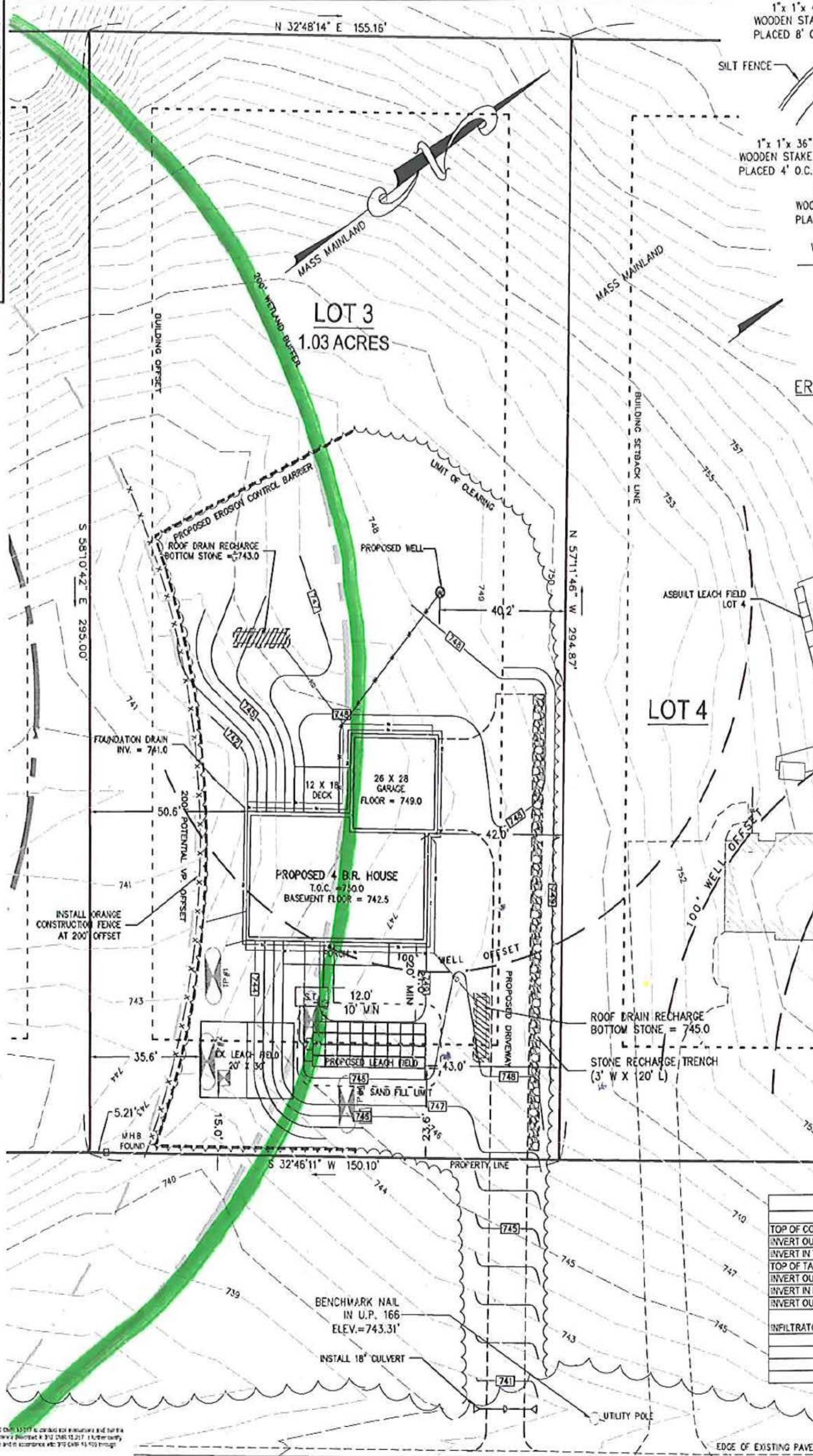
CART PATH





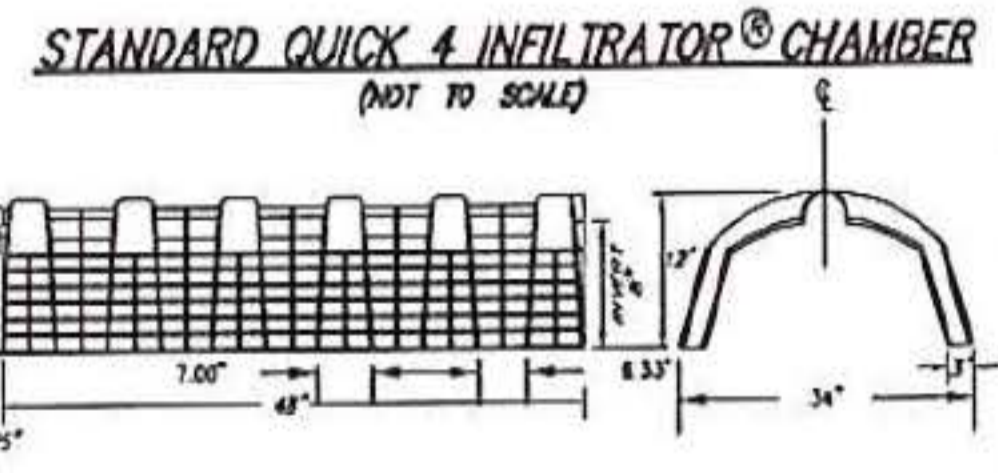
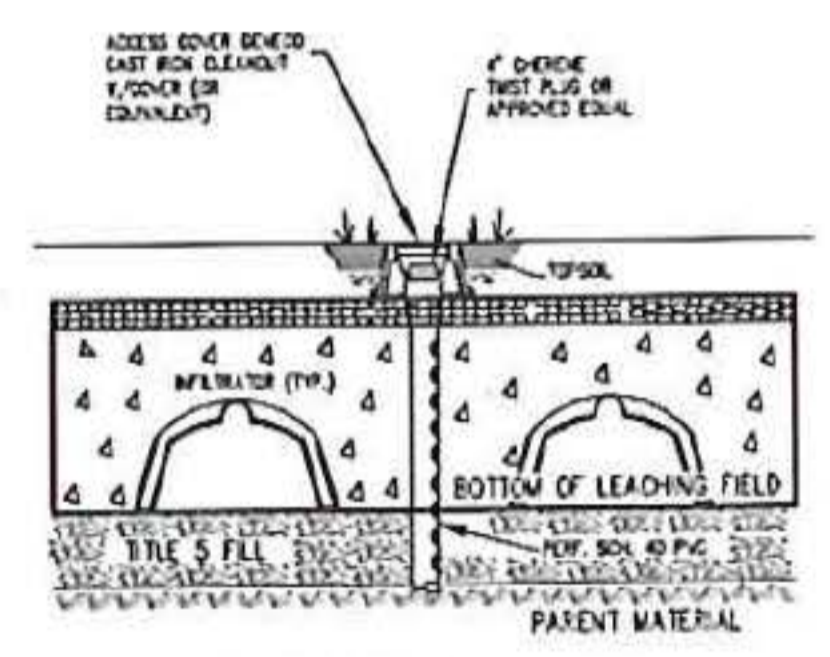
LOCUS MAP  
1" = 2000'

■ = 200'  
local



**WETLANDS PROTECTION ACT**  
WETLANDS/BUFFER ZONE(S) SHOWN ARE BASED UPON AN ABBREVIATED NOTICE OF RESOURCE AREA (ANORD) PLAN APPROVED BY THE CONSERVATION COMMISSION.  
ANY PROPOSED WORK WITHIN THE 200' BUFFER ZONE REQUIRED APPROVAL BY THE STURBRIDGE CONSERVATION COMMISSION PRIOR TO THE INITIATION OF ANY SITE WORK WITHIN THEIR JURISDICTION.  
CONTRACTOR/OWNER SHALL READ AND UNDERSTAND REQUIREMENTS OF THE COMMISSION AS OUTLINED IN THE ORDERS OF CONDITIONS PRIOR TO THE INITIATION OF THE WORK.

- LEGEND**
- 300 --- EXISTING CONTOUR
  - 300 --- PROPOSED CONTOUR
  - ⊗ PERCOLATION TEST HOLE
  - ⊗ OBSERVATION TEST HOLE
  - S — SEWER LINE
  - FM — FORCE MAIN
  - FD — FOUNDATION DRAIN
  - --- LIMIT OF WORK
  - --- EROSION CONTROL BARRIER
  - ~ ~ ~ TREELINE



**Recharge Volume Summary**

Soil Type	Recharge Factor (in. runoff)	Existing Impervious Area (sf)	Additional Impervious Area (sf)	Min. Req. Recharge Volume (cf)
A	0.60	0	5,701	285
B	0.35	0	0	0
C	0.25	0	0	0
D	0.10	0	0	0
<b>Total Required</b>				<b>285</b>

Standard #3 Only Applies to Additional Impervious

Provided Recharge Volume (cf)	
Driveway Trench	283
Roof Recharge - Back Yard	75
Roof Recharge - Side Yard	75
<b>Total Provided</b>	<b>433</b>

**SEPTIC SYSTEM SCHEDULE OF ELEVATIONS**

	PROPOSED			ASBUILT		
	INVERT START	INVERT END	BOTTOM CHAMBER	INVERT START	INVERT T END	BOTTOM TRENCH
TOP OF CONCRETE	750.00					
INVERT OUT HOUSE	746.00					
INVERT IN TANK	745.76					
TOP OF TANK	746.84					
INVERT OUT TANK	745.51					
INVERT IN D-BOX	745.39					
INVERT OUT D-BOX	745.22					
INFILTRATOR CHAMBER						
LINE 1	744.98	744.83	744.17			
LINE 2	744.98	744.83	744.17			
LINE 3	744.98	744.83	744.17			
LINE 4	744.98	744.83	744.17			

VARIANCES/LOCAL UPGRADE APPROVALS  
NONE

F. Certification  
I certify that I am currently approved by the Department of Environmental Protection pursuant to 310 CMR 15.000 as a professional engineer and that the design shown on this plan has been prepared by me or under my direct supervision and approval in accordance with 310 CMR 15.000. I further certify that the results of my soil evaluation, as indicated on the attached soil evaluation form, are accurate and in accordance with 310 CMR 15.000 through 15.105.

*Priscilla Gervais*  
Professional Engineer  
No. 10123  
Department of Environmental Protection  
100 Water Street  
Boston, MA 02109

MASHAPAUG ROAD (ROUTE 15)

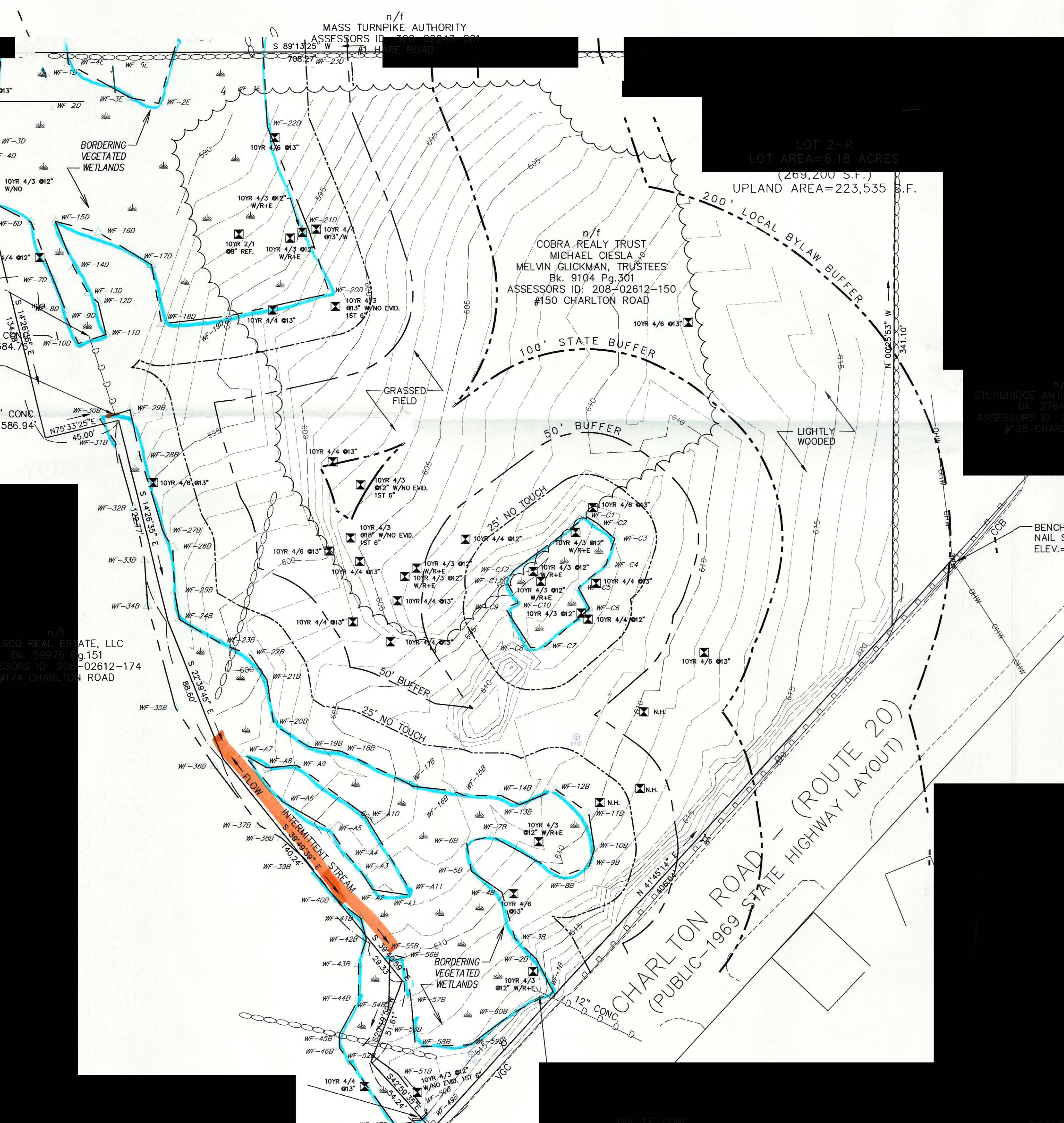


n/f  
MASS TURNPIKE AUTHORITY  
ASSESSORS ID: 208-02612-150  
S 89°13'25" W  
#1 HARE ROAD

LOT 2-R  
LOT AREA=6.18 ACRES  
(269,200 S.F.)  
UPLAND AREA=223,535 S.F.

n/f  
COBRA REALY TRUST  
MICHAEL CIESLA  
MELVIN GLICKMAN, TRUSTEES  
Bk. 9104 Pg.301  
ASSESSORS ID: 208-02612-150  
#150 CHARLTON ROAD

CONC.  
586.94'  
N75°33'25"E  
45.00'  
S 14°26'35"E  
128.77'  
S 22°39'45"E  
88.60'  
SCORP REAL ESTATE, LLC  
Bk. 59975 Pg.151  
ASSESSORS ID: 208-02612-174  
#174 CHARLTON ROAD



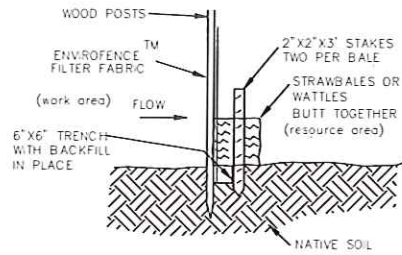


**SYMBOL KEY**

- STONE WALL
- BOUND
- IRON PIPE
- DRILL HOLE
- UTILITY POLE
- WELL
- TEST PIT
- PERC TEST
- BENCH MARK

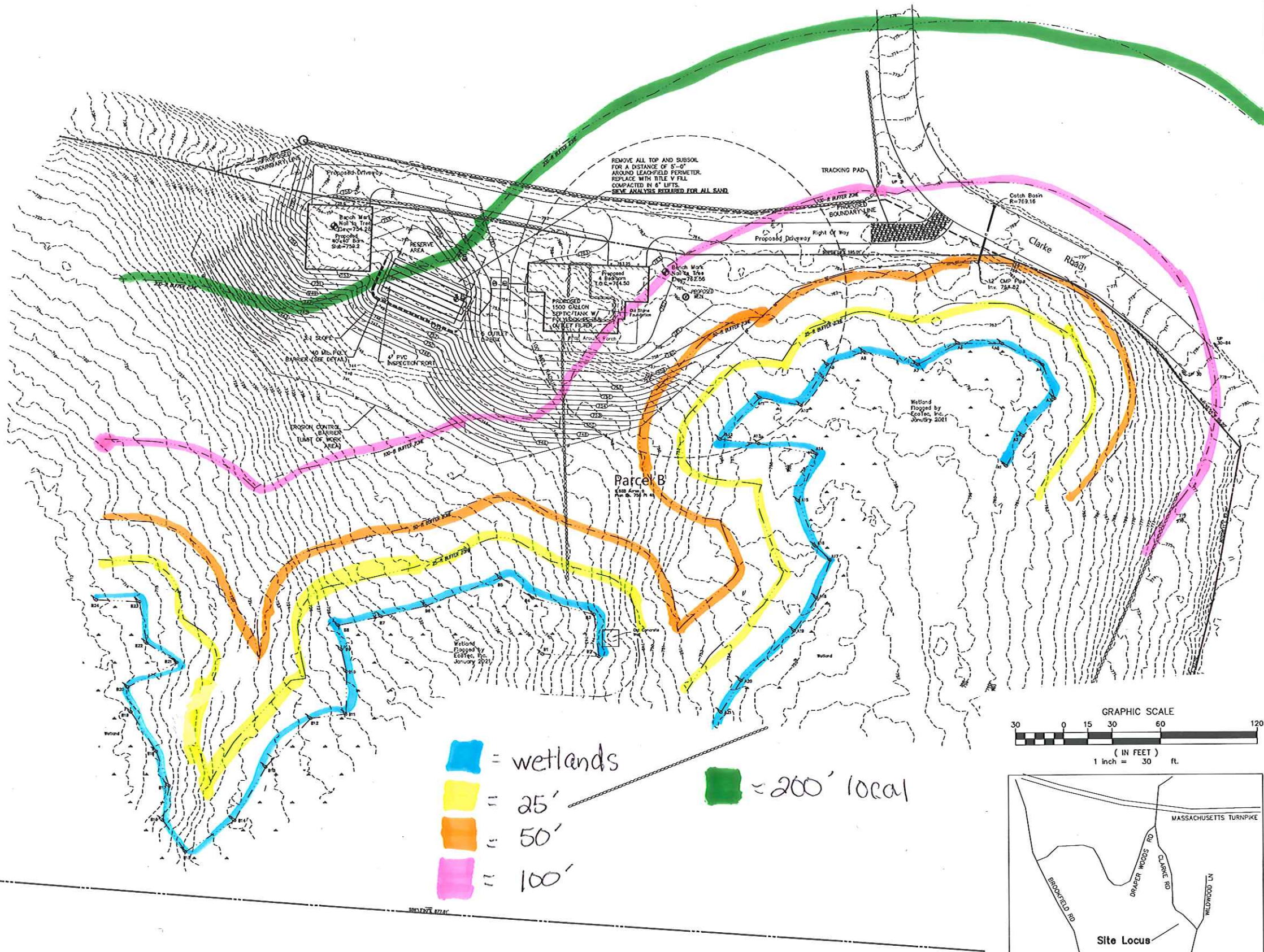
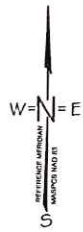
**TOWN OF STURBRIDGE ZONING**  
 ZONE - SUBURBAN RESIDENTIAL  
 AREA - 3/4 ACRE, 32,670 SQ. FT.  
 FRONTAGE - 125 FT.  
 FRONT - 30 FT.  
 SIDE & REAR - 15 FT.

**DIG-SAFE**  
  
 PHONE # 877-344-7233

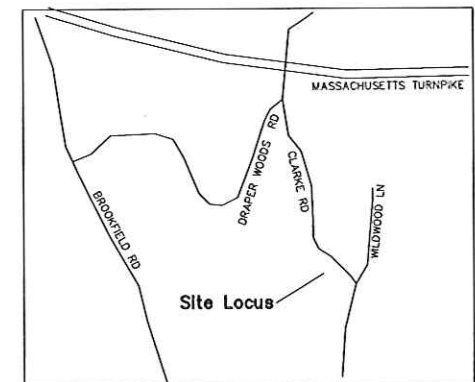
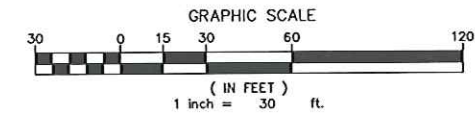


**EROSION CONTROL BARRIER**  
NOT TO SCALE

NOTE:  
SEE SEPTIC SYSTEM PLAN  
FOR SITE DETAILS



- = wetlands
- = 25'
- = 50'
- = 100'
- = 200' local

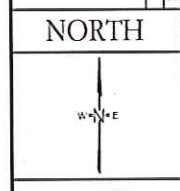


**LOT LOCUS**  
SCALE: 1"=1000'



**JEREMY S. CROTEAU, P.L.S.**  
 PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. 48722

NO.	DATE	REVISION
1	3/3/21	REVISED SILTATION FENCE LOCATION



**DOC**  
 DESIGN CONSULTANTS  
 800-766-0000  
 800-341-2127

<b>CLIENT:</b> RANDY BERCUME 12 ACORN LANE STURBRIDGE, MA	
<b>CONSERVATION COMMISSION PLAN</b>	
<b>SITE ADDRESS:</b> 91 CLARKE ROAD STURBRIDGE, MA	
<b>DRAWN BY:</b> JOD	<b>SCALE:</b> 1"=30'
<b>CK'D BY:</b> JOD	<b>REV #:</b> 0
<b>DATE:</b> 2-15-21	<b>PROJECT #:</b> 21-112
<b>DWG. NO.:</b> C-1	



# 17 South Road



TEMPORARY BENCHMARK  
PN NAIL IN BASE OF CEDAR TREE  
ASSUMED ELEVATION = 100.00

AS-BUILT LOCATION OF LEACH FIELD

PROPOSED LEACH BED  
8' L x 20' W x 0.5' D

AREA OF EXCAVATION (5' ALL AROUND)  
EXCAVATE ALL TOP AND SUB SOIL OR  
TO ELEVATION 100.0' (WHICHEVER IS LOWER)  
FILL WITH CLEAN COARSE SAND TO ELEV. 104.0'  
SAND FILL MUST MEET TITLE 5 REQUIREMENTS

AS BUILT LOCATION OF HOUSE  
AS BUILT LOCATION OF TANK

PROPOSED 4" DOOSE HECK  
VENT 1' ABOVE GRADE

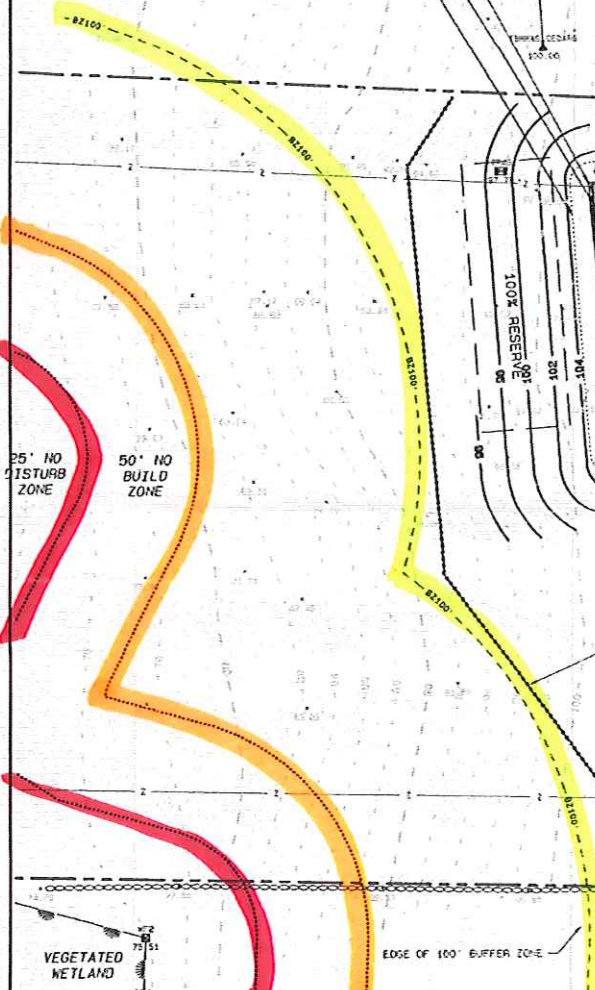
EXISTING BASIN

EXISTING WELL  
ELEV. 117.02

EMERALD CEDARS  
100.00

OLD WELL  
115.53

N56°26'39"E  
59.35'



25' NO DISTURB ZONE

50' NO BUILD ZONE

100' RESERVE ZONE

EDGE OF 200' BUFFER ZONE

VEGETATED WETLAND

EDGE OF 100' BUFFER ZONE

PROPOSED SILT FENCE (100')  
NO WORK BEYOND FENCE  
INSTALL PRIOR TO ANY WORK

PROPOSED 1500 gpi SEPTIC TANK  
WITH EFFLUENT FILTER AND RISER  
EMERGENT TO GRADE

PROPOSED BARN

PROPOSED 4' BEDROOM HOUSE

PROPOSED DRIVE

SOUTH ROAD

PROPOSED DRILLED WELL

10

0.50'

DESIGN  
DESIGN  
4  
DESIGN  
LOAD  
DESIGN  
1.4  
SEPTIC  
REQUIREMENTS  
SOIL  
REQUIREMENTS  
FR...

SOIL  
PERIOD  
DATE  
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PER  
SOIL  
TRAIL  
DEPTH  
0 -  
10 -  
30 -  
48 -

