

STURBRIDGE CONSERVATION COMMISSION

Minutes for Thursday, January 16, 2003

MEMBERS PRESENT

J. Hoffman, D. Barnicle, E. Goodwin, D. Mitchell, and J. Michalek
7:00 PM

CPAC UPDATE, E. GOODWIN

E. Goodwin noted that the CPAC had discussed a letter sent by J. Malloy regarding the center school building. CPAC was asked if it would share part of the cost of renovating the old building under the historical preservation aspect of the CPA. CPAC had asked for more information.

Discussion was held and a vote taken to approve continuation of the gravestone restoration program at the town cemetery.

A list of petitioners was submitted to the CPAC regarding town acquisition of the land on Farquhar Road. CPAC had requested that J. Malloy check and see if it is available for purchase at this time.

Opacum Land Trust had sent a letter asking CPAC not pursue the Grudzien property on Leadmine Lake as the town was bidding against Opacum. CPAC had been approached by the owner who wanted 300 thousand.

Bob Levitt (Atty) will be speaking on Chapter 61 land acquisition at 7:00 on January 27th, upstairs at the senior center. N. Ryder noted that the Finance Committee met on Monday nights there. E. Goodwin will check to see if there will be a conflict of interest.

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

The SCC asked N. Ryder to send a letter to the BoS informing them that the SCC is still being given reports that the sewer plant capacity has been exceeded and asking them if we have connected to Southbridge and whether or not we are currently above capacity and releasing into the Quinebaug. The question of whether the Hobbs Brook overuse pump is functioning also needs to be addressed with G. Morse.

All other business not related to public hearings was tabled to 2/6/03

MINOR WALK IN REQUESTS

John Elliot Jr., with As-Builts for Sturbridge Isle J. Michalek began the review of items noted during the site visit that were not constructed as approved, these included the catch basin levels and the outfall pipe and channel to the right of the truck parking area. He noted the outfall pipe was too high and would overflow the back of the bank before it entered the pipe. J. Elliot noted

that there may have been a wash out into the adjacent grassy area. J. Michalek noted that there was not much water in the basin. J. Elliot noted that could be fixed with loam.

J. Hoffman reviewed the site visit list and noted the swale to be constructed along the parking area was not there. D. Mitchell agreed and noted that the vegetation around the swale area had not taken. J. Elliot said he would reseed in the spring.

D. Barnicle noted that boulders near the parking area were good, but the armored rock swale on the left side of the parking area and the Goodnough Dike style drop into the similarly armored drainage channel was a safety issue. J. Elliot said he had noticed that, and if he needed to put a fence in he would. J. Elliot noted that the contours were not as the engineer had said so he had to change the level of the parking area and add the riprapped swale. N. Ryder asked why they did not bring it back for an amendment prior to making the change. J. Elliot stated that M. Loin had given the approval for the change when the contractors realized the grades were not correct. The SCC asked to have M. Loin back in to explain the change in the order with out filing an amendment.

J. Michalek noted that the rock swale ended before the bank to the stream. He noted that left the soils exposed and unstable near the riverbank. In addition the bank further toward the back of the parking area on the left was also exposed and unstable. That was to have been loamed and seeded. J. Elliot noted that he has placed 6' ground mulch along the bank to stabilize it.

The SCC noted that there would be no certificate of compliance until vegetation was established and all soils were stable

J. Hoffman noted that the project had been approved because the area was already disturbed and there was no additional disturbance within river front area proposed. He noted that this was not true, the project as built created additional impact within the riverfront area. The down stream drainage swale was constructed extremely differently than approved. The disturbance to the river front area must be addressed with the commission.

The SCC asked N. Ryder to notify J. Malloy and M. Lev that there was a safety hazard at Sturbridge Isle. The SCC noted that there were too many issues and changes from the approved plan. According to the contractor they were ok'd by the engineer. N. Ryder will contact M. Loin and verify, if this is the case a letter releasing the contractor will be sent. Compliance will not be issued until the issues are addressed in the spring. *(M. Loin was contacted; the meeting is continued to March 20 at 8:10 PM.)*

M. Farrell for S. Sanderson. He noted that the BoH does not want the approved tite tank. They want the existing septic system refurbished. The SCC noted that the main issue is how long until the town sewer line is connected. D. Mitchell asked what refurbish means. M. Farrell said the latest plan is to take out the existing tank, replace it with a 2000-gallon capacity with an overflow alarm. The tank will be connected to the existing leachfield. J. Hoffman told M. Farrell to submit a formal plan and to have the BoH give written approval to SCC. Then they will review the proposal. M. Farrell asked if BoH approval would be sufficient, did he need SCC to review it again. J. Hoffman stated that if it doesn't meet title 5, is within 100' of a resource area, and

does not comply with the WPA, the SCC needs to review the plan. M. Farrell said he disagreed, but would submit the information anyhow.

PUBLIC HEARING – NoI cont. – Gary and Pat Jeznach for addition to a single family home and related at 12 Cedar Lake Drive.

J. Hoffman opened the public hearing. The project had been approved pending a positive site visit to confirm the details on the plan. The site visit had been conducted. There were no issues. The permit was approved as presented.

PUBLIC HEARING – NoI cont. – Brian Caron for single family home construction and related at 124 Clark Road.

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

B. Caron submitted revised plans showing a driveway crossing through the wetland and the home further back on the property, behind the wetland. The SCC reviewed them. B. Caron noted that Para can submit expanded wording section for the commission to review. J. Hoffman noted that would be good as the narrative section on the plan was microscopic and could not be read. The details, especially those relating to construction sequence, soils and septic would need to be clearly readable. The information will be required to be submitted prior to any potential permitting.

D. Mitchell reviewed the wetlands indicated. B. Caron outlined the proposed erosion control and the culvert pipe, which will be, reinforced 24” concrete pipe. He noted that the replication was divided into three small areas. D. Mitchell asked if there would be a connecting pipe between top and bottom replication areas for better flow. B. Caron said he had not planned on one. D. Mitchell asked how the water would flow to northern wetland; he noted it was isolated from flow. He suggested that if this was the design to be proposed that a pipe connecting the south front wetland to north front wetland be considered.

D. Mitchell questioned why there were three small rather than one large replication area proposed. B. Caron stated that the replication area would be constructed under supervision. D. Barnicle noted that based on his site visits to the neighboring Rizzy property, he felt that the condition of the two front replication areas below the wetland are already wet. He added that the new replication area should combine and connect to the just finished and functioning replication area on the Rizzy property.

D. Mitchell noted that the SCC needs to conduct a site visit to confirm the delineation and review the replication area prior to any further review.

D. Barnicle and D. Mitchell also discussed the need to combine the replication areas into one larger area. In the process they need to be sure to keep from draining and depleting the wetland. B. Caron noted that due to the lot boundaries and the extent of wetland he was not sure he would have enough space to place the replication in one area or in any other area. He noted that those areas were chosen as they were very close to the wetland and at almost the same level. J. Hoffman asked if the area proposed for replication was a wetland then already. He agreed the SCC needed to conduct a site visit. J. Hoffman noted that the ration of disturbance to replication

was shown as 1:1. He noted that the SCC would be looking for a better ratio. J. Hoffman and D. Mitchell suggested he try to get a little more replication area to account for that part that would statistically not succeed.

J. Michalek asked if there were any better locations closer to the road.

N. Ryder noted that may raise issues with G. Morse relating to snow plowing and dumping of snow with salt and sand into a replication area. B. Caron noted that the area was all snow 10 feet from the road to the culvert

E. Goodwin and D. Barnicle stated that the SCC was missing the point that this may not be reasonable use of land, this may exceed that. The subdivision of land was done by B. Caron and the fact that he now had another wetland crossing to make may be self-imposed hardship.

E. Goodwin stated that approving this project, but then busting him about the sewer connection later was totally inconsistent. E. Goodwin noted that the SCC had been discussing a bridge at the end of the last meeting. B. Caron stated that he had plans for that. E. Goodwin noted that he would allow and vote for the project if a no-impact bridge was used, as there would be no impact on wetlands.

D. Mitchell stated that there were two main issues on the table. One was the site walk, the other was reasonable use. B. Caron noted that at the meeting three years ago a vote to not allow any further building was discussed but not finalized. E. Goodwin acknowledged that B. Caron had the legal right to build on upland, yes but the WPA allows the SCC to consider reasonable use in relation to cumulative impacts to wetlands. The SCC needs to consider if reasonable use has been obtained in relation to the proposed additional impacts to the wetland.

The SCC agreed that first a site visit was needed when there was no snow. At B. Caron's agreement the hearing was continued to March 6 at 7:30. A site visit will be taken when the ground is again visible.

B. Caron for 92 (pka 94) Brookfield Road. B. Caron stated that he had plans to span the wetland so there would be no direct impacts. He noted that was the reason for denying the original application. He requested the SCC reopen the public hearing. B. Caron showed the SCC proposed plans. N. Ryder asked what the cost to install would be. B. Caron said 24 thousand. J. Hoffman questioned since the bridge spans the wetland, why is the drive so crooked still. B. Caron said to have a reasonable slope on the driveway. The slope is extreme at that point. He noted the contour values complies with Planning Board regulations and DPW concerns. The Commission agreed to conduct a meeting to review the paperwork and new plans and decide if they would be willing to reopen the hearing. The meeting is scheduled for February 6 at 10:10 PM.

PUBLIC HEARING – RDA cont. – Green Hill Engineering for a stream reclassification at 388 New Boston Road. – Site plan to be submitted for site visit confirmation. Hearing will be continued to February 6 at 8:50 PM.

J. Hoffman opened the hearing, present was M. Farrell. He noted there was no new information and asked for the hearing to be continued. Continued to 2/6 at 8:50 PM.

PUBLIC HEARING – NoI - Green Hill Engineering for lot 13 of land previously known as 143 McGilpin Road for construction of a single family home and related.

PUBLIC HEARING – NoI - Green Hill Engineering for lot 14 of land previously known as 143 McGilpin Road for construction of a single family home and related.

The hearings for lot 13 and lot 14 were reviewed at the same time as they are side by side and involve the same wetland.

J. Hoffman opened the public hearing. Present was M. Farrell. He reviewed the plan with the SCC, noting that lot 13 is a field lot. He outlined the housing locations, noting that the field is all upland and crowns in the center. He outlined the leachfield, the 100'-200' buffer

D. Mitchell asked if the test sites in the field closer to the homes wouldn't perc. J. Hoffman asked if the field was ledge? M. Farrell said hardpan. J. Michalek questioned the distance even if the field was hardpan, they should be able to get percs further from the wetland. M. Farrell stated that was the only place where they could get percs.

N. Ryder noted that there was a potential vernal pool designation in the vicinity of the wetland being shown. The SCC needed to visit the site to confirm there was or was not a vernal pool.

E. Goodwin stated that the applicant should be able to find land outside 200' to put the septic system on. He noted that it was not reasonable to build so close to the wetland with all that space available. He questioned the use of any land within 100' of a wetland as the only place to build, there were no others.

N. Ryder stated that under the WPA definition of development the number of homes constituted a subdivision, she felt this issue was not being recognized by owner. While the lots are ANR lots under zoning, under WPA they are a cumulative project on one property and should be looked at as such in terms of environmental impacts. She felt the location of any work so close to a wetland with so much land available, was a self-imposed hardship.

J. Hoffman stated that there was no prohibition at this time to working within 100'- 200' of a wetland. N. Ryder disagreed and stated that if there was a certifiable vernal pool in the wetland, then anything within 200' was not acceptable with all the other land available.

E. Goodwin noted that he did not disagree with J. Hoffman but wanted to know why SCC was the last review.

J. Michalek asked if the option of no impact has been looked at within the first 100'. If not, it should be considered. For the last year the SCC has been asking applicants to be outside 100' whenever and wherever possible.

J. Hoffman noted the perc test hole was within the leach area and outside 100'. M. Farrell agreed but noted that some of the excavation and grading would be within the 100'.

The SCC noted that a site visit would be needed. M. Farrell noted that there was a buyer for the land and asked if it could be as soon as possible. The SCC noted that with the snow cover, they may not be able to see relevant areas. While they could conduct a site visit to determine whether impacts would be likely, the site visit may not be conclusive.

D. Barnicle noted that Marin Realty already knows and has been notified of the SCC need to study all vernal pools on site during March- April. He stated that the hearing needs to be tabled to 2nd April meeting to do this. Choosing to submit the plan in the middle of winter was self-imposed.

J. Hoffman disagreed. He did agree to ask M. Sosik at a later hearing if the continuation would be OK.

The public hearing was continued to 10:50 PM the same evening to see if M. Sosik would approve a long continuation.

At 10:50, D. Barnicle explained that the SCC needed to be given time to study wetland. If not they had to vote based on information currently available, he noted he would not be able to approve the project. E. Goodwin noted that normally this time of year, the SCC had long continuations due to weather.

M. Sosik did approve a continuation but noted he preferred not to, to March 6 at 8:10 to see if the snow would have melted enough to view the wetland and potential vernal pool.

J. Hoffman asked if there was any possibility of relocating the leachfield or doing new percs. M. Sosik said there were none. He noted that in general the percs on the outside edge of the field were percing and the field itself was not.

M. Sosik said the continuation was ok but asked the SCC to go out the first time the snow melts. The SCC agreed.

PUBLIC HEARING – RDA cont. – 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. No abutters were present.

N. Ryder noted that in speaking with G. Morse regarding abutters concerns with the access road, guardrail and stone to stabilize the access would be needed. The stone would cost \$18/ton. A minimum of 100 ton should be used, preferably 150 ton for a minimum cost of \$1800.00.

The SCC discussed safety, options to stone, nothing would cost less or stabilize as well. The SCC noted that some type of barrier would need to be put in until the budget item was voted on at town meeting. The work could not start until July at the earliest. G. Morse will be asked to put in a temporary barrier to vehicles as soon as snow levels permit. A letter will be sent to the abutters explaining the current actions.

Cont. to March 6th @ 8:10

PUBLIC HEARING - NoI - Jalbert for Sladdin for single family home construction and related at 90 and 90 A Westwood Drive.

J. Hoffman opened the public hearing, present were T. Sladdin and J. Teachout.

J. Teachout told the SCC that the original home had been burned to the ground by fire. While the footprint was no longer there, the lot is already disturbed. She outlined the 25' no disturb buffer, the hay bale line, noted that town sewer would be used, and that there was an existing well on site. She noted that the pre-existing lot was small and outlined neighboring wells. The entire lot is within the 100' buffer.

D. Barnicle asked what happened to the previous septic system. T. Sladdin said it was in the front yard near the oak and will be taken out when the driveway is installed. D. Barnicle clarified that it is to be removed. Yes.

D. Mitchell noted that it was exactly 25' to the edge of the deck. N. Ryder asked if a variance from the regulations as well as permit was being requested. J. Hoffman asked if the deck would be on sonatubes. Yes. The work on sonatubes near the 25-foot buffer will be done by hand. J. Hoffman confirmed that based on that there would be no excavation work closer than 30' to the lake. Correct. A waiver is not needed.

D. Barnicle asked if the dock was existing and if there would be any changes. Not at this time. D. Mitchell asked if the retaining wall was in good shape. Yes

J. Michalek asked if it would be a year round residence. Yes

E. Goodwin confirmed that the home would be on town sewer with a private well. J. Michalek asked what the well depth would be as it was so near the road. J. Teachout noted that she would need more information to determine that. J. Michalek noted that the recharge or removal of water to the ground lost by town sewer removal was an issue when there was a private well.

The SCC said they would need to know the well depth to decide if a well with town septic would create a recharge issue.

D. Barnicle asked that the septic location be marked for control of erosion when removing.

D. Mitchell asked if any trees were to be removed. J. Teachout said the lot was barren.

D. Mitchell asked if a perforated foundation drain would be installed. J. Teachout said she did not see a need on this site.

D. Barnicle asked if a cellar would be excavated for. Yes. D. Barnicle noted that there would be a need to be careful in any decision relating to hay bale lines and erosion control. J. Teachout noted that there was a 10' retaining wall in back of where the foundation would be excavated.

E. Goodwin asked if there would be a walk out basement. Yes

D. Mitchell said that based on the topo lines, the SCC would need to be sure erosion doesn't run into the neighbors yard, due to slope. The corners of the hay bale line will be brought up along the property line.

J., Teachout noted that the proposed house was not staked yet, but she would have that, the hay bale line and the deck staked for a site visit.

Site visit 1/26 @ 8:00 AM

Hearing is continued to 2/6 @ 7:50

PUBLIC HEARING – NoI - EcoTec for Seaver for construction of two single family homes and related at 304, 306 Leadmine Road.

J. Hoffman opened the public hearing. Present were, J. Teachout, Dan Seaver, Denise Lachapelle, E. Arcoite, and Paul McManus

P. McManus outlined the proposed project, noting that it had come before the SCC before, and that he had been hired to address the reasons for denial. He outlined the two driveways to build two homes. He noted that due to PB constraints, the two drives had to be designed to meet the regulations at the entrances. They are then combined as soon as possible to limit impacts to the wetland.

P. McManus noted that in the cover letter submitted with the prior filing he had addressed the earlier wetland line. He stated that he had reflagged the wetland line lower than that with the original filing based on field evaluation, soils, and vegetation. He noted that the Y and Z flags designated current lines, while the A and B flags designate the previous wetland line. He stated that he would like to base the replication area on the Y Z flags. The wetlands proposed to be filled are 500 square feet. The green area to be disturbed is 600 square feet. He noted that the new regulations require 2: 1 mitigation, he will adjust the plan to reflect that.

P. McManus noted that he wanted to discuss the replication area location in the front first. He noted that the topography in the area he depicted was more gentle, requiring less cut. The impact to create the replication area would not be as significant as with the side slopes coming up along the back. He also wanted to use the existing crossing soils in the replication areas. This could not be done as well if the back was the designated area. He said first, he needed to know if the SCC feels strongly that the replication should be on the other side of the crossing.

D. Barnicle noted that the use of the back area had been to allow one single replication area and to prevent road runoff, silt and sand from getting into the replication. The SCC was open to suggestion based on scientific reasoning as to why it would be better in front. D. Barnicle noted that he was interested in an explanation of what was meant in the narrative by the statement that conservative estimates of wetland lines may not be better for replication.

P. McManus said that the AB flags were 2-3' higher up slope than the YZ flags. If he starts replication at the AB line, he will have wetland, then a slope that goes up before the replication area. Hydric soils need connecting in order to succeed. The replication area constructed if the

AB delineation line is used will not be at core grade with the wetland. If on the other hand the YZ delineation line is used, the soils for replication will be at core wetland grade and will have a hydrologic connection. When replication is started at a higher, more conservative grade it essentially leaves a berm effect between wetland and replication areas. They are not directly connected to wetland

P. McManus noted that he understands the point for having it on the back and stated he can block impacts from the roadway

J. Michalek and D. Barnicle stated that they agreed with P. McManus. The proposed location is a better place based on the explanation. D. Mitchell asked where the proposed increase in size would occur to meet the bylaws. P. McManus said in the same place but expanded outward. E. Goodwin confirmed the location near the fill for the driveway entry.

P. McManus said he also had a concern with the protocol for building up the driveway through the wetland. He noted the plan is not most cost effective but is the method that will contain the project. He suggested a combination of retaining walls and paving. D. Barnicle noted that a long cut was fine on flat area but not on a steep slope. He asked how it would maintain the integrity of the wetland. D. Mitchell noted that there was a protocol for work in the buffer on page 5, he noted that D. Barnicles question referred back to the issue of how does this information get translated to the guy with the bull dozer. P. McManus said the burden is on the owner, he needs to get a qualified person.

The SCC discussed requiring an environmental specialist supervise the project. D. Barnicle questioned if this would be excessive for such a small project.

D. Mitchell said that in looking at the order of work he could not see specific details for the contractor. He noted that he could see the phased approach but would the bulldozer operator see the same. P. McManus said he would make it more specific.

J. Michalek asked who determines when each step is complete. If the bulldozer operator does, is he capable and does he have experience with wetland protection. He asked if the SCC wanted to require some one qualified be on site for the crossing and replication work. D. Seaver stated that he planned on doing most of the work himself on weekends when he had time. J. Michalek said all the same there needs to be some one determining that each step of the crossing and replication is ok for the next step to build on. This is a complicated crossing and is as difficult as some of those for much larger projects. D. Mitchell asked if that was the case and if this is a long-term project then who checks erosion control.

D. Mitchell noted that he thought there was a way to go. The plan needs more definable steps and common, understandable decision points. P. McManus proposed to revisit and rewrite the sequence in language that would be more understandable. For example "this step will be completed when".

E. Goodwin stated that timing would also be an issue. The project would not be easy to phase. The SCC would need to take regular site visits. Possibly weekly coordinated site visits with an

SCC representative. D. Barnicle noted that P. McManus could do that in the form of a gant chart.

P. McManus asked if there were any other major issues to consider. E. Goodwin said construction of the crossing should also be in a written narrative. E. Goodwin asked if the height of the crossing would still be 7'. P. McManus said the crossing height was being maintained at 7'.

D. Mitchell asked for a quick review of the alternative analysis review. P. McManus showed on the plan that there were no alternatives to the current location to cross with a roadway. There were no locations, which would minimize or eliminate wetlands impacts except for the option of no homes. He noted that based on the fact that the lot pre-existed, that would be unreasonable. D. Seaver reviewed all other lots, which would provide access areas. He noted that coming in from the back, if land was available would create larger impacts to the wetlands off Finlay Road. E. Goodwin said he was familiar with the area and agreed there would be the same crossing issues. E. Arcoite also agreed and noted that they would have to cross the other wetland twice. P. McManus reviewed the impacts for 1 lot noting there would be the same impact for 1 lot as there would be for 2 lots. He noted that in looking at all directions and crossing locations this was the location with less impact. It was the minimal impact location. ?? asked about a span bridge. The cost, \$40 thousand would exceed reasonable cost alternative. The SCC agreed there were no better alternatives.

J. Hoffman asked the SCC to list the concerns they would like P. McManus to get answers for. D. Barnicle asked why the 6" culvert. P. McManus and D. Barnicle discussed that the proposed culvert runs along upper edge while the previous culvert ran down the middle. ok'd. D. Barnicle confirmed that on the upland side of each driveway there was a perforated drainage pipe. P. McManus reviewed the drainage pipes. The SCC was fine with the design.

E. Arcoite said he still had concerns with the fact that the blocks were not permanent and would move if hit with a plow. He was also concerned that there was no retaining wall coming down from the two drives to the crossing. He felt that jersey barriers to prevent vehicles from sliding into wetland should be employed. E. Goodwin noted that at the point that would be possible the slope elevations were 110-110-123. He noted it was relatively flat. E. Arcoite noted there would be a lot of water flow. He stated that the SCC needs to walk the site again. He did not like the drainage pipe on the side he noted that he would like to see something to catch water. P. McManus noted that the water goes into a swale of crushed stone over a trench so water drops down on one side. There is grass on the other. E. Arcoite said he would prefer to see a bridge over cement instead of the blocks. He noted that there were endangered plants in street side where first driveway comes in. He showed the SCC photos of Pink Lady Slippers. P. McManus said the pink were common it was the yellow that were rare.

D. Barnicle noted that there was a lot of fill to bring the crossing up to grade. P. McManus noted that on the street side, the fill going into crossing was shown at 1' contours.

J. Hoffman asked if there was any other information needed for the next meeting. No.

The hearing is continued to 2/6 @ 9:10. A site visit will be taken 1/26 @ 8:00 am. J. Teachout said the site will be flagged and ready.

PUBLIC HEARING – RDA - Green Hill Engineering for Gerrity Homes for single family home construction and related at 24 Old Towne Way, (lot 4).

J. Hoffman opened the public hearing. M. Farrell had been present earlier, had stated that the SCC had already been to the site, and had viewed the wetland for earlier projects. He had asked the SCC to review the plan. The SCC did and noted that the wetland appeared to be in the back. J. Hoffman noted that he had been to the wetland behind the homes at 17 and 19. It was way down and highly vegetated. If it is the same wetland there would be no issues.

A quick site visit will be taken to confirm. The hearing is continued to 2/6 at 8:50 PM, if everything is fine a permit will be issued.

PUBLIC HEARING – NoI – Jalbert Engineering for Glenn and Sherri Pelski for removal and reconstruction of an existing single family home at 102 Gladding Lane.

J. Hoffman opened the public hearing, Present was J. Teachout.

J. Teachout reviewed the plan to remove and rebuild the existing home. She outlined two types of siltation control. D. Barnicle noted that he and N. Ryder had been to the house to site visit for a retaining wall repair and dock replacement. He noted that he would need to revisit to determine what type of erosion control would be suitable. He also noted that the home was extremely close to the lake, with all the land and a full reconstruction he questioned why it was not being pulled back further.

E. Goodwin and D. Mitchell noted the plan was tripling the size of the house. J. Michalek noted that it was all on the backside of the existing home. J. Hoffman noted there was nothing closer to the lake. D. Mitchell said he would need to see the stakes and asked if the deck was in front of or is part of the house. He asked about the garage location as well.

E. Goodwin asked how much land was available. J. Teachout said she did not know but would find out. E. Goodwin said he would need lot lines also.

The hearing is continued to 2/6 at 7:50 PM. Flow pipes and both existing and proposed drainage will be shown on revised plans.

PUBLIC HEARING – NoI - New England Environmental for Swiacki for infrastructure/roadways for Whittemore Woods at 56 and 58 Whittemore Road and 98 Fairview Park Road.

J. Hoffman opened the public hearing. Present were M. Marcus and W. Swiacki.

M. Marcus stated that he was just going to give the SCC an overview but not discuss specifics at this time. He wanted to give the SCC time to review the project and bring up major issues, which can be discussed at the next hearing.

He noted that he had promised earlier to consolidate all the lots with the infrastructure and include them as 1 filing so the SCC could see and review the total project. He noted that the lots have no wetland impact just buffer zone issues and that the lot filing, while premature would be submitted for the next meeting so the SCC could see the big picture.

He noted that the proposal was for a 30-lot subdivision running between Fairview Park Road and Whittemore Road.

B. Swiacki gave an overview of the site. He reviewed two alternative plans, which had been submitted to the Planning Board and rejected. He noted that the first plans submitted started with 54 and 57 homes. He had looked at alternatives and had brought that number down to 30. He noted that the Police Department and G. Morse had required a double barrel entrance on Whittemore Road, he felt it was excessive and noted that the SCC would have to check with G. Morse as to the reason. J. Michalek asked what the net increase would be for a double barrel as opposed to single barrel entrance. W. Swiacki said it would be a 33% increase (1000 sq. ft. above) in impact.

M. Marcus outlined/overviewed the wetlands, scours, channels and culverts across and under the roadways. He outlined the areas of fill. D. Barnicle asked why he was using all the culverts. M. Marcus said for the water connection. E. Goodwin asked if water would be channeled down the sides of houses. M. Marcus and B. Swiacki said down the side of the lots.

M. Marcus outlined the two mitigation areas. J. Michalek asked if there were issues with slope at both replication areas. M. Marcus noted that it wouldn't be difficult to replicate as the areas were at the start of where flow was measured. He noted that it was a sloping wetland and fairly flat. D. Mitchell asked if he was planning on a wet meadow type replication. M. Marcus said more of a shrubby wet meadow type

M. Marcus outlined detention basin 3, noting that it was near an isolated wetland. The access road is close and can be modified to keep it outside of 28'

J. Michalek and M. Marcus discussed the series of drainage scours along the top of slope. M. Marcus noted that everywhere there was a scour he had placed a drainage pipe to make sure there would be no interruption of water flow.

D. Barnicle noted that the lower basin base had a very steep slope. M. Marcus reviewed the locations of all the drainage streams and noted that they were all culverted to maintain hydrologic connect. The drainage basins were designed to accommodate these.

M. Marcus noted that there were several areas with within 25' of wetland, which he may be able to modify. He noted that the plan was 25% complete prior to adoption of the new regulations. The applicants had chosen to proceed as planned and adjust the proposal to meet the regulations rather than rush a submittal to grandfather the project without the requirements of the regulations. He noted that he had tried to accommodate these where they were very visible. He noted that they were new regulations and asked for consideration.

Issues identified to address for next meeting

1-drainage study of areas on lots 16+17

2- bank replication area 458' is based on adding the lengths of all culverts

3-bank mitigation area possibilities, rock step pool, renew stream channel along cul-de-sac, vegetated drainage swale with shrubs

4-the road into bottom basin by the pools - no way

5-overflow into manmade ponds, by-pass man made ponds

PUBLIC HEARING – RDA - Marin Realty for determination of Conservation Commission jurisdiction at 138, 143, 145 McGilpin Road relating to construction of single family homes and related.

J. Hoffman opened the public hearing, present was M. Sosik.

He gave a brief overview of lots on McGilpin, 6-10. He noted that there were no wetlands on any lot and no work within the 200-foot buffer for lots 6-9. N. Ryder noted that there was a certified vernal pool ¼ mile back from the road behind lot 7.

M. Sosik said he was looking for the SCC to site visit and approve the lots based on the fact that there would be no potential wetlands impact. Lots will be staked. M. Sosik and D. Flynn will attend the site visit.

J. Michalek noted that the SCC needed it stated on the record/plan that there were no wetlands within 200 feet.

A site visit will be taken on 1/26 @ 9:30

The public hearing is continued to 2/6 @ 9:50 PM

M. Sosik noted that LaForge Landscape was continuing to dump mulch in the wetlands. N. Ryder is to send a letter noting that a cease and desist will be issued to the business if not immediately stopped.

PUBLIC HEARING– Discussion of conservation issues relating to the Comprehensive Permit application for Stallion Hill submitted to the Zoning Board of Appeals by J&W Company.

Correspondence was reviewed, the SCC discussed the scope being drafted. The SCC is waiting for additional information to be submitted at this point.

PUBLIC HEARING –New Forestry Application Review

None.

A site visit will be taken to Allen Homestead on Sat. at 7:00 AM also.

Motion to adjourn, 11:50 PM approved by unanimous vote