

STURBRIDGE CONSERVATION COMMISSION

Minutes for Thursday, November 20, 2003

MEMBERS PRESENT

D. Barnicle, J. Hoffman, E. Goodwin

6:45 PM

PUBLIC HEARING - NoI cont – New England Environmental, for Swiacki, for Whittemore Woods Subdivision Infrastructure.

PUBLIC HEARING – NoI cont.– New England Environmental, for Swiacki, for Whittemore Woods Subdivision for single family homes and related.

D. Barnicle opened the public hearing, present were W. Swiacki, Atty Donahue, and W. Belec, A. Allen.

Submitted information-

- o Atty. Donohue submitted revised plans for infrastructure dated 11/18.
- o A letter from the consultant stating that not all lot changes requested have been amended dated 11/20.

Topics Discussed -

- o Atty Donohue requested that the SCC consider deciding on the infrastructure application now so the applicant would know if they could move forward with the lot plans or not.

Issues Concerns –

- o N. Ryder noted that it was the applicant and reps that had combined the two NoI's into one review.
- o Will the decision be for the entire infrastructure or just the through road? The issues regarding the entire infrastructure have still not all been addressed including but not limited to, water quality monitoring.

Consultant Comments -

- o A. Allen reviewed the proposed changes, noting the lot and house configuration had not been changed, he noted the attorney had acknowledged this.
- o In A. Allen's opinion, the house and lot configuration are key to the overall project, while it makes sense to come in and evaluate the lots separately from infrastructure, the lots are critical to making the wildlife corridors successful.
- o The current setup does not lend itself to the best design in terms of SCC concerns.
- o The through road concept is still an issue between the applicant and SCC. While several alternatives were reviewed and presented he noted that one alternative had never been presented. Cul-de-sacs, which meet Planning Board regulations without a waiver.
- o He noted an outline was shown in the alternatives analysis, but no specifics were given, he noted that there should be more discussion on this.
- o Some improvements had been made based on his original comments, but as noted the lot configuration had not been and was a big issue.
- o A. Allen suggested that either the second NoI, with lots, be taken off the table entirely and reintroduced separately from the through road; or the applicant should make the lots part of the overall judgment in determining the overall impacts due to the through road and project.

SCC Comments –

- o None at this time, comments held until applicant response.

Applicant Responses-

- o Atty Donohue noted he appreciated the discussion with the SCC on 10/31.
- o Atty Donohue agreed with A. Allen that the shorter cul-de-sac option had not been addressed.
- o W. Belec stated that since the plan was submitted to??, the Planning Board regulations have changed. The plan shown is based on current Planning Board regulations. The 3 cul-de-sac plan cannot meet 5% grade and would not be non-waivable.

Abutter Concerns –

- o None present.

Consultant Responses-

- o None at this time.

SCC Responses-

- o D. Barnicle noted that the 5% grade could not be met without some blasting or excavation, but could be met.
- o J. Hoffman confirmed the plan would not require a waiver if it had been one of the original submitted plans.
- o J. Hoffman questioned if the Planning Board had stated that they would not grant a waiver, or if the applicant was simply choosing the easiest, least expensive route.
- o J. Hoffman stated that it was not reasonable to require the SCC give all the project waivers to make the issues with the Planning Board easier.
- o J. Hoffman noted that on 10/31, he had asked L. Adams if a plan with a longer cul-de-sac had been submitted, he said no. J. Hoffman requested the minutes from all the Planning Board hearings relating to Whittemore Woods. N. Ryder agreed and noted those were her recollections also. *(In checking this with L. Adams, he clarified that a longer cul-de-sac plan had not been formally submitted to Planning Board, therefore had not been acted on? [what does that mean? did they get one or not formally or otherwise?])*.
- o E. Goodwin noted that the applicant has still after all this time, not offered the SCC anything but a through road.

Additional topics discussed-

- o E. Goodwin and W. Belec discussed alternatives. W. Belec reviewed several alternatives shown in the analysis, he noted that several alternatives had been reviewed. E. Goodwin noted that no alternative options had been given to SCC, only a through road, the rest had been noted and dismissed as being economically flawed or as having been rejected by either the applicant or Planning Board. The SCC had not received any meaningful alternatives to review. E. Goodwin stated that there was no point showing the SCC alternatives and at the same time informing the SCC that they were not debatable and the SCC would have no options to consider them. N. Ryder agreed with E. Goodwin, J. Hoffman and D. Barnicle stated they disagreed. J. Hoffman noted that there may be only one alternative that works. N. Ryder noted that would not be possible to determine if other alternatives were not presented with some level of detail or information. W. Swiacki questioned what other projects had gone to the same level of discussion and review. N. Ryder noted that the Highlands and Sanctuary had, she noted that the Preserve had also starting with the proposal for the golf course, 7 years earlier. She offered to arrange to have W. Swiacki review the files.

Applicant responses-

- o W. Belec agreed that a waiver would not have been required if it had been submitted as one of the original plans.

- o W. Belec reviewed the off-grading needed to meet current regulations. He noted that a waiverless 3-cul-de-sac option was not available any more. In addition more wetland impact would be required due to the change in Planning Board regulations.
- o W. Belec stated that the applicant could go to the Planning Board for a grade waiver.
- o He stated the Planning Board did not want a cul-de-sac; they wanted a through road.
- o The plan shown focuses on grade and impact issues.
- o With cul-de-sacs, a huge retaining wall or extreme off-grades will be required. He compared the 2 cul-de-sacs off Fairview vs. Whittemore, noting a cul-de-sac does not work off Whittemore due to lot configuration and grades.
- o Atty Donahue noted the cost associated with developing the infrastructure, excluding the development profit and land costs exceeded ???
- o W. Swiacki outlined the various layouts, emphasizing layout B in the alternative analysis presented to the SCC.
- o W. Swiacki had stated that he had originally looked at 3-500-foot cul-de-sacs and had considered it infeasible.
- o If the Planning Board had accepted the three longer cul-de-sacs, he would have brought them to the SCC.
- o Atty Donohue stated that on 12/11, the SCC would be asked to vote on the infrastructure. He noted that the applicants considered this the only alternative they had.

SCC final comments-

- o The SCC noted that they would need to review their notes and details of the hearing.
- o D. Barnicle asked A. Allen if the plan submitted tonight met the requirements of the alternatives analysis.
- o N. Ryder asked if the applicant was asking for a vote on the infrastructure NoI or just the through road concept as they were very different but were being discussed as the same at times.

Proposed Actions -

- o A. Allen noted to D. Barnicle that the plan shown was very preliminary in detail.
- o W. Belec said he will submit a detailed plan to the SCC and A. Allen prior to 12/11. Several individuals questioned whether it was necessary as a vote was being asked for on 12/11 and several issues not relating to plan detail such as alternatives analysis and lot configuration, were still unresolved.

Definitive Actions-

- o None at this time.

Information to be Submitted-

- o None at this time.

Potential Special Conditions-

- o None at this time.

Site Visit-

- o No additional site visits needed at this time.

Continuation-

- o To December 11, at 7:50 PM.

MINOR WALK IN REQUESTS

None.

CPA UPDATE

MINUTES REVIEW

CORRESPONDENCE REVIEW

DISCUSSION OF NEW INFORMATION

See the minutes of 11/19/03.

REVIEW OF SITE VISITS

Site visits had been conducted to the following locations on Sunday, November 16. (See also the minutes of November 19)

- o **10 Gifford/165 Charlton with J. Teachout**
- o **10 Gifford** – The plan is to excavate the home from the road, fill and close the well, remove and backfill the basement. No work is proposed or will be permitted due to the extensive wetlands.
- o **165 Charlton** – Delineation check shows a stream through the center of the proposed plan which is barely visible on the plan and not obvious unless you know the stream is there and double check the plan. The plan needs to be clarified to show existing resource areas clearly and not hide them under proposed construction detail. Two abandoned wells were identified which pose public safety issues. The owner has been notified. Work is proposed within the 25 foot buffer and structures are proposed within the 50 foot buffer despite the project being new construction. The site appears to be home to the junction of three separate perennial streams flowing together along the border of 165 Charlton and 10 Gifford properties.
- o **29 Breakneck with J. Teachout** – there is a tremendous amount of land away from the pond that could potentially be used for the system. Proof of no alternative locations must be presented at the next hearing continuation.
- o **Cedar Road, Mass Turnpike with I. Hegemann**– Revised plans are to be submitted showing a water quality swale along the edge of the reconstruction area, a forebay leading into the replication area will additionally improve water quality. Maximum TSS removal is to be targeted. The drop pool is to be shown on the plan.
- o **8 Forest Lane and the South Side of Route 20 for Exxon Mobile** – Both were fine, no work in resource, maintenance as planned poses little to no chance for impact to the resources.
- o **450A Main** – This site visit was conducted on 11/20 at noon. Flagging along both the western and eastern resource areas shows many flags to be in or immediately adjacent to standing water. There is a huge wetland along the brook shown on the plan, it is not clear if the applicant is showing the wetland on the eastern property side to be BVW to the brook or separate wetland. The eastern slope appears to be larger than reflected on the plan by topo lines.
- o **Exxon Mobile gas station on Old Route 15** – Work site appears to be fine, erosion control is fine. The applicant should make sure the construction vehicle operators are aware of the existing culverted stream and existing utility lines under the pavement.
- o **97 McGilpin**- Erosion control check shows the erosion control to be installed within the 25 foot no-disturb buffer, the road way stakes are not shown as approved. There is excessive impact to the 25 foot zone. A cease and desist order has been approved and issued.
- o **Lots 13 and 14 McGilpin** - The as built home does not appear to be built according to the approved plan. M. Judson is building the home and will submit as-builts to the commission for comparison.

PUBLIC HEARINGS - continuations for closure, review, amendment, and signing of OoC's and DoA's

Falls Road Dam

No, DEP response. As the project was time related, state funded and necessary to maintenance of an approved earlier project, the SCC had authorized the project to begin without the response number.

450A Main Street – Delineation response

D. Barnicle opened the hearing continuation, present was B. Waterman.

Submitted information-

- o Revised plant and wetland resource review dated 11/20.
- o Also see site visit notes.

Topics Discussed -

- o B. Waterman noted that based on the SCC comments from the submitted delineation he had gone out and rechecked the soils and vegetation.
- o D. Barnicle and B. Waterman discussed hydric soil mixed with upland plants and the transition it indicated. B. Waterman noted that in those instances he was finding mixed hydric soils not dominant or exclusive hydric soils.

Issues, Concerns, Comments –

- o In reviewing the flagging, the water had risen higher since he had been out, accordingly he had changed some flagging.
- o Flag #12, #13 were moved out to reflect hydric soils; #58 to reflect some hydric soils and blueberry; #59 and #60 were correct; #61 was moved 12' out as the water is 10 to 12 feet higher there than previously had been; #62 is 6' higher up due to hydrophytes; Flag 65A was added to remove account for a bump of sedge and hydric soils; #67 is 4 feet higher for hydric soil and blueberry; #69 is 5 feet higher for cinnamon fern and hydric soil; 69A was added to include winterberry and cinnamon fern; flags through #71 were adjusted slightly to reflect blueberry.
- o B. Waterman noted that since September 13, beavers had taken down many 2" to 3" saplings.
- o He noted that if the water level stays, many white oak and pines will die. He noted that the beaver dam needs to be breached.
- o The water level is flooding over and washing out the culvert and driveway to the motel.
- o B. Waterman noted the water is at the point where it may soon impact Route 20. He noted that in his opinion there is a potential major flood issue onto 20 from that beaver dam.
- o The eastern slope was confirmed from the stone wall based on GIS datum calibrated at the state police barracks to confirm elevations. The elevations check to within a 100th. The drop is more of an optical illusion.

SCC Comments –

- o D. Barnicle said he could agree with the elevation drop based on the explanation.
- o E. Goodwin asked where the landowner was considering placing the development.
- o D. Barnicle asked for note 4 on the plan to be explained.

Applicant Responses-

- o The proposed development would go outside the 200 foot riverfront and as close to the existing senior housing as possible as an extension to the existing units.
- o Note 4 refers to the firm map reference to determine mean annual high water mark, which is used to calculate the 200 foot riverfront. He noted that it was used as a guideline then confirmed on site.

Abutter Concerns –

- o None present.

SCC Responses-

- o No additional.

Proposed Actions-

- o Retake the site visit prior to the 12/11 hearing continuation.

Definitive Actions-

- o None at this time a site review to recheck the delineation is needed.

Information to be Submitted-

- o No additional

Site Visit-

- o As weather permits and before 12/11.

Continuation-

- o To 12/11 at 8:10 PM.

254 Holland Road – Davis

D. Barnicle opened the hearing continuation, present was R. Para, he presented the revised plan showing the resource areas outlined. The SCC approved the project as presented. The hearing was continued to 12/11 at 7:20 PM for signatures.

63 Bushnell – McNally

28 Goodrich – Smyth

Exxon Mobile-52 Stallion Hill Road, 53 and 46 Holland Road, and 67 Hall Road

Projects for these sites had previously been approved. The draft permits were reviewed, amended, and issued, by unanimous vote.

PUBLIC MEETING –Lake Road, Big Alum Lake Issues.

Discussion-

- o N. Ryder noted that at this time no TSS was being detected. E. Willard had reported to the SCC office and had noted that the drainage was working as it should and redirecting the water where it had originally gone, he had noted that regular maintenance would be needed to keep the water flowing where it should. D. Barnicle and ??? discussed removing haybales from the yard. D. Barnicle noted that the haybales should be left in place until everything was frozen and stable.

PUBLIC HEARING – NoI – Jalbert Engineering for Kolb for septic repair at 29 Breakneck Road.

D. Barnicle opened the public hearing, present were J. Teachout and J. Kolb.

Submitted information-

- o No new information was submitted.
- o See the site visit notes above.

Topics Discussed -

- o Septic system replacement.

Issues, Concerns, Comments –

- o Location of the system.
- o Site visit concerns, alternative locations do exist but are more than one hundred feet away on the opposite side of the home. Revising the plumbing for the entire existing home may result in astronomical cost to the homeowner as opposed to the minimal potential impact to the pond by improving an existing system in the same location.
- o The system is a Title 5 requirement to sell the home, not a new system.
- o The existing system has not failed and works fine.
- o Ledge outcroppings were found up to 100 feet away.
- o A 40 mil liner will be placed between the system and the lake, right below the sand layer, as added protection.
- o J. Teachout noted that the soil was good and had a 10 min/inch perc rate.
- o She outlined the leachfield location.

SCC Comments –

- o D. Barnicle asked if it could be turned and shifted to bring it outside 100 feet.
- o Will the existing system be crushed and removed.
- o D. Barnicle asked where the reserve was located.
- o J. Hoffman noted that the entire house did not need to be replumbed. A pump system could be placed around the home inexpensively so the system could be placed in the back of the property.
- o J. Hoffman asked if the Board of Health certified that the system proposed meets title 5.
- o D. Barnicle asked why the 40 mil poly rather than a clay barrier.

Applicant Responses-

- o J. Teachout noted that it was surrounded by ledge.
- o She noted that the Board of Health rejected any plans to shift it as this brought it closer to the home.
- o The existing system will be pumped and removed from site. A new 1500 gallon tank will be installed in the same location.
- o No reserves are needed for replacement systems.
- o J. Kolb and J. Teachout both stated that except where it drops down to the associated BVW area and swale, the yard is either all ledge or large numbers of trees would need to be removed.
- o J. Teachout stated that the system meets title 5.
- o J. Teachout noted that unless the contractors install the clay in 1 foot lifts, they create gaps. With poly there are no gaps. She noted that poly was used to line landfills and was more effective.

Abutter Concerns –

- o None attended.

SCC Responses-

- o D. Barnicle noted that based on the information submitted and the site visit, the original system should never have been located there. Since it has, the system proposed creates the least additional impact.
- o D. Barnicle noted that tanks now were much more impervious than they had been, the 40 mil liner will also help. He also noted that while there may be gaps in the clay it was also a thicker barrier.
- o E. Goodwin agreed the system should never have gone there, but since it already exists, the potential for impact is minimal.

- o J. Hoffman noted that if there was a potential for incorrect installation, there should be an environmental supervisor due to the proximity to the pond, stream, and BVW.

Definitive Actions-

- o Motion to close and approve the project as presented with conditions that an environmental supervisor approve and check the poly liner installation. by E. Goodwin.
- o 2nd-J. Hoffman
- o Discussion-
- o Vote- All in favor

Potential Special Conditions-

- o An environmental supervisor is to be on site for the poly installation and is to sign off that it was correctly and effectively installed.

Site Visit-

- o When erosion control is in place and the office notified, a silt fence check will be made.

PUBLIC HEARING – NoI – Jalbert Engineering for Griswold for septic system repair at 150 Podunk Road.

D. Barnicle opened the public hearing, present were J. Teachout and M. Griswold.

Submitted information-

- o No new information was submitted.
- o N. Ryder noted that approval from NHESP would be required as the system was in a designated habitat area.

Topics Discussed -

- o Septic system replacement.

Issues, Concerns, Comments –

- o Removal of trees on the bank will likely negatively impact the resource area.

SCC Comments –

- o D. Barnicle noted that installation of the system would result in removal of many trees on site. The trees provide an essential erosion control and storm water dissipation barrier.
- o He noted that the area in question was an intense slope, removal of trees would result in a straight shot to the BVW and stream from any surface water flow.
- o He felt the SCC stood to lose more by removal of the trees than by placing the system closer to the water.
- o He questioned why the system could not be moved back or turned but agreed that the grade on site was a problem.
- o E. Goodwin asked where the present system was.
- o J. Hoffman asked if a recirculation filter had been considered to save the 2 foot in elevation that would be needed.

Applicant/Representative Responses-

- o J. Teachout outlined the contours noting that a 2 foot rise in elevation would be needed w/ models for an 18 inch rise in the system???
- o The system has to run with the contours not against.

- o The system can not be slid over or turned due to rock, the DEP will not allow any system where there is rock.
- o J. Teachout reviewed the slope profile. She noted that while she could slide it down slope, she would be in the 25 foot no-disturb buffer.
- o The current system is in the water.
- o The soil is very bad with a 60 minute/perc rate.
- o A recirculation sand filter would increase the cost by \$7500.00.

Abutter Concerns –

- o None present.

SCC Responses-

- o J. Hoffman and E. Goodwin will take an addition site visit on 11/21. D. Barnicle already visited the site for the SCC.
- o D. Barnicle asked what could be done to counter the impact that tree removal would have.
- o The SCC did not feel the additional cost was excessive based on current cost of septic system/leachfield replacement. The cost should not prohibit installation of a lesser impact system.

Proposed Actions-

- o J. Teachout will look into the concept of a swale with check dams to control water flow.

Definitive Actions-

- o None at this time.

Information to be Submitted-

- o Alternate plans and ways to control the runoff should trees be removed from the slope.

Site Visit-

- o Friday, 11/21, noon.

Continuation-

- o To December 11 @ 8:50 PM

PUBLIC HEARING –NoI cont. - J. Teachout of Jalbert Engineering for P. Matthews for changes to an existing developed commercial site at 10 Gifford Road.

D. Barnicle opened the public hearing, present were J. Teachout, P. Matthews, A. Szumilas, C. Sylvestri, and S. ???.

Submitted information-

- o Revised Plan with notes dated 11/17/03.
- o See the site visit notes above.

Topics Discussed -

- o The details of the revised plan were studied and reviewed. The plans show almost the entire site to be resource area. The existing structures and wells are to be removed. NO work is proposed for the property.

Issues, Concerns, Comments –

- o No additional concerns.

SCC Comments –

- o The details of the plan were confirmed and agreed to with the addition that all work is to be conducted while the ground is frozen, dry, or otherwise stable.
- o The applicant is to double check and comply with the Board of Health regulations for decommissioning wells.

Applicant Responses-

- o No additional.

Abutter Concerns –

- o No comments or concerns.

Definitive Actions-

- o Motion to approve the project for removal of existing structure and well as outlined in the approved final plan, dated 11/17/03, one page. No work to be permitted now or in the future as all the area is resource or 25 foot buffer to resource.
- o 2nd- E. Goodwin.
- o Discussion – None additional.
- o Vote- All in favor.

Other Special Conditions-

- o Well to be decommissioned according to the Town of Sturbridge Board of Health regulations.
- o No further development or construction or reconstruction of the 3.1 acre property will be considered due to the resource areas which cover almost the entire site, streams, wetland, BVW,
- o Concrete bounds or stone boulders are to be placed along the roadway at least every 10 feet to prevent parking of vehicles, storing of equipment or cars, dumping, etc on the lot. To remain in place in perpetuity.
- o No parking or storing of vehicles or other material is allowed on the site due to the extent of the resource area(s).

Continuation-

- o To December 11 at 7:20 PM, to review, amend and sign final OoC.

PUBLIC HEARING – NoI cont. - J. Teachout of Jalbert Engineering for Babineau for development of a carwash at 165 Charlton Road.

D. Barnicle opened the hearing continuation, present was J. Teachout, A. Szumilas, C. Sylvestri, S. ??? and P. Matthews. See the site visit notes above.

- o J. Teachout requested a continuation, to January 8, 2004 at 7:50 PM. Granted.
- o D. Barnicle noted that during the site visit, two abandoned wells had been noted and asked that they be covered or closed for safety. It was noted that an existing cart path on the property ran through a stream and into BVW on a neighboring property. The applicant was asked to include boulders or other restrictive measures on any plan submitted to insure that no one would enter the resource areas with vehicles or disturb the resource via the cart path.

PUBLIC HEARING – NoI – Jalbert Engineering for Danta Builders for single family home demolition and reconstruction at 55 Bennetts Road.

D. Barnicle opened the public hearing, present was J. Teachout.

Submitted information-

- o No new information submitted.

Topics Discussed -

- o Demolition and reconstruction of a single family home.
- o Construction of a septic system.

Issues, Concerns, Comments –

- o J. Teachout reviewed the existing site as noted on the plan submitted, the proposed structures, resource areas and buffer zones.
- o The property is split on both sides of Bennetts Road and is surrounded by Leadmine Lake on one side and a BVW (peat swamp) on the other.
- o Currently there is a composting toilet in the home.
- o Drinking water is pulled from the lake.
- o Both a well and Title 5 compliance are being required by the Board of Health.
- o The deed will be restricted to a two bedroom home.

SCC Comments –

- o A site visit is needed, the lot based on the proposal will essentially be clear cut and rebuilt at the top of a steep slope to the lake.

Abutter Concerns –

- o None attended.

Site Visit-

- o Scheduled for Sunday, 11/30.

Continuation-

- o Continued to December 11 @ 9:10 PM.

PUBLIC HEARING – NoI – Jalbert Engineering for Kimball for driveway construction for lot access at 279 Holland Road.

D. Barnicle opened the hearing, present was J. Teachout.

- o J. Teachout requested a continuation, to January 8, 2004 at 7:30 PM. Granted.
- o N. Ryder reviewed the application checksheet noting that there were several issues with resource areas and existing structures on site not coordinating to the plans submitted.
- o A subdivision approval date from Planning Board is needed for the record.

PUBLIC MEETING –2 NoI’s cont. – W. Fricke for ExxonMobile for petroleum pipeline maintenance and repair at 8 Forest Lane, and South of Route 20 approaching the turnpike entrance ramp.

D. Barnicle opened the public hearing, the applicant and representatives were not present. The SCC noted that the site visits showed the work to be outside of the resource areas, with little to no potential for impact as shown and proposed. Both projects were approved and permits issued by unanimous vote.

PUBLIC HEARING – NoI cont. – BSC Group for Mass Turnpike Authority for reconstruction of the Cedar Street snow plow ramp leading to the Mass Pike to address safety concerns

D. Barnicle opened the public hearing, present were I. Hegemann and R. McCullough.

Submitted information-

- o I. Hegemann submitted revised plans showing details discussed during the site visit showing a plunge pool/fore bay adjacent to the replication area. Plan dated 11/20 (signed 11/20).
- o See the site visit notes above.

Topics Discussed -

- o Detail sheets
- o Rate of flow issues.
- o Slope extension and preventing washout.
- o Watershed split further up the road way.
- o Water control swale along the edge of the access road.

Issues, Concerns, Comments –

- o The lack of detail regarding depths, construction detail etc, was noted.
- o As winter is approaching and snow plow driver safety is an issue. If the project is approved R. McCullough asked that the permit be issued prior to the next meeting.

SCC Comments–

- o The SCC agreed that the items noted during the site visit were shown but lacked detail.
- o Details regarding the size, depth, limits of construction, rip rap, and construction of the plunge pool must be submitted prior to the start of work.
- o Said details are to become part of the final plan.
- o Riprap is to start at the cluster of Ash trees shown on the plan and also coincides with the beginning of guard rail installation.
- o J. Hoffman noted that the dimensions of the push up area must also be clearly shown.
- o Dimensions and details regarding the swale must be submitted.

Applicant Responses-

- o R. McCullough noted that the information would be resubmitted on a plan with clear dimensions including the proposed edge and depth of the water control swale along the access road.

Abutter Concerns –

- o None present.

Definitive Actions-

- o Motion to close the hearing and approve the project as amended with detail plans as discussed to be submitted for approval and to become part of the final plan and record-
- o 2nd-

- o Discussion-none additional
- o Vote- All in favor.

Information to be Submitted-

- o Additional details as outlined in the OoC prior to the 12/11 hearing for final review and approval.

Other Special Conditions-

- o Detailed plans and narrative for the replication area showing all details, construction sequence, depths, plantings, etc, are to be submitted to the SCC for review and approval prior to the start of any work. A meeting to review said documents is scheduled during the Commission meeting of December 11, 2003 at 9:30 PM. Said detail and narrative are to become part of the final plan and must be submitted to and reviewed with the site contractor supervisor prior to the start of work.
- o Detailed plans and narrative for the plunge pool showing all details including limits of construction, depth, construction sequence, etc, are to be submitted to the SCC for review and approval prior to the start of any work. A meeting to review said documents is scheduled during the Commission meeting of December 11, 2003 at 9:30 PM. Said detail and narrative are to become part of the final plan and must be submitted to and reviewed with the site contractor supervisor prior to the start of work.
- o Detailed plans and narrative for the “pushup” swale, including depth, material and guidance on construction sequence and procedure, etc are to be submitted to the SCC for review and approval prior to the start of any work. The swale should start at the cluster of Ash trees, which coincides with the beginning of the guardrail. It is understood that the small cluster of Ash trees is to be removed. A meeting to review said documents is scheduled during the Commission meeting of December 11, 2003 at 9:30 PM. Said detail and narrative are to become part of the final plan and must be submitted to and reviewed with the site contractor supervisor prior to the start of work.

Continuation-

- o A public meeting to review final details is scheduled for 12/11 at 9:30. This is not a continuation of the public hearing.

PUBLIC HEARING –New Forestry Application Review –

No new plans, existing plan review tabled pending site visit with applicant.

NEW BUSINESS

- o The SCC requested that letters to new owners of homes with SCC permits be issued welcoming them to the town, and outlining the permit and any special conditions relating to resource areas. The purpose is to make sure the new homeowners are aware of conservation issues on the properties they purchased. The commissioners are concerned with the protection of conservation restricted land in subdivisions. There have also been several enforcement issues with new homeowners. Some never receive the Order of Conditions or are not made aware of public hearings relating to the property they purchased, during closing. Subsequent projects or lack of maintenance, impacted resource areas. N. Ryder noted that she was in favor of the project and would start as soon as possible. The use of senior volunteers to obtain the new resident information, write, and mail letters was discussed.
- o N. Ryder summarized the recent town department meetings discussion. See the email summary attached to the office copy agenda and minutes for this hearing for additional information. Meetings included; Community Development on 11-12, GIS on 11-13, Planning and Development Team on 11-18. Other meetings held which SCC was not represented at were Dialogue on the Future on 11-0, Municipal Service Meeting on 11-17 and Open Space Training with the Planning Board on 11-18.

OLD BUSINESS

OTHER BUSINESS

LETTER PERMITS

CERTIFICATES OF COMPLIANCE

See the minutes of 11/19/03.

Motion to close 10:45 PM