

STURBRIDGE CONSERVATION COMMISSION

Minutes for Thursday, November 7, 2002

MEMBERS PRESENT

J. Hoffman, D. Barnicle, E. Goodwin, J. Michalek, and D. Mitchell

7:00 PM

Three members of the Sutton Conservation Commission sat through the meeting until 10:00 PM as part of a peer to peer program the state runs to encourage outreach between town commissions. Members attending were Alyse Aubin chairperson, Andrea Austin co-chair, and Mark Briggs.

MINUTES

Review of the minutes of October 17, was tabled to November 21.

CPA UPDATE, E. GOODWIN

E. Goodwin noted that the committee had met on two occasions; he will forward the minutes of the first meeting to the Commissioners. The second meeting did not have a quorum attending so it was continued. The CPAC will be meeting with the OSC and then with the Town Administrator to discuss and review a list of primary objectives, projects and land to review and discuss.

Discussion was held regarding what would happen to several semi-protected parcels in town, held by private organizations, if they closed. One important piece, the Hamilton Rod and Gun Club, will revert to ownership by the federal government if the club ever folds.

The Commission discussed the adoption of the CPA with the representatives of the Sutton Commission. D. Barnicle and E. Goodwin discussed the overlapping and conflicting responsibility between the CPAC acting on the authority of the States Community Preservation rules and J. Malloy's authority under town bylaw to handle all land acquisition for the town.

CORRESPONDENCE REVIEW

Correspondence included; Mass Wildlife newsletter; a letter submitted to Town Counsel regarding the Mass Turnpike request for a Superceding OoC and whether the Massachusetts Turnpike Authority's legal status (not generally perceived status) is as a state branch exempt from local bylaw or as an independent financial entity which would not exempt it from local bylaw; A summary of the Dialogue on the Future BOS meeting; and the MACC newsletter.

J. Hoffman requested that the meetings be posted as legal meetings in the event a quorum of SCC members attends.

DISCUSSION OF NEW INFORMATION

The Special Town Meeting will be held December 17. The warrant closes December 2. Budgets are due November 25

REVIEW OF SITE VISITS, SCHEDULED AT PREVIOUS MEETING

Site visits were taken on November 5, to 248 Lake Road (the slope is extremely steep, additional erosion control is needed), 114 Lane 10 (the alternative erosion control, mulch blanket, is working very well). Additional site visits were taken to Breakneck Road (construction is being conducted within 150 feet of wetlands on DEM property, an application will be filed), 78 McGilpin (the swale needs to be rebuilt), 90 S. Shore (a call of complaint was received, there are no problems, the site was built as approved), 16 and 18 Blueberry Lane for a CoC request (everything looked fine), 446 Main (G. Valiton sent in an amendment request due to PB parking needs) (the work is closer to the wetland but still outside the 25 foot buffer).

Site visits were taken on October 27, to 100 Allen Road (some trees are fine to cut, others should remain for stability), 10 Whittemore Road (an accurate plan needs to be submitted), and 127 A Stallion Hill Road (to review the existing trails)

CONTINUATIONS OF PREVIOUS HEARINGS AND MEETINGS FOR CLOSURE, REVIEW OF FINAL SUBMITTED DOCUMENTATION AND OTHER ACTION

The SCC discussed the CMG land on lot 9, aka 67 Clark Road. CMG is offering to donate the land to the town as conservation land. The SCC noted that they had taken site visits to the property during the previous summer and fall. The only concern was the wording in the legal document describing the land. J. Malloy had looked at the document and confirmed it was accurate. He noted that Town Counsel would conduct final approval and review.

SCC voted unanimously to accept the land as conservation land and to draft a letter of approval to the BOS. M – E. Goodwin, 2nd – D. Barnicle, vote – all in favor.

MINOR - WALK IN REQUESTS

Erwin Silverstein of Hydro Environmental attended the meeting to request permission to remove a small amount of soil from a catch basin that had been contaminated as the result of a #2 Oil (Diesel Fuel) spill on I-84 in Sturbridge. The spill occurred as the result of an accident between exits 2 and 3 on I-84. The vehicle involved managed to pull over to the breakdown lane approximately .7 miles from exit 2. A response team employed a sausage boom and pads and was able to contain and remove the majority of the spill, which ran the length of 3 catch basins (#'s 12, 13 and 14). Only the center basin, 13, was impacted. The basin is scheduled to be cleaned out next week. A reading of 40 PPM was detected in contaminated material below the catch basin outfall in a channel leading to open water. The soil needs to be removed while the catch basin is being cleaned. D. Barnicle asked what testing had been done to identify the contaminants present. E. Silverstein said they conducted an 8100 Total Petroleum Hydrocarbon Test and determined the material present was #2 oil, or diesel fuel.

J. Michalek asked how many gallons had spilled. E. Silverstein said 50-75 gallons spilled and covered a paved area about 400 to 500 feet in length. The Fire Department cleaned up the spill in the road. The catch basin has an 8-foot deep solid base and caught about 1 cubic yard of material. J. Michalek questioned if any of the surface water had been removed and if the water had been sampled. E. Silverstein said there had been no sheen on the surface water and no indication that the oil had reached that far. J. Michalek requested that testing be done to confirm the exact limit of contamination. E. Silverstein noted that there was a boom and pads in place below the catch basin. They were checked after the last heavy rain, by E. Silverstein, and showed no sign of contamination. He noted that the soil from the channel was being removed to be safe.

J. Hoffman asked what company owned the truck that was damaged. Com. Regency Transportation. He asked what the detection level was. Standard detection levels are 20-30 ppm. The levels detected on site are

approximately 43 ppm. D. Barnicle and E. Silverstein discussed MTBE levels and agreed that there would be trace amounts, if any.

J. Hoffman asked if a verbal OK from the Commission would be sufficient to allow the emergency cleanup. E. Silverstein stated it would and that he would send a follow up report to the Commission when the work was complete. J. Michalek asked that the site be monitored daily and that the absorption pads be replaced if there is any sign of an oil stain. E. Silverstein said he was already doing that; there were no stains after the last heavy rainstorm.

Mr. Delacey of Trail Road attended to confirm that the SCC did not want a turnaround installed on the lakeside of the driveway. The Commission discussed that no formal decision had been made, that they had said a formal Notice of Intent would need to be filed, alternatives looked at and a public hearing conducted to evaluate the potential impacts to the lake and the wetlands/land subject to flooding.

PUBLIC HEARING – NoI cont.– Brett Soper for 10 Whittemore Road for Swimming Pool installation.

J. Hoffman opened the public hearing, present was B. Soper.

B. Soper submitted revised plans; he outlined the plan noting that there were 51 feet from the garage to the bank and 8 feet from the edge of the pool to the bank. The SCC pulled the topos and reviewed the proposed plan. J. Michalek and D. Barnicle noted that there were two stream channels, the first being 25 feet from the bank and the second being 55 feet from the bank. J. Michalek stated that he had measured the first channel to be 2 feet from the edge of the bank and felt the area had been wetland between the two stream channels. D. Mitchell recalled that the stream had been measured 25 feet and more from the edge of the dog chain and the proposed pool area. He agreed that the ground had not been wet until after the first channel. D. Barnicle recalled the first channel being more than 25 feet from the pool area. The Commission agreed that the main issue was lack of specific information, which could be verified in the field as to where the pool was actually going and what the distances to the streams were.

The Commission all agreed that the issue was not opposition to the pool being built, they needed to have a plan, which was drawn to scale, with accurate dimensions of work to the garage and the bank as well as both stream channels shown on the plan.

B. Soper said he would submit a new plan to scale with the information for the 11/21 meeting. The hearing is continued to 11/21 at 7:20 PM for submittal of an accurate plan

PUBLIC HEARING – RDA cont. – W. Morse for J. Leone for septic repair at 56 Goodrich Road.

J. Hoffman opened the hearing. Additional information relating to pulling the proposed work out of the ROW and away from the edge of bank slightly had been requested by the DPW. The hearing is continued to 11/21 pending submittal of the revised plan. The SCC had no objection to the overall project as all work was away from the lake and DPW's concerns were addressed. The hearing is continued to 11/21 at 7:20 PM.

PUBLIC HEARING – NoI - Para for M. Miller for septic repair at 64 and 62 Goodrich Road.

J. Hoffman opened the hearing; D. Kaitbenski had submitted information to the office prior to the meeting. B. Zajac, an abutter, was present.

N. Ryder noted that D. Kaitbenski had requested that the SCC require a double staggered row of hay bales with silt fence, if the SCC still wanted silt fence. Due to the amount of ledge, digging in a silt fence would be difficult at best. A double row of hay bales would give some added protection. The road would need to be graded away from the bank towards the opposite side of the road. D. Kaitbenski had stated that if the road was to be built up on the house side, as proposed, there could be serious erosion problems as the trucks drove over and if it rained heavily. D. Kaitbenski agreed with having the road graded down and away from the entrance, as G. Morse had requested. The Commission discussed and agreed with G. Morse and D. Kaitbenski's requests.

An inspection prior to start of work will be required.

B. Zajac an abutter, who's septic was also being replaced, requested that he be allowed to cut some of the trees now. D. Mitchell and D. Barnicle were opposed to any work being conducted until erosion control was in place. E. Goodwin noted that if he came in with a letter permit to remove the few trees and no other work was being done, it would likely be granted without erosion control being required. J. Michalek noted that while E. Goodwin was correct, this was an exceptionally difficult site. He noted that as erosion control would need to be installed along the entire length of the lake to accommodate the two projects, fairly soon, the lag time would be very short. He stated that he saw no reason why B. Zajac could not wait a couple weeks. J. Hoffman asked and confirmed with B. Zajac that waiting would not be an imposition. B. Zajac said it would not.

The SCC approved the project with all conditions requested by D. Kaitbenski included as required conditions.

It was noted that the well and septic were less than 100 feet apart; a variance from the BoH will also be required.

PUBLIC HEARING – NoI cont. - Green Hill Engineering for Rondeau, 120 Leadmine, for a septic replacement.

J. Hoffman opened the public hearing, present were M. Farrell and Mr. Rondeau.

M. Farrell submitted a revised plan, outlined the location of the brook, the lake, and the utility lines. He outlined the culverts, which had been crushed under the road and were not working. He reviewed the black STR 35 schedule pipe along the culvert, which collects road and storm water runoff.

E. Goodwin asked if the road was private or public. M. Farrell said it was a private road, the 1st house owns all the other's easements.

D. Barnicle clarified that the flow would not be changing. He asked if the project could be designed to guide the flow through the culverts. He noted that there would be an increase in safety by keeping the water from flowing over the road, especially in the winter. M. Farrell agreed. D. Barnicle asked if there would be a change in grade or excavation to install the pipe. M. Farrell stated it would not be an excavation, the pipe will be placed, and fill added over the pipe. D. Barnicle asked if 6-inch diameter or 4-inch diameter pipe would be used, he was concerned about crushing the pipe if a DPW vehicle, or other large truck runs over the road shoulder. D. Mitchell stated that if the plan placed the pipe deeper, between 6-9 inches, they would not need to worry about crushing the pipe. M. Farrell said the plan called for heavy-duty pipe; he was concerned with disturbance of additional riverfront area to bury the pipe so deep. He noted that he could put a pitch on the fill

to prevent vehicles from driving over it. J. Hoffman asked how far off the road the pipe would be going. 4 feet. M. Farrell noted that he could also add posts with reflectors. J. Hoffman agreed that was the thing to do.

J. Michalek asked if the pipe freezes what keeps the water from going over the road. J. Hoffman stated that it was sloped away and should not accumulate. The SCC discussed the swale further. J. Hoffman noted that additional protection will occur since the DEP limits vegetation clearing due to riverfront.

J. Hoffman asked if there were any questions from commissioners or abutters. D. Mitchell noted that the culvert replacement was the responsibility of the homeowner.

The project was approved as amended by unanimous vote.

PUBLIC HEARING – NoI cont. - Green Hill Engineering for Cerney, 124 Leadmine, for a septic replacement

J. Hoffman opened the public hearing. Present was M.Farrell.

M.Farrell outlined buffers and utilities. He noted that this property was directly next door to the Rondeaus but further from the stream. Everything the SCC requested previously was shown and detailed on the plan.

J. Hoffman asked if there were any questions or comments. No.

The project was approved as amended by unanimous vote.

PUBLIC HEARING – RDA cont - Green Hill Engineering for 388 New Boston Road for stream reclassification. Actual location is 388 New Boston Road. The property was recently subdivided, the location in question was located on a lot called 376, that lot is now 376, 378 and 388 New Boston Road.

J. Hoffman opened the public hearing. M. Farrell requested a continuation to 12/5. Granted.

PUBLIC HEARING – 3 related RDA's – Kurt Courtemache for 143 McGilpin, lots 3, 4, 5, for wetland delineation and single family home construction and related at each lot.

J. Hoffman opened the public hearing. Present were, Mark Farrell, and Dan Carlson of 108 McGilpin Road.

M.Farrell noted that he was asking for the SCC to agree that the project was more than 200 feet from the delineated wetland. He noted that there were no wetlands on the property or within 200 feet of the limit of work for the single-family home construction. J. Michalek asked if there was any thing across the street. M. Farrell said not within 200 feet.

J. Hoffman confirmed that the applicant was saying there were no wetlands within 200 feet. Correct.

The SCC discussed the perc test locations and disturbance without letter permits. D. Barnicle and N. Ryder felt that the homes were part of a back door subdivision but without the comprehensive review. Any other group of homes on the same property owned by the same owner would need to go through a full delineation first, rather than section-by-section. J. Hoffman disagreed.

D. Mitchell asked if a delineation for the property was going to be submitted. M.Farrell stated that Marin Realty was working on an overall delineation.

The SCC will conduct a site visit to confirm that there were no wetlands within 200 feet of the limit of work.

J. Hoffman asked if the Commissioners had any further questions. No. Abutters?

D. Carlson noted that lots 2,3,4,5 were all at a higher elevation than the road. He was concerned about erosion entering onto the road. He was asking the SCC to make sure erosion was kept to minimum. J. Hoffman noted that it was not an SCC issue if it was not related to a wetland. He felt it was a DPW issue and noted the SCC would pass on the concern. N. Ryder noted that the project had to meet the new Phase II storm water requirements due to the fact that more than 1 acre of disturbance would be occurring on a single property (as defined in the WPA). The applicant was now required to keep erosion from leaving the site. The Commissioners discussed and agreed that the project was filed with the SCC and the Storm water was a new DEP, water quality requirement. The SCC could and should impose conditions relating to Phase II storm water for any projects, which came before them. Conditions will be included requiring a 25-foot vegetated buffer to remain between the disturbed area and the road, erosion control will be required along the limit of work/roadway line. Trap rock will be required at all unstable entrances/exits.

J. Hoffman asked if there were any additional questions. None.

PUBLIC HEARING – 7 NoI’s and 2 RDA’s related to the Draper Woods Subdivision, Phase I, submitted by New England Environmental for Swiacki and Company for lots 1, 2, 3, 4, 5, 11, 12, 13, 14 at 144 Brookfield Road for single family home and related on each lot.

J. Hoffman opened the public hearing. Present were M. Marcus and W. Swiacki. The review is for 7 NoI’s and 2 RDA’s relating to Draper Woods.

M. Marcus noted that there would be no wetlands on any lots and no filling on any lots. All wetlands are located in open space parcels to ensure that there will be no future possibilities of filling of wetlands. He noted that 2 lots are within the 200-foot buffer and 7 lots are within the 100-foot buffer. He outlined the overall project layout and noted that the infrastructure had already been approved. He asked if the SCC had any questions or comments before they continued.

D. Barnicle asked if phase I was the cluster of homes along Brookfield Road and Clarke Road. Yes. D. Barnicle asked if the material stockpile would be located along the roadway. M. Marcus outlined the stockpile sites on the infrastructure plans. D. Barnicle also asked if the road construction would be at existing grade. M. Marcus stated that the grade changes for all the lots had been reviewed and approved in the infrastructure OoC. The grades shown would be the final grade. No additional grade change will occur with the individual filings.

D. Mitchell noted that there were 14 lots shown in phase 1. M. Marcus noted that only the 9 lots shown were being brought before the SCC at this time. The remaining Phase I lots were either approved or were outside the 200 foot buffer.

E. Goodwin noted that in Phase I, both the Police Department and Fire Department had no problem with a Cul-de-Sac.

J. Hoffman suggested that the hearing proceed from lot to lot to expedite the review. Agreement was unanimous.

Lots 1 and 3.

W. Swiacki noted that for lots 1 and 3 the house was 174 feet from BVW. All work was more than 100 feet from wetlands. Erosion control was outlined.

M. Briggs asked if the utilities were buried. Yes. J. Hoffman outlined the parts of the project included in the original NoI filing for infrastructure. The minimum lot will be 1/2 acre with 100 feet frontage. Total disturbance will be 4,400 square feet. Restoration will be at a ration of 1 ½: 1

M. Marcus outlined the distance from the closest edge of work to the wetland for Phase I. He noted that the plan showed the 25-foot no disturbance buffer and the actual proposed grades. D. Mitchell asked if the erosion control for lot 1 was shown on lot 2, which was closest to wetland. Yes.

J. Hoffman confirmed that the RDA's were being requested for lots 1 & 3. Yes.

M. Marcus noted that there was a detention basin and easement located on the back of lot 3 also.

D. Mitchell noted that the vegetation edge of disturbance looked closer than 25 feet. D. Mitchell and E. Goodwin asked how close to the disturbance was to the actual wetland. W. Swiacki and M. Marcus noted that there was some slight variation, which was approved under the previous filing. M. Marcus noted that there were minor areas where the no disturb buffer was slightly smaller, but what was seen on the plan is what site will look like. He noted that the no build buffer was fixed in stone on each lot. M. Marcus noted that grade changes were minimal and only enough to get the foundations in. He noted that the minimum buffer for each lot was recorded. W. Swiacki noted that this was from wetland not from each individual lot line. W. Swiacki noted that a great deal of lot shifting had occurred on lot 3. It was the most difficult driveway and was outside the 200-foot buffer. He noted that it may be shifted slightly but if these were the approved plans any significant adjustment in the 100-foot to 200-foot buffer would come back. N. Ryder noted that the final OoC required no disturbance closer than 25 feet to the wetland as one of the conditions. M. Marcus stated that he would work on moving it further.

E. Goodwin stated that if change occurred in the 200-foot buffer, the definition of significance is up to the SCC. What is significant to a contractor is not always the same as what is significant to the SCC.

M. Marcus noted that the permit could state that the OoC reflects the plan shown and approve. SCC can require that amendments/changes come back for review.

J. Hoffman stated that any change that results in increase in impervious or any change resulting in work being closer to a wetland needs an amendment. He noted that causing the project to be smaller, less impervious, or further away, was not a problem. E. Goodwin noted that anyone coming in for a permit has to file for an amendment for any changes to the plan. J. Hoffman noted that Allen Homestead had a requirement that for some lots the distance of the limit of work to the wetland was clearly defined. If work is closer than that it must come back in for amendment review. D. Mitchell agreed and stated that issues requiring an amendment needed to be defined in each permit. J. Hoffman stated defining to that level goes against the definition of RDA, which means the project as presented will not result in any disturbance and the applicant does not need to come back with a Notice of Intent.

D. Barnicle stated that he understood at the close of the previous hearing, that what was shown, was to be the same as the as built plan. M. Marcus stated that was the intention, but having said that, there are always changes. J. Hoffman asked if the plan includes driveway as structure; non-porous driveways are considered

structures, porous driveways are not, no disturbance is allowed within 25 feet of a resource, no structures within 50 feet. D. Barnicle agreed with J. Hoffman and noted that if changes were further away or smaller he was fine and did not want an amendment. If changes were closer or bigger then the applicant did need to file an amendment. The SCC requested that this be included as a condition in all permits. N. Ryder noted that it was a standard condition already.

W. Swiacki noted that these are boundaries; he needed some on-site flexibility. The SCC agreed and noted he could have all the flexibility he wanted in the direction away from any resource area.

J. Hoffman asked if the SCC had any additional questions. No.

J. Hoffman asked if and abutters or guests had any additional questions. No

M. Briggs asked if the SCC required operation and maintenance plans. M. Marcus noted that at the end of the project construction, maintenance reverted to the town. Those details were part of the infrastructure filing. M. Briggs stated that Sutton had a minimum 2-acre lot size and asked if Sturbridge had considered the same. The SCC and Sutton Reps discussed the detention basins and the allowance for minor “wiggle room” but no allowance for increased flow or impact to wetlands.

J. Hoffman asked if there were any further concerns or questions for lot 1 or 3. No. A permit was approved with the condition that any changes involving an increase in impervious or movement closer to the wetland would require an amendment.

J. Hoffman motion to approve. D. Barnicle 2nd. J. Hoffman, D. Barnicle, J. Michalek, and D. Mitchell in favor. E. Goodwin opposed.

E. Goodwin and M. Marcus discussed the infrastructure filing and E. Goodwin’s opposition to the crossing. M. Marcus noted the applicant was working with all town boards, the Police and Fire departments required the through road. E. Goodwin stated that he did not see Draper Woods as a good development and that he was opposed to any wetland crossing. W. Swiacki asked if E. Goodwin would be opposing all lots due to the crossing. E. Goodwin said yes. W. Swiacki stated that he did not feel this was a fair characterization of the overall project, Planning and other departments had required the through road. He noted that, as the infrastructure had been approved by legal vote, E. Goodwin should weigh each lot on it’s own merit.

J. Hoffman stated that the Commissioners had an obligation to review each project which came before them on it’s own merits and on whether or not there would be impacts to wetlands. He noted that the only time the SCC could deny a project was when, after review and discussion, the project could not be conditioned to protect the interest of the wetland.

Notice of Intent -

Lots 2, 4, 5, 11, and 12 were all reviewed. SCC consensus for all lots was that the work was closer to the buffer and wetland than necessary. All lots could be adjusted to provide better buffers to the wetland. M. Marcus agreed to look at all these lots again and see what he could do.

The main concerns for each lot are listed below.

Lot 2 – if there is no engineering reason for the home to be within the 100-foot buffer, it needs to be moved further out.

Lot 4 – same issue, can be further from wetland

Lot 5 - rotate to go with grading, pull out further from 35 feet.

Lot 11 there was a stone wall fragmentation issue only. J. Michalek asked if the contractor could clear only to the stonewall. D. Mitchell noted that attempts to save stonewalls on these lots would be futile. Even if the house was moved, the construction zone would displace the wall. The SCC discussed the issue and agreed to issue a permit approving lot 11.

D. Barnicle motion to close and approve. D. Mitchell – 2nd for both.

Vote unanimous for closing.

For approval, J. Hoffman, D. Barnicle, J. Michalek, D. Mitchell in favor. E. Goodwin opposed.

Lot 12 - move the house out of 100 feet where possible

Other issues for all NoI lots are, that the limit of clearing needs to be better defined. Wording is to change from approximate limit of clearing to maximum limit of clearing. The contractor needs to look at vegetation carefully, especially hardwoods. All trees to be removed are to be marked and approved prior to cutting. Disturbance of vegetation within 100 feet is to be minimized.

Lot 13 and 14 were not reviewed due to the need to continue with the rest of the meeting.

The public hearing is continued to 11/21 at 9:20.

PUBLIC HEARING – RDA – 127A Stallion Hill, Discussion regarding the scope of work needed to open existing trails, discussion of plans to protect wetlands and improve existing crossing conditions.

J. Hoffman opened the public hearing. Present was Eunice Snay of 159 Stallion Hill Road.

N. Ryder briefly outlined the acquisition of the property and noted the SCC was developing a long-term maintenance plan for the property. The Commissioners were interested in hearing what the neighbors had to say.

E. Snay noted that she was concerned with being able to continue to use the trails and asked if snowmobiling would continue to be allowed? She requested that the trails be left open to snowmobiles

D. Barnicle noted that no decisions had been made and stated that it would be an issue of liability.

Discussion of posting each trail when leaving town property was discussed and recommended.

E. Snay noted that a cross-country skiing program established by the residents was at least 10 years old and asked that it remain an option for all involved. The SCC stated that they did not foresee making any immediate or extreme changes to the existing use. Any decisions made will be based on safety to visitors as well as protection for the resource and habitat areas.

The roadway and parking were discussed. E. Snay noted that the access was very mucky. She asked how many cars would be able to park. Approximately 4-5.

On questioning, she had no opinion on hunting.

Other options for use include, hunting, snowmobiling, dirt bike use, and hiking. It was noted that the snowmobiles make cross country ski trails and winter hiking trails more accessible.

N. Ryder will call DEM and ask how they handle hiking and hunting in combination, what signage they would recommend and how these uses impact liability.

PUBLIC HEARING – Wetland Bylaw, Wetland Bylaw Regulation Discussion and Review, SCC Policy and Open Space, Discussion, Review and Amendment.

J. Hoffman opened the public hearing. M. Marcus had submitted some comments. The SCC agreed to continue the hearing to 11/21 to give NEE time to finish reviewing and commenting on the regulations.

PUBLIC HEARING –New Forestry Application Review, Forestry and Regulation and Policy Review.

None reviewed.

SITE VISITS SCHEDULED – Site visits will be conducted on Sunday, November 17 to lots 3, 4, 5 McGilpin Road. Meeting time is 8:00 AM.

Site visits are needed for 34 Cedar Lake Drive, Vitale on Podunk to check hay bales, Fibercore for follow up, Caron at 269 Cedar – clearing is being conducted within 200 feet of wetlands, Hobbs Brook final check, 33 Mountain Brook Road for follow up, and 184 Fiske Hill for follow up.

NEW BUSINESS –

OLD BUSINESS –

The Superceding Order of Conditions request is still be conducted by G. Dulmaine of DEP. A response letter from DEP is expected by the end of the month.

The SCC discussed outstanding issues for the two ongoing subdivision projects. The following information must be addressed or copies of documents submitted to the SCC by November 21.

- Allen Homestead
 - Construction sequence
 - Current Draw Down Schedule
 - Memorandum of understanding allowing the SCC the right to sign off on release requests, prior to release of funds as surety for conservation issues
 - Bank Statement agreeing to this.

- Preserve-
 - Bond issue worked out with Greg Morse
 - The Open Space issue currently before Opacum, NHESP, and DEM
 - Letter from NHESP regarding allowing the Conservation the right to accept and approve the conservation plan and conditions

Information from Bob Levite through Carol Childress at Opacum regarding preserving property through CR's, balancing conservation needs and development, estate planning, determining the value of land, and ways to own land

EcoTec reports from A. Allen for the Preserve were reviewed and approved.

J. Michalek summarized the most recent site visits. He noted that the dam was now back in place and appeared to be functioning correctly. It will have to be monitored.

D. Barnicle discussed the issue of beaver activity in town and the use of beaver pipes. They are not proving to be all that effective.

OTHER BUSINESS

Stream flow statistic sources for application review and backup were identified. A file will be kept in the office. The stream stat website is still down.

N. Ryder attended a wetland and Open Space Law Conference; she summarized the course to the SCC. The course booklets –A guide to growth management and land protect in MA- is available in the office.

N. Ryder summarized the recent meeting with L. Buckley and L. Langevin regarding Lake Watershed Surveying for Phase II Storm water requirements. Cedar Lake residents are starting a study of culverts and drainage areas into Cedar Lake.

2 grant applications are being drafted with Rizzo Associates. One for monitoring study of the Quinebaug and one to further the watershed/lakes study program.

LETTER PERMITS

CERTIFICATES OF COMPLIANCE

CoC's have been requested for Prince on Streeter Road for the home not the new septic. Also for lot 13 Paradise Lane. A CoC was requested for lots 3 and 7 for Hill for Mashapaug, the SCC agreed any CoC would need to wait until spring. It is too early to tell if vegetation will establish to prevent spring erosion.

Motion to close, 11:20 PM, approved by unanimous vote