

STURBRIDGE CONSERVATION COMMISSION

Minutes for Thursday, February 17, 2005

MEMBERS PRESENT

Board Members: D. Barnicle, D. Mitchell, J. Hoffman, E. Goodwin

Associate Members: D. Grehl, F. Damiano (8:10PM)

K. Doyle for minutes

7:00 PM

CPA UPDATE

- o Tabled. E. Goodwin submitted a draft of the CPC annual report to the Commission.

APPROVAL OF 2/3/05 HEARING MINUTES

- o D. Barnicle requests if any board members have comments on the hearing minutes, no comments mentioned. All in favor for approval—2/3/05 hearing minutes are approved.

DISCUSSION OF NEW INFORMATION / WALK INS

- o K. Doyle and D. Barnicle brief the Commission on the 446 Main Street Enforcement Order. Enforcement Order signed by all members and to be sent out via certified mailing on 2/18/05.
- o Discussion of 126 Clark Road—DEP No. 300-416. B. Lucia (WET Inc.) and V. Drouin (Green Mountain Realty Corp) present for discussion. B. Lucia discusses project history and what changes are proposed—location change of tower/lease area. V. Drouin states that the re-location of the tower is required for minimizing the visual impacts. B. Lucia requests guidance from the Commission in regards to requesting a second amendment to the Order. The Original Order was issued on 6/19/01 and an amendment was issued in November 2002. The project includes a wetland crossing (access road) and the construction of the tower. Zoning hearing is to take place on March 8, 2005 for approval of tower/lease area re-location. The Commission requests a site visit to re-check wetland delineation, it has been over 4 years since the original filing and delineation. New Project Plans submitted with a Rev date of 9/29/04. Tentative site walk scheduled for Wednesday 2/23/05 at 12 noon, weather permitting. (Not Taken)

PUBLIC HEARING

Public Hearings opened at 7:45 PM

NOI—118 Stallion Hill Road. Green Hill Engineering for Moore—Septic system repair/construction.
DEP File No. 300-648

D. Barnicle opened the public hearing, present was M. Farrell representing the applicant.

M. Farrell submits certified mailing green cards from abutter notification and tear sheet from the newspaper public advertisement.

Applicant Comments –

- o M. Farrell discusses project plan and hydrology of the property. States that he and K. Doyle visited property to look at hydrology of property and location of proposed septic leaching field.

SCC Comments –

Approved 3/17/05

- o D. Grehl questions when the house was built.
- o D. Barnicle questions if this is the only location on property where septic can be located. Property is about 12 acres in size.

Applicant Comments –

- o M. Farrell states that the house was built approximately 35 years ago.
- o M. Farrell states that initially he considered utilizing a cart path to access the rear of the property but more wetland impacts and steep terrain.

SCC Comments –

- o E. Goodwin questioned if above-ground piping could be used to avoid stream/ditch crossing.
- o D. Barnicle states that above-ground septic tanks are used on the Cape, questions why it has to go in the ground especially with the present wetlands/hydrology.
- o K. Doyle states that on the quick visit to the property, there is an alternative location for the septic facility behind the existing garage. The hydrology in that area is more channelized and there is higher ground for the leaching field. The only problem is accessing the rear of the garage, trucks would be close to wetland resource areas/intermittent stream
- o D. Grehl states that she would like to push for an alternative location/alternative septic design.
- o J. Hoffman questions the reason for failure of existing system, where is the existing system located? Can the new system be constructed in the same location of the existing system?

Applicant Comments –

- o M. Farrell states that above-ground piping is not preferred, the system would be vulnerable to “wear-and-tear”, for example if a tree fell on the pipe.
- o M. Farrell states that the current system did not pass Title 5 Inspection, the property owner is trying to sell house and must pass Title 5. M. Farrell states that he does not do Title 5 Inspections, he believes that “Slims” did the inspection on property. He stated that the property has limited space for a septic system, limited areas of “perc” and other constraints such as wetlands and steep slopes.
- o M. Farrell states that the existing system is within 100-feet of a well and he would have to ask for a Board of Health variance/waiver. He stated that another option would be to move the well.

SCC Comments –

- o D. Barnicle is concerned with the hydrology of the site and how the septic will affect it.

Applicant Comments –

- o M. Farrell explains the “French drain” and how he designed berm to control the water flow. Water will be re-directed to the French Drain in the rear of the yard and to the wetland in the front of the yard adjacent to the Road.

SCC Comments –

- o D. Barnicle states that the Commission needs to visit the site and check out the alternative locations for the septic. D. Barnicle recommends visiting the site with no snow since the Commission will be paying close attention to the property’s hydrology.
- o Motion was made to continue the hearing process until March 17, 2005 at 8:00 PM pending a site walk.

Abutter Concerns –

- o No abutters present.

Approved 3/17/05

Information to be submitted –

- o No information to be submitted at this time.

M. Farrell agreed to continuation and project continued until March 17, 2005, 8:00 PM pending Site Walk. (Not Taken)

PUBLIC HEARING

ANRAD Continued—23 Hall Road, 24 acre delineation. Waterman Design Associates, Inc. for Robert Straus. DEP File # 300-640

B. Waterman representing the applicant/property owner requested in writing to the Commission for continuance until March 17 2005.

D. Barnicle recommended that the Commission not review the stream with snow cover. Site visit to take place once snow is melted. Hearing continued until March 17, 2005 at 7:40 PM pending site walk. (Not Taken).

PUBLIC HEARING

NOI—147 McGilpin Road. Green Hill Engineering for Wetherbee—Septic system repair/construction. DEP File No. 300-647

D. Barnicle opened the public hearing, present was M. Farrell representing the applicant.

M. Farrell submits certified mailing green cards from abutter notification and tear sheet from the newspaper public advertisement.

Applicant Comments –

- o M. Farrell discusses project plan and states that the current septic system on property did not pass Title 5 Inspection. The property is utilized as a daycare facility. There is a “Play Area” yard on property (PA on plans) and a fence along the property boundary.

SCC Comments –

- o D. Grehl states that there is a large wetland system adjacent to the property.
- o E. Goodwin questions the status of the stream, perennial vs. intermittent.
- o E. Goodwin questions if the new septic location is in wetland or upland.

Applicant Comments –

- o M. Farrell states that the stream becomes perennial downstream of the property. Agrees that the wetland area is extensive. Access to the wetland is limited due to the fence, there may be a gate there to access the wetland.

SCC Comments –

- o D. Mitchell questions the tree removal in the area of the new septic system.
- o D. Barnicle questions the amount of grading to take place.

Applicant Comments –

- o M. Farrell stated that a few trees will be removed in the NW corner of the property.
- o M Farrell stated that a raised system cannot be less than 100-feet from a public water supply. There is a public water supply in the area, the new septic is out of range.

SCC Comments –

Approved 3/17/05

- o D. Barnicle states that the Commission would like to visit the site. Will the septic location be marked in the field for a site visit?

Applicant Comments –

- o M. Farrell agrees to a site visit. He states that more snow is predicted, so the site walk will most likely be delayed. M. Farrell agrees to a continuation.

Abutter Concerns –

- o No abutters present.

Information to be submitted –

- o No information to be submitted at this time.

D. Barnicle continues project until March 17, 2005 at 8:10 PM pending site walk. (Not Taken)

PUBLIC HEARING

NOI—101 Cricket Drive. Jalbert for E. Paquette, construction of a SFH and associated work.
DEP File No. 300-646

D. Barnicle re-opened the public hearing, present were L. Jalbert representing the applicant and an abutter, R. Rehkamp. L. Jalbert submits additional filing fee checks for a portion of the project being located within the Riverfront Area.

SCC Comments –

- o D. Barnicle states that the Commission conducted a site walk on property and questions if the applicant would object to changing the location of the house.
- o D. Barnicle shows where the preferred area is for the house. In the area of the preferred location, the slope is not as extreme and the amount of fill to be brought in would not be as extreme.
- o D. Barnicle also stated that he is concerned with the drainage off the road, there is a clear channel with pools of water between the discharge point and the wetland.
- o F. Damiano states that if the house could be relocated and possibly flip the driveway, the house would be in a location of a more natural slope and there would be less impact and erosion potential.

Applicant Comments –

- o L. Jalbert stated that the Commission's preferred location of the house is in the outer riparian zone, more work would be within the 200-foot Riverfront Area.
- o L. Jalbert stated that he could not speak for the applicant, he will have to check with the applicant if moving the house location is a possibility.

SCC Comments –

- o D. Mitchell stated that he is very concerned with the slope on property and the close proximity of the wetland resource areas. He requests more information on how the house will be constructed and what measures would be incorporated to minimize the erosion potential.
- o D. Barnicle is concerned with the alteration of the slope and the alteration of the grades near the channels of run off.

Applicant Comments –

Approved 3/17/05

- o L. Jalbert stated that the bottom foundation will be with the existing grade and the basement will be a walkout basement. A wall in the rear of the house will be a high wall, about 12-feet. He stated that the grades will be raised.
- o L. Jalbert questions what K. Doyle thinks of the preferred house location in the Riverfront Area

SCC Comments –

- o D. Barnicle states that raising the grades is a concern, the flow will be interrupted and the runoff flow will change with the increasing slope.
- o K. Doyle states that up to 5,000 square feet of land within Riverfront Area or 10% of the Riverfront Area on property can be disturbed (whichever is greater). K. Doyle states that the slope on property is a concern of hers and that the Commission needs to evaluate what location is preferred. Would it result in less impact if more of the outer Riparian Zone is disturbed if there is a more gradual slope, or if more of the 100-foot buffer zone is disturbed with an extreme slope?
- o J. Hoffman agrees that the Commission needs to evaluate the Riverfront Area impacts. He suggests that L. Jalbert checks with the applicant to see if relocating the house is a possibility.

Applicant Comments –

- o L. Jalbert agrees to check with applicant and agrees to continue the hearing. A new plan with a house location revision will be submitted to the Commission.

Abutter Concerns-

- o R. Rehkamp has no questions or concerns.

Information to be submitted –

- o A project plan with an alternative house location shown.

D. Barnicle continues project until March 17, 2005 at 8:20 PM pending receipt of new plans.

OLD BUSINESS

Tabled.

NEW BUSINESS

Tabled and included:

- o Discussion of Allen Homestead Project DEP No. 300-419. Applicant submitted a letter to the Commission in regards to M. Suprenant as Erosion Control monitor. Motion to not accept M. Suprenant as erosion control monitor, motion unanimously approved.

OTHER BUSINESS

Tabled and included:

- o Discussion of Allen Homestead Summons. DEP Site Walk 2/18/05 at 10AM (Taken. See Field Notes)
- o Discussion of Lake monitoring
- o Discussion of filing fees and comments submitted by J. Hoffman.
- o D. Barnicle submits a list of Ultimate Site Walks and requests that other members do the same.
- o Upcoming hearing dates: March 17, 2005 and March 31, 2005.

Motion to close, 10:15 PM, approved by unanimous vote.