

STURBRIDGE CONSERVATION COMMISSION

Minutes for Wednesday, November 19, 2003 Commission Business Only Meeting

MEMBERS PRESENT

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

CPA UPDATE

Tabled.

MINUTES REVIEW

The minutes of 7/24, 8/7, 8/21, 8/27 and 9/4 were approved as amended.

CORRESPONDENCE REVIEW

Correspondence reviewed included; Local emergency planning correspondence; Green Development literature; A letter to PB regarding Bedrock Café; Approval of the Sanctuary CR by Joel Lerner; Correspondence from B. Ackerman regarding Enforcement Order correspondence at St. Annes Cemetery; Losing Ground – volume 3; Tighe and Bond volume 2, issue 15; Correspondence to current owners of 96 and 98 Brookfield Road; Lot release for the Preserve from the PB; Open Space community planning workshop series proposal; Letter to L. Domizio regarding Cedar Lake; Correspondence to the developer of 168 New Boston Road; A memo to BoH regarding perc tests; Preserve environmental reports from A. Allen; Allen Homestead environmental reports from J. Schmidt; The TURN grant program literature; Holland Road Forestry letter sent to BoS; The Regional Outlook-Quinebaug Shettucket invitation.

DISCUSSION OF NEW INFORMATION

*Issue

- o Building Inspector Retirement.

SCC comments, concerns, discussion.

- o The new inspector should be familiar with all the other department regulations including SCC Regulations.
- o The town departments are working on a town wide common database/permitting application. Getting the GIS system further funded would be key.
- o Having the assessor's maps in digital format with access to data for individual lots, available to all departments would stream line the permitting process and allow the new Building Inspector and all permitting boards to be aware of on going projects in town as well as cumulative site permits and impacts.

*Issue

- o Order of Conditions amendment proposal.

SCC Concerns, Comments, Discussion-

- o D. Barnicle suggested the SCC amend the current OoC to include site visit rights in perpetuity for inspection of regulated activities and resources.
- o The condition would be kept as a permanent condition in any CoC.
- o Both MACC and an attorney he spoke with supported the idea and note that without it the SCC has no way of knowing if the resource area is protected for the long term.
- o SCC discussed the idea and agreed unanimously.
- o D. Barnicle will get the appropriate wording from MACC and have the attorney review it.

*Issue

- o Tantasqua Intern Lakes and Stream Report – the stream culvert survey and identification, Cedar Lake inlet and outlet survey and Big Alum Lake inlet and outlet review are complete and available for the SCC to review.

REVIEW OF SITE VISITS

- o E. Goodwin visited the Hill lots on Mashapaug Road for a Certificate of Compliance review. The back road still has logs which need to be removed to the side of the cart road; the road is rough, exposed surface and has not been stabilized, there are plenty of opportunities for washout; piles of sand, wood chips, debris need to be cleaned up. The same areas of concern were observed the year before and nothing had been done to clean it up. N. Ryder will contact N. Hill to request he address the items prior to any further action by the SCC. When the clean up is finished, he can contact the SCC and a site visit will be taken.

NEW BUSINESS

*Issue-

- o Existing SFH lake front policy changes – No discussion, tabled to next business meeting on 1/7/04 for regulation revisions only.

*Issue –

- o FY-05 budget proposal.

SCC comments, concerns, discussion-

- o The budget was reviewed, the listed items are fine.
- o Concern was expressed with the new NPDES requirements. In the past the majority of these were volunteer outreach programs. Now they are a mandated part of each calendar year.
- o As volunteer programs, these were conducted when funding and time were available. If they need to be run yearly, guaranteed funding would need to be in place.
- o N. Ryder noted that the SCC would still seek grants and outside funding, but if not available there should be a line item for NPDES related needs.
- o D. Mitchell noted that the cost of the lakes monitoring would be the primary funding issue.
- o The SCC unanimously agreed to add this line item under purchase of services. If budget cuts make this impossible, compliance with this NPDES requirement cannot be guaranteed.
- o The SCC unanimously agreed that the staff hours needed to be full time. They noted that most weeks the job was already full time. D. Barnicle will speak directly to J. Malloy on the issue.

*Issue-

- o Whittemore Woods – Third Party Consultant Fees.

SCC Comments, Concerns, Discussion-

- o N. Ryder noted that a bill had been received which exceeded the dollar amount for the original scope of work.
- o Review showed all work to have been within the original scope of work agreed on by both the applicant and the SCC; the estimate was for initial work with a note that additional funding may be needed.
- o N. Ryder is to contact M. Marcus and arrange for additional funds.

*Issue-

- o Emergency Planning Committee.

SCC Comments, Concerns and Discussion.

- o N. Ryder summarized the recent meeting at the safety complex.
- o The primary responsibility of the SCC would be to provide information on critical environmental areas and provide volunteers to assist when needed.
- o In addition a list of environmental/conservation contact names and numbers should be started and what the area of expertise is.
- o D. Mitchell noted that rather than create new plans, the SCC should wait for the NPDES mapping to be completed and utilize both that and the NHESP/GIS maps. The SCC could use the town GIS system to outline and highlight critical areas.
- o A summary of what resources are located in which areas, as well as information on how quickly and by what likely path materials would be absorbed, should be started.

*Issue-

- o Conservation Land Policy. Tabled as the draft policy and management guidelines are not complete.

*Issue-

- o J. Michalek resignation.

SCC Comments, Concerns and Discussion-

- o As J. Michalek resigned, got married, moved to South Carolina, and will no longer be available for meetings, the SCC needs a new full time Commissioner.
- o Several possible individuals were discussed. D. Mitchell noted that the biggest impediment was the time commitment; one way around this is to try to get volunteer associates who would participate in occasional projects and events but would not need to attend every meeting or be full members.
- o N. Ryder is to contact J. Malloy to advertise the opening in the paper.

*Issue-

- o McGilpin Road lots.

SCC Comments, Concerns, Discussion-

- o Haybales and rye seed may not be acceptable restoration of the 25-foot no-disturb buffer at 97 McGilpin.
- o The site as built on lots 13 and 14 across from the farmhouse, are not built as approved.
- o The contractors for both sites will be invited to the 12/11 meeting to discuss the current site conditions and the approved plans.

OLD BUSINESS

*Issues

- o Planning and Conservation Regulations

SCC comments, concerns, discussion-

- o D. Barnicle noted that there still needed to be a meeting of the minds on the subject. He will contact L. Adams to arrange a time to meet.
- o N. Ryder noted that the Planning and Development team was working on a revised application format, which should alleviate some of the problem.
- o J. Hoffman questioned if the process would simply reverse the PB/SCC issue rather than solving it.

- o D. Mitchell noted that land labeled buildable by SCC may not have frontage or square footage, etc and may not be buildable by PB standards.
- o The purpose of the initial SCC review would be to outline the resource areas and the protected or limited use buffers and make sure they were clearly shown on the plan.
- o E. Goodwin noted that currently the applicants were playing the boards, any system that corrected that should be utilized.
- o D. Barnicle asked if joint meetings had been considered. Yes, the legal timing requirements for the different boards made it difficult, but it could be done.
- o J. Hoffman suggested that the applicant could go to SCC for a formal delineation of resource areas as well as to clearly outline both the restrictive and prior review and approval buffers. This data should be present on all plans submitted to other boards or departments.
- o J. Hoffman noted at that point the SCC and PB could open a joint hearing for the actual project review and eliminate timing problems.
- o E. Goodwin and D. Barnicle both noted at that point the applicant would clearly know the limits of use for each buffer zone and the project would be starting from the correct point rather than starting from maximum use.
- o J. Hoffman agreed and noted that if the applicant then brought in a project knowing all the base land constraints they would likely start off with a project that was basically workable.
- o D. Barnicle agreed with the additions that the hydrologic connections and wildlife habitat and crossings would need to be part of the original resource delineation also. The SCC agreed.
- o E. Goodwin noted that the SCC had evolved tremendously during the past several years. The fact that this discussion was taking place was a sign of positive progress.
- o Unanimous consensus was that SCC could start with a delineation to meet SCC timing, then pull that into a joint hearing with PB/ZBA or other regulatory boards and meet all timing needs. All were in favor of joint hearings especially for major projects.
- o N. Ryder is to speak with L. Adams and N. Campbell to see what is coming up and see if those boards would be willing to take a test run.

*Issue-

- o Regulations review and update

SCC Concerns, Comments, Discussion-

- o The 25 foot buffer regulation was discussed in detail. All agreed that the 25-foot no-disturb buffer should be upheld; variances should only be granted for existing, SFH, lakefront lots as originally discussed and agreed on.
- o Practicable alternatives and no significant adverse impact will be two topics of discussion.
- o The alternatives analysis may conflict with the 500 square foot discretionary wetland alteration clause. Discussion and evaluation is needed.
- o The SCC needs to evaluate the noted loopholes and rework several sections.
- o Additional discussion on all topics will be held on 1/7. No formal decisions were made.

*Issue-

- o 127 A Stallion Hill plans, Tabled

*Issue-

- o Subdivision Review, tabled as comprehensive site visits are needed for the winter season.

*Issue-

- o Permits were signed and issued for previously approved projects at 28 Goodrich Road, 63 Bushnell Road, and 78 Bullough Road.

*Issue-

- o Millyard Marketplace maintenance plan was reviewed and amended.
- o Sturbridge Isle truck stop operation and maintenance plan was reviewed.

OTHER BUSINESS

*Issue-

- o Public Meeting Format for SCC

SCC Comments, Concerns, Discussion-

- o The SCC discussed revising the meeting format and having the meetings televised.
- o E. Goodwin felt televising meetings would cut down on random discussion.
- o D. Mitchell noted that the function of the SCC would become more judge less counselor.
- o D. Barnicle felt that would not be a good thing; he stated that the SCC was very user friendly and accessible to the public; he wanted to keep it that way.
- o Many boards such as Assessors and Board of Health do not televise meetings.
- o N. Ryder felt that televising the meetings could alter a system that currently worked excellently. She noted the Commissioners worked with applicants to create the best situation for both the landowner and the resource areas on site. She questioned whether televising meetings would alter the way the Commissioners communicated and worked with the public and applicants.
- o Concern was voiced that moving more to a judge type format would negatively impact that interactive/educational aspect of the reviewing process. She noted that the commissioners often gained as much knowledge and information as the applicant as new projects came before them.
- o D. Mitchell and J. Hoffman felt that same knowledge would be a benefit to any viewing audience.

*Issue

- o Friday morning departmental information sharing meetings

SCC Comments, Concerns, Discussion

- o N. Ryder noted that the review boards and committees were meeting on alternate Friday mornings at 9:00 to share information on current projects, changes in regulations, concerns, or issues.
- o All board members are welcome to attend if they wish.
- o The format is informal and for sharing of current information and concerns only.

LETTER PERMITS

CERTIFICATES OF COMPLIANCE

Motion to adjourn, 10:00 PM, by unanimous vote