

STURBRIDGE CONSERVATION COMMISSION

Minutes for Thursday, June 9, 2005

MEMBERS PRESENT 7:00 PM

Board Members: D. Barnicle (Chair), Ed Goodwin, D. Grehl, D. Mitchell (7:09PM)
K. Doyle for minutes

DISCUSSION OF NEW INFORMATION / WALK INS

- 1) E. Mainini for Allen Homestead Extension of permit DEP 300-419
 - Discussion of Planning Board Extension—July 29, 2005 curbing and sidewalk extension
 - Loam and seed better off early fall, waiting for 7 lots
 - E. Goodwin motions that a Gant Chart is to be submitted for next hearing, July 7, 2005, D. Mitchell seconds—all in favor 4/0.

- 2) G. Allard for DEP 300-508: 31 South Shore Drive
 - Discussion of proposed work, change house location slightly
 - Purchase of property across the street on lake side, proposed access trail and gazebo
 - SCC determines that a Amendment to the Order of Conditions is warranted.

- 3) J. Warington for 6 Ridge Hill Road
 - Sketch submitted to SCC for proposed basin around IVW on property
 - SCC request that the retaining wall is staked in the field and a site walk is necessary. J. Warington is to call K. Doyle when staking is complete.

- 4) L. Jalbert for 399 The Trail DEP 300-596. SCC rejected the Certificate of Compliance and requested an Amendment to the Order of Conditions.
 - L. Jalbert informs the SCC that he is working on the Amendment.

PUBLIC HEARING

DEP 300-660 NOI for Lot 4 off Bentwood Drive—Proposed Duplex. Jalbert Engineering representing Sturbridge Investors

D. Barnicle opens the public hearing. K. Doyle collects the necessary notification requirements (green cards and tear sheet from newspaper). Many abutters present and L. Jalbert initiates the presentation to the audience. Prior to the start of the public hearing process, K. Doyle requested a revised plan showing the limits of the clearing that occurred on property prior to a valid permit from the SCC.

SCC Comments-

- K. Doyle questions L. Jalbert why the property is already cleared.
- D. Grehl questions how trees are cut without a plan

Applicant Comments-

- L. Jalbert states that it was assumed that an Order of Conditions was obtained. A former employee of Jalbert Engineering, Inc. was supposed to obtain the Order of Conditions prior to Soper clearing the lot.

SCC Comments-

- K. Doyle questions how the contractor obtained plans prior to an NOI application being filed with the SCC
- SCC voices concern that the property was cleared without a permit.
- K. Doyle submits photographs to the SCC members, showing the limit of the clearing activities.
- K. Doyle requests that the erosion control barrier existing in the field is surveyed and shown on the plan.
- D. Barnicle states that an Order of Conditions will be needed and remediation plan will be part of the Order. There is no way in telling what type, size and number of trees were removed from the buffer zone.

Abutter Comments-

- L. Morowski stated that the erosion controls were installed after the tree cutting
- H. Mezar stated that the clearing crew cleared to the road
- Discussion within the audience—discrepancy between the erosion control installation and the clearing activities.
- Soper stated that the trees were cleared during the erosion control installation.

SCC Comments-

- E. Goodwin states that a site walk is warranted.

Information to be submitted:

Revised project plans showing limit of erosion controls in field.

*Hearing continued until July 7, 2005 at 7:50PM. Applicant representative agrees.
Site Walk to take place.*

PUBLIC HEARING

DEP 300-578: 37 South Shore Drive. Request to Amend Order of Conditions (result of an Enforcement Order). Flycon Homes and Trifone Design Associates

D. Barnicle opened the public hearing, present were D. Flynn of Flycon Homes, A. Trifone of Trifone Design, and S. Morrison of EcoTec. D. Grehl recused herself, President of the lake Association. Required notifications were submitted and new project plans were submitted to the SCC.

SCC Comments—

- K. Doyle summarizes the information submitted to the SCC in support of the request for an Amendment. K. Doyle concerned with the limits of the wetland alteration and states that the SCC will need to decide if the wetland replication area is feasible.
- D. Mitchell not convinced that the area of alteration on the plan is adequate. The storage capacity of the wetland was disturbed when the wetland was filled.

Applicant Comments-

- S. Morrison submits photographs to the Commission, he was onsite today. States that the wetland was cleaned up very well, there is still silt remaining in the part of the wetland with standing water. Silt proposed to be removed during draw down.
- D. Flynn states that the perimeter drain was replaced and relocated, as shown on the plan.

Approved 7/7/05

SCC Comments—

- o K. Doyle states that the SCC issued a stop work, only hydroseeding was to occur on property. SCC was unaware of the perimeter drain work.
- o D. Mitchell states that a site visit is needed, the area of the wetland disturbance needs to be evaluated.

Abutter Comments-

- o M. Sosik (not an abutter) states that he does not understand why the Commission is requiring a wetland replication area. The wetlands were cleaned up nicely.

SCC Comments—

- o E. Goodwin states that a site walk is necessary. A site walk is scheduled for Tuesday 6/14/05 at 5:30PM.

Hearing continued until July 7, 2005 at 8:10PM. Applicant agrees.

PUBLIC HEARING

DEP 300-661 NOI for Pilot Travel Centers off Route 15 (result of an Enforcement Order). Bertin Engineering representing Pilot Travel Centers.

D. Barnicle opened the public hearing, present were C. Ferguson from Bertin Engineering, B. Alsup and Jason C from Pilot Travel Centers. Proper notifications were handed in.

SCC Comments—

- o K. Doyle briefs the SCC on the project. NOI was filed as a result of an Enforcement Order—utility trench installed within Riverfront Area and buffer zone to a pond without a permit. Also included in the NOI application, the relocation of truck scales on the property.
- o D. Barnicle concerned with vegetation disturbed in the Riverfront Area
- o D. Mitchell questions spill prevention measures at the scale location, and storm drainage at the scale location
- o D. Mitchell questions the timeframe of construction on property for the relocation of the scales

Applicant Comments-

- o Erosion control measures are to be installed around the catch basins prior to work
- o Trucks will be moving in and out at the scale location
- o Seeding and topsoil did not take in the disturbed areas, ducks and geese eating seed.
- o Sod and landscaping to be installed
- o Scale construction will be about 10 days to 2 weeks. Jason C. is the project manager-he is on-site for contact.

SCC Comments—

- o K. Doyle is concerned with the maintenance of the stormwater facilities on property, including maintenance of the runoff from Route 84 and trash cans on property.
- o D. Mitchell is concerned with cleaning out of the oil separators on property
- o K. Doyle mentions that maple trees are to be installed as part of the Riverfront Area remediation
- o SCC states that tree girdles need to be installed in accordance to T. Chamberland's suggestions (see below).
The installation of tree girdles need to be shown on the plan.
- o K. Doyle questions the designated snow storage area on the property

Abutter Comments-

Approved 7/7/05

- Tom Chamberland, Sturbridge Tree Warden (not an abutter to the project) mentions that a girdle needs to be installed around the maple trees to help prevent beaver activities. The girdle needs to be installed loose to allow the tree to grow, about 3 feet high up the tree trunk and the girdle needs to be adjusted every 10 years or so.

Applicant Comments-

- Pilot is okay with installing the tree girdles.
- There is a daily scheduled maintenance crew that handles the trash on property—there are 2 trash receptacles per island on the property.
- Jason C. states that the oil separators receive minimum pump out. Jason C. states he can submit the maintenance schedule to the SCC.
- C. Ferguson states that the snow storage area can be shown on the plan. The Stormwater Operation Maintenance plan can be revised and submitted to the Commission with the revised plans.

Action—

- E. Goodwin makes a motion to close the public hearing and issue and Order of Conditions upon receiving the revised plans and Stormwater Operation and Maintenance Plan. D. Mitchell seconds the motion. All in favor 4/0.
- K. Doyle requests consent from Pilot that the Order of Conditions will not be issued within 21 days from the close of the hearing due to the next quorum being July 7, 2005.

Applicant Comments-

- Pilot requests that the Order of Conditions be signed immediately, the relocating of the scales is crucial.
- C. Ferguson states that he can submit the revised plans and documentation by Monday 6/13/05.

SCC Comments-

- SCC agrees that the Order of Conditions can be signed at the Tuesday 6/14/05 site walk.
- K. Doyle states that the Original Order must be recorded at the Registry prior to work. C. Ferguson to pick up Original Order for Recording.

Information to be submitted-

Revised Project plans (as discussed) and revised Stormwater Operation and Maintenance Plan

Hearing closed. Order of Conditions to be issued upon receipt of revised documentation. Applicant representative agrees.

PUBLIC DISCUSSION

Tom Chamberland (Tree Warden) for Grant discussion

T. Chamberland present to discuss a Grant opportunity with the MA DCR (forest management)

Discussion was tabled and included:

- Inventory of resources
- Forest management, possible income for Town and first step towards long term goal of managing properties
- July 15, 2005 grant deadline
- Funding, hire forester consultant
- Joint application with Tree Warden and Conservation Commission
- Town Planner interested, C. Childress interested for support
- Stallion Hill property
- SCC will move forward in obtaining the grant

Approved 7/7/05

- o K. Doyle to meet with T. Chamberland to discuss

PUBLIC HEARING

DEP 300-658. NOI CONTINUED: Old Sturbridge Village roadway work. CME Associates, Inc. represent the Town of Sturbridge

D. Barnicle re-opened the public hearing, present was P. Chambers from CME Engineers. K. Doyle informs the SCC that all requests since last hearing were met. CME submitted revised plans with the revisions highlighted. SCC attended a site walk on June 5, 2005, no issues.

SCC Comments—

- o D. Barnicle states that the signs to be installed as part of the project is good.
- o D. Barnicle questions how much of the wood fence will be replaced
- o E. Goodwin questions how long the hay bales are to be installed, concerned with the passage of wildlife.

Applicant Comments-

- o All of the wood fence is to be replaced
- o Hay bales will be removed once the site is grassed/revegetated. Wildlife will be able to pass at the end of the haybales.

Abutter Comments-

No Abutters present

Action—

- o D. Barnicle motions to accept the revised plans and close the public hearing to issue a standard Order of Conditions. E. Goodwin seconds the motion and adds that the hay bales are to be removed once the disturbed area is seeded/stabilized. All in favor 4/0.
- o K. Doyle requests consent from CME Engineering that the Order of Conditions will not be issued within 21 days from the close of the hearing due to the next quorum being July 7, 2005.

Applicant Comments-

- o CME Engineering states that the project is out to bid and would like to know any special conditions.
- o K. Doyle is to fax CME Engineering a standard copy of the Order of Conditions.
- o CME gives consent to exceed the 21 day issuance deadline, since standard conditions will be faxed.

Hearing closed and Order of Conditions to be issued July 7, 2005. Applicant representative agrees.

PUBLIC HEARINGS

Multiple NOIs CONTINUED DEP Nos. 300-649 through 300-653. Five Single Family houses at 269 Cedar Street (Lots 1-5). Applicant: M. Valandre and/or T. Reardon Builders, Inc. Rep: Jalbert Eng. and EcoTec

D. Barnicle re-opened the public hearing, present were L. Jalbert of Jalbert Engineering, S. Morrison of EcoTec and the property owners (see sign in list). K. Doyle informs the SCC of the submittal of the legal wording from Applicant's attorney.

SCC Comments—

- o K. Doyle questions the result of the Board of Health hearing.
- o D. Mitchell questions if the project is workable, access to the monitoring well and access to the septic systems

Approved 7/7/05

- o D. Barnicle requests Town Counsel to review legal easement documentation.
- o E. Goodwin states that he has no problem with the installation of the septic/easements/houses etc, but the problem is with the long term maintenance.
- o E. Goodwin questions the applicant if there are any examples of a system like this that is working

Applicant Comments-

- o L. Jalbert states that the sewer pipes through the wetland crossing are to be installed in sleeves.
- o L. Jalbert states that he did not attend the last Board of Health meeting

SCC Comments—

- o D. Barnicle states that he wants to forward Town Counsel the easement documentation and continue the hearing until heard back from Town Counsel

Abutter Comments-

No abutter present

S. Morrison requests to expedite the response from Town Counsel.

Hearing continued until July 7, 2005 at 8:30PM pending correspondence from Town Counsel. Applicant agrees.

PUBLIC HEARING

NOI CONTINUED DEP No. 300-654. House Addition at 310 The Trail. Jalbert Engineering, Inc. representing J. & M. Ricci. (Pending revised plans)

D. Barnicle re-opened the public hearing, present were L. Jalbert of Jalbert Engineering and Applicant's Attorney. Since the last public hearing, the Applicant respectfully requests that the Commission accepts a revised plan and he wishes to withdrawal his request to withdrawal the project without prejudice.

SCC Comments—

- o The SCC accepts the applicant's request to continue with the project and the SCC will review new project plans.
- o K. Doyle informs the Commission of the revised project information—the house addition is to be raised 1-foot in elevation, reducing the material to be removed. Additionally a revised plan was submitted showing the pre-construction and post-construction drainage of the property.
- o D. Barnicle questions if the house could be shifted and leaching pit could be on the other side of the house.
- o D. Mitchell questions what the settling basin is as shown on the plans.
- o D. Grehl is concerned with blasting and the amount of ledge on property

Applicant Comments-

- o L. Jalbert states that the leaching pit is in a good spot, the other side of the house is a steeper slope.
- o L. Jalbert states that the settling basin is a natural "lower" area that water will collect and infiltrate into the ground.

SCC Comments—

- o K. Doyle states that she is satisfied with the project as proposed. As long as erosion controls are maintained and the excavated material is removed from site immediately, no stock piling of soil. Extra erosion controls are needed on the side of the house.

Approved 7/7/05
Abutter Comments-
No abutter present

Action-

- D. Grehl makes a motion to accept the revised plans and extra documents, issue an Order of Conditions with a condition to be notified if blasting is required—upon receipt of revised plans showing the extra erosion controls. D. Mitchell seconds the motion and ads the removal of the “settling basin” label on the revised plans. All in favor: 3/1. E. Goodwin opposed.
- K. Doyle requests consent from L. Jalbert that the Order of Conditions will not be issued within 21 days from the close of the hearing due to the next quorum being July 7, 2005.

Applicant Comments-

- L. Jalbert gives consent to exceed the 21 day issuance deadline and agrees to submit revised project plans.

Hearing closed. Order of Conditions to be issued upon receipt of revised plans. Applicant agrees.

PUBLIC HEARING

DEP 300-480. 446 Main Street, Proposed Chinese Restaurant. Request to Amend Order of Conditions (result of an Enforcement Order). Andrews Surveying and Engineering representing Dong Y. Ying.

D. Barnicle opened the public hearing, present were G. Valiton of Andrews Engineering and Survey and the property owner, Dong Ying. Proper notifications were submitted. K. Doyle informs the Commission of what the request to amend the Order of Conditions consists of—cleaning out the culverts, replacing the culverts and then starting work on the property to finish the Chinese Restaurant. The Amendment request also included a request to Extend the Order of Conditions.

SCC Comments—

- E. Goodwin states that the only way he is going to approval anything is if the roadway is not raised, and the culverts are cleaned and the culvert elevation is not changed.
- D. Grehl states that the wetland cannot be drained.

Applicant Comments-

- G. Valiton states that the culverts are undersized—calculations were submitted to the Commission stating this. Additionally, 1-foot of gravel needs to be installed over the culverts for the roadway.
- Three culverts were found, 1 culvert closest to Route 20 and two culverts found further down the roadway (bridge off property with beaver dam off property) The culvert closest to Route 20 is metal and is most likely crushed and needs to be replaced.
- If larger culverts are installed, then the culverts will be able to handle the 25-year storm without going over the roadway.

SCC Comments—

- E. Goodwin states that the invert of the culvert to be replaced cannot change—wetland cannot be drained.
- K. Doyle recommends that Greg Morse of the DPW is involved with this process, has been dealing with the property for a few years.
- E. Goodwin is concerned with the bottom of the culverts.
- E. Goodwin suggests that the culverts are cleaned and then the Commission can determine the status of replacing the culverts etc.
- D. Grehl questions where the beaver dam is located

Approved 7/7/05

- o K. Doyle states the beaver dam is off property, it is located where the perennial stream is at the bridge crossing on the hotel property.
- o SCC agrees that K. Doyle should speak with Greg Morse relative to what his involvement is to be. SCC is only giving approval to clean the culverts out—pending a site walk with all parties involved (Critter Control).

Abutter Comments-
No abutter present

Hearing continued until July 7, 2005 at 8:50PM. SCC approves cleaning of culverts, pending a preliminary site walk. Status of culvert cleaning to be presented at July 7, 2005 hearing.

OTHER BUSINESS

Tabled and included:

- 1) TGP Letter Permit Request—Maintenance off McGilpin Road. Approval for Letter Permit.
- 2) Signing of Order of Conditions
- 3) Discussion of 43 Abrams Drive EO (DEP 300-589)

Motion to close hearing, 11:50 PM, approved by unanimous vote.