

**STURBRIDGE CONSERVATION COMMISSION (SCC)**  
**Minutes for Thursday August 3, 2006**

**Open Meeting**

Dave Mitchell opens the meeting at 7:00 PM

Board Members Present: Dave Mitchell, Chairman (DM); Ed Goodwin (EG); Donna Grehl (DG); and Frank Damiano (FD) (FD arrived at 7:10 PM)  
Kelly Kippenberger (KK), Conservation Agent  
Danielle Garry for Minutes

**CPA Update / Discussion of OSV Property**

KK asks the members if they had a chance to review the memorandum from J. Malloy that included the pro-bono offer for the OSV Property. Members did not have a chance to thoroughly review. EG states that the SCC is in charge of the property and they need to take a look at what was voted on. EG also suggests that a member of the Parks and Rec. Committee is part of the process.

**Minutes Approval**

EG makes a motion to accept the 4/6/06 Minutes as written and reviewed. DG seconds the motion, all in favor: 3/0.

**7:05 PM – Appointment:** 444 and 446 Main Street Property Owners

- J. Lasorsa (Attorney) and C. Boulmetis (Critter Control) present representing Ying—property owner of 446 Main Street.
- KK provides a quick summary of the situation to the SCC: Amended Order of Conditions (as a result of an Enforcement Order) issued 7/26/05 to Ying for a Chinese Restaurant at 446 Main Street. Part of the Order included installation of beaver deceivers on access road to rear of the property, 444 Main Street property. Work was complete in summer of 2005 and during the October 2005 rains, major flooding of Route 20 occurred (possibly due to beaver dams at 444 Main Street). A beaver removal permit was issued as an emergency to 444 Main Street. KK states that she has had verbal correspondence with the property owner of 444 Main Street, G. Cormier and all beavers have been trapped and removed. The dam has been broken down by hand. KK states that there has been on going correspondence since October 2005 between her and the property owners. Ying is more responsive than Cormier and the most recent correspondence requested both parties to be present in hopes of resolving the outstanding issues by the end of summer. SCC members have letters to review dated 6/14/06, 7/14/06 and a proposal by Brunner Development and Landscaping for review.
- DM questions if the beaver deceivers have been inspected and KK responds yes. KK also states that the dual beaver deceiver has been repaired by C. Boulmetis and the deceiver closest to Route 20 need major repair. She received a proposal from Ying that included repairing the remaining deceiver and repairing the road.
- DM questions what is preventing Mr. Ying from moving forward and J. Lasorsa states there are financial reasons. The first contractor that Mr. Ying had hired did not do a good job and then the wash out in October, Ying had paid \$20,000 for the repair. Since all of this started, Ying has responded to the Commission's concerns in a timely manner.
- DM states that the SCC had to issue an Enforcement Order prior to the October rains, the water quality swale was never built. There has been construction problems from the start.

- J. Lasorsa agrees and states that G. Cormier has not been much help in the situation, he was dealing with Cormier's nephew (A. Cormier) but that communication has ended. Ying does not use the right of way easement. He believes that if Mr. Cormier wants to use the easement then he should maintain it. J. Lasorsa states that an alternative would be to get rid of the easement.
- DM states there is a window of opportunity to have this fixed. The view point of the commission is to protect the wetlands. The problem needs to be fixed and to deal with the financial issues after. The Commission cannot get involved with financial or legal issues.
- FD states that it is the responsibility of the property owners to correct the situation.
- EG states he will not allow the access road to be removed, it is already existing and removing it would be in violation of the wetland regulations.
- DG questions what can be done to prevent the same problem from happening again. C. Boulmetis states that he will repair the first deceiver and then he proposes a concrete head wall to hold back the water and re-enforce the inlet. The water pressure during October 2005 popped the culverts and beaver deceivers up and did not allow water to enter the culverts.
- SCC Members discuss the proposed headwall and the proposal by Brunner Development. DM states that there is not a lot of detail on the proposal. The property is in violation of the Order of Conditions and it needs to be repaired as soon as possible.
- KK states that her last correspondence requested that the remediation be done by end of summer.
- DM requests that Ying comes back for the next meeting and provides the Commission with more details of the proposal to fix the easement. He requests that J. Lasorsa conveys to Mr. Ying the concern of getting this done, a sketch of how the head wall will be constructed and other details need to be provided.
- J. Lasorsa states that Mr. Ying is currently out of the states and that is why he was not in attendance tonight. He states that Brunner Landscaping will contact the office and work with the Agent on resolving the situation.

*Appointment continued to August 31, 2006 at 7:05 PM pending additional information.*

## **PUBLIC HEARING**

NOI CONTINUED from 6/1/06: DEP 300-668. 127 and 135 Main Street, Proposed Commercial Building and Parking. Jalbert Engineering representing Maple Hill Realty LLC

### **DM opens the public hearing at 7:41 PM.**

**Present:** L Jalbert, Jalbert Engineering  
D. Roberts, Jalbert Engineering  
M. Sosik

**KK Summary:** Last hearing was 6/1/06 and was continued due to the submittal of additional roof run-off information. Since last hearing, the Applicant has submitted revised complete plan set that includes roof run-off details, revised Operation and Maintenance Plan, revised NOI Narrative and a Soil Erosion Control Narrative that includes an erosion control monitor & site inspection form. The project proposes approximately 631 square feet of wetland alteration and 4,300 square feet of replication that has a wetland monitor. She has reviewed all new information and has no further questions or concerns. Also, received was a memo dated 7/26/06 from the Town Planner stating that the project was under review by the Planning Board for Site Review but was withdrawn due to the delay in Conservation. The Town Planner stated that "it is her opinion that the project including storm water system has been reviewed by all departments". Copies of all new information handed to SCC Members.

**Discussion:**

- D. Roberts goes over the revised plans with the SCC and points out where the Commission had concerns of the storm water drainage and roof run-off. He shows the roof run-off outlets (rip rap and 8-inch pipe) and goes over the site drainage.
- KK reviews the wetland replication area and wetland alteration area with the SCC.
- EG questions if there is alternative to develop the land and not fill in the wetland. D. Roberts answers no, they are trying to use the site to the best of their ability—there are site constraints such as zoning and size of the building and parking.
- M. Sosik states they paid for experts to determine the wetland area, they want to do the right thing. He was under the impression that they are assuming that a portion of the wetland is wetland—not originally included in the delineation. The replication area is a good compromise.
- EG states that he has concerns with designing a site with taking wetlands—he believes the wetland alteration can be avoided. The SCC has a 25-foot no touch buffer and a 50-foot no structure buffer zone. DM states that he thinks the replication area is a good compromise and could be a benefit to the area. FD agrees
- KK states that she typically does not like to see wetland areas altered during construction but this project is site specific. The area of development has been disturbed by clearing and turning over of soils, sumac and white birch are dominant—plant species that grow in disturbed areas. The questionable wetland area has borderline hydric soils and some upland plant species—the wetland has been disturbed and channelized. The wetland has low quality plant species for wetland habitat, and if the replication area if succeeds, it will bring in better quality habitat wetland plants. The Wetland Protection Acts allows up to 5,000 square feet of fill and the SCC Regulations allow a waiver from the 25-foot and 50-foot buffer zones. Her thought is that the project could be conditioned and that the Applicant has proposed some good things such as wetland replication monitoring, stormwater treatment and erosion control monitoring.
- SCC members discuss the project and the wetland replication area.
- FD makes a motion to approve the current project plan and all other submitted documents, DG seconds the motion. All in favor: 3/1 (EG denies the motion).
- KK states that the Order of Conditions will be very specific and the SCC will need time to review. She requests consent to issue the Order of Condition in more than 21 days. D. Roberts grants consent on behalf of the Applicant.

*Hearing closed. Approval Order of Conditions to be issued—21 Day consent granted.*

**PUBLIC HEARING**

NOI CONTINUED from 6/1/06: DEP 300-697. Proposed Stoneleigh Woods at 6-8 Chase road & parts of 9 Chase Road, 183 Charlton Road, 141 & 159 Fiske Hill Road. Waterman Design Associates, Inc. representing Blue & Gold Development Group, Inc.

**DM opens the public hearing at 8:00 PM.**

**Present:** B. Fullerton, Blue & Gold

W. Belec, Waterman Design Associates

P. Thompson, Waterman Design Associates

K. Frost, NEE, Inc.

**KK Summary:** At the last hearing on 6/1/06 only 3 members were present and the Applicant requested a continuance to allow more members to be present. Since that hearing, she has written memo's to the

Applicants with her concerns and questions and Waterman Design submitted a response letter on 8/1/06. She has reviewed the wetland delineation in the field with the Applicant's representative, no major issues. The project has been approved by Zoning Board and has Site Plan Approval by Planning Board. Tonight's hearing is to be conducted as an overall presentation of the project.

**Discussion:**

- W. Belec presents a topography map to the Commission and gives a brief overview of the property—36 acre property, running through the property is a 33 foot wide Exxon Mobile Pipeline line with a 6-inch petroleum line. The topography is moderate to gradual, the grade is 6-7 percent. Majority of the property exists as upland forest. He shows the Commission where the watershed divide is on the property and states that a GeoTech report has been conducted.
- K. Frost gives a brief presentation of the wetland areas on property. The wetlands are all wooded, the property was delineated five years ago and has since been re-reviewed. There is no evidence of potential vernal pools on the property, no mapped pools and no field evidence.
- KK states that she also walked the areas on property between the wetland areas, there are natural upland swales connecting the wetlands, no wetland connections.
- W. Belec gives an overview of the project—71 unit development of 55 years of age and over community, there will be 21 buildings with a 1,500 square foot club house. The access drive is 24 feet wide with two 400 foot long drives and a 500 foot long drive. The site is designed to be laid out in clusters and each clusters is separated by 100 feet between buildings. Zoning requires 10% of the property to be open space, they are proposing for the public access 35% of the property which is roughly 12.5 acres.
- W. Belec goes over the stormwater system proposed, six detention basins throughout the site. No invasive species, tree, shrub or ground material. Each detention basin has 3 pools to allow for maximum TSS removal and sediment settling. The project is on public sewer and town water. Also proposed is a 1 mile trail system connecting to the Open Space, a clubhouse with 8 parking spaces, each unit will have a 2 car garage attached with additional 2 parking spots.
- DM questions if there will be an emergency access road for the pipe line if anything goes wrong. There is only one entrance/exit to the development. W. Belec states Exxon is fine with the alignment of the roadways and the pipeline. Also, ZBA does not allow access road to Fiske Hill Road.
- W. Belec requests to go over the work that is within the buffer zone to wetland resource areas. The amount of work within 100 foot buffer zone is 3200 square feet, in the 200 foot buffer zone is about 35,000 square feet. There is intermittent flow coming out of the wetland in south of the property and they are proposing work within 25 feet of the flagged channel. About 910 square feet of alteration in the 25-foot buffer zone. Only a portion of one building is within the 100-foot buffer and no pavement is within 100-feet of any wetland area.
- DM questions how much site is to be cleared of vegetation. W. Belec states there will be 3 phases in the development. Phase I won't start until Chase Road is complete (currently under construction with an approved Order of Conditions). The project will be developed if then economy allows, then Phase II will start. (Each Phase includes the construction of a cluster)
- DM mentions the seeping in the area and questions the high point of the property. W. Belec states that there have been site walks with the OSF Fitel Corporation and there was an agreement that the project will not impact the hydrology of the OSF Fitel property. He also mentions that CME Engineering was the third party review of the stormwater system during Zoning process.
- KK questions the details of the trail system and access to open space. Portions of the trail system are shown on the plan to transverse through the wetlands. W. Belec states that members of the Town Staff, including Conservation Agent, Tree Warden, Town Planner would be able to walk the final location of the trail and it would be selective clearing if any is necessary—maybe brush clearing. KK

states that instead of a permanent trail with impact to vegetation, signs could be posted and trees could be painted to define the natural trail.

- KK also states her concerns include construction phasing and Erosion Control monitoring with weekly, monthly reports.
- DG questions how much material is going to be removed from the property—is a lot of earth work proposed. W. Belec states that there is going to be some earth work involved, and blasting may need to occur for Phase 3.
- EG questions if there is any way of keeping trees rather than de-vegetating the entire property. W. Belec states their first proposal was to clear more trees but they have fine tuned the grading. There are stands of trees within the development that will stay.
- EG questions the frontage on a Town Road for the project and what if the Town does not accept Chase Road (that is under construction). W. Belec states that Phase I cannot commence until the Chase Road is accepted by the Town (Condition is currently in litigation). Sees it as a non-issue.
- SCC members state that they would like to visit the site and walk the property. W. Belec offers to join the Commission on the site walk
- SCC Members show concern for the limit of clearing and the amount of vegetation removal. DM requests to know the amount of material to be removed from the site.
- W. Belec states that the final limit of clearing will be determined by the Tree Warden. SCC Members state that during the site walk, they want to play close attention to the area of work within the 25-foot buffer zone—work associated with the detention basin outlet.

*Hearing continued to September 28, 2006 at 7:55 PM pending site visit. Applicant representative agrees*

## **PUBLIC HEARING**

RDA CONTINUED from 6/1/06: SCC 06-15. 165 Charlton Road, wetland and stream determination. Alton Engineering representing Bill Babineau

### **DM opens the public hearing at 9:00PM**

**Present:** B. Babineau, Property Owner  
A. Stone, Alton Engineering  
R. Penney, Abutter  
S. Yossef, Abutter

**Summary by KK:** Determination is for reclassifying a stream to intermittent (previously reclassification has expired) and approve of the wetland delineation. At the last hearing on 6/1/06, members requested to visit the site, unsure of site visit status. With regards to the stream reclassification, only 2 days worth of photos were submitted with the filing, additionally, beavers were removed from the property in January 2006.

### **Discussion:**

- KK shows the members the plans and photographs taken in September 2005. No new information has been submitted. KK informs the Commission of the 4-day photograph rule for stream reclassification (photos are to be taken over 4 days within a 12 month consecutive period and photos are to be signed and dated).
- DM states he is not comfortable making a judgment on the stream, he will suggest a site visit.
- DG asks how is the beaver situation and A. Stone states the dams are gone.

- A. Stone states that the photographs were taken over a four day period, with two days in between. No significant rain events during the two days that are not photographed.
- EG stated that he recently drove by the property and the stream has high flow.
- A. Stone requests to get a partial ruling on the status of the ditch and wetland delineation. KK states that she visited the property in January around the time of the beaver dam removal. She believes that the ditch on property is man-made and is not a stream. KK questions the Commission if she should review the wetland delineation. SCC members agree that KK should review the wetland delineation but SCC members would also like to conduct a site walk to view the perennial stream on property.
- R. Penney (abutter) states that he checked the ditch on Tuesday and Thursday and it has been dry and S. Yossef (abutter) states he also saw that the ditch is dry. SCC Members state that the ditch is not questionable, it is the perennial stream on property that needs to be looked at.

*Hearing Continued to September 28, 2006 at 8:15 PM pending site visit. Applicant agrees*

### **PUBLIC HEARING**

NOI for DEP 300-708: 9 Library Lane, construction of a driveway. Jalbert Engineering, Inc. representing the property owner George Hammond

### **DM opens the Public Hearing at 9:17 PM.**

**Present:** D. Roberts, Jalbert Engineering, Inc.  
L. Jalbert, Jalbert Engineering, Inc.  
G. Hammond, Property Owner

**Summary by KK:** First hearing of the project and KK requests green cards from abutter notification and newspaper ad—D. Roberts submits both. KK questions if the Commission members recall visiting the abutting property at 11 Library Lane in May, members noticed a recently installed well within the 50-foot buffer to a cove of Walker Pond. Also, earth work activities were observed near the house. She sent out a letter citing the violation and an After-The-Fact application was submitted that includes a proposed driveway. SCC members review plans dated 6/7/06 and photos taken 5/17/06.

### **Discussion:**

- KK states that the driveway is to be gravel and not paved, they are proposing grading to be done, tree clearing and plantings.
- Members have a brief discussion of the driveway and the slopes
- D. Roberts states that the intent is to correct the existing drainage, collect run off and improve the Lake
- G. Hammond states the grading is to be leveled off behind the house, the drainage needs to be improved, water pools near the house.
- DM suggests a site walk and EG agrees.
- DG states she has a concern of the run-off and how it will be dealt with. She does not want to see the run-off going into the Lake.
- DM states there is a good slope and wants to visit the property to specifically look at the location of the outlet and the driveway. Concerned with the amount of fill is being removed from the site. G. Hammond states that most of the material on property is gravel based.
- D. Roberts states that a portion of the hill is to be cut, loomed and seeded. Plantings are proposed to mitigate for the vegetation cut for the well and for privacy. DM requests that areas are not seeded, not consistent with the area.

- Members discuss the runoff from the slope, DG questions if the water goes across the road to the cove and G. Hammond states yes.
- EG states that the Commission should do a site visit before discussion potential issues. Other members agree. DM requests that all trees to be removed are marked for the site visit.

*Hearing continued to September 28, 2006 at 8:30 PM pending site visit. Applicant agrees*

### **PUBLIC HEARING**

NOI for DEP 300-705: 130 Lake Road, reconstruction of a lake house. Eco Tec, Inc. representing Charles and Linda Bemis.

### **DM opens the Public Hearing at 9:30PM**

**Present:** S. Morrison, Eco Tec  
C and S. Bemis, property owners

**Summary by KK:** First hearing of the project, KK request green cards from abutter notification and newspaper ad. S. Morrison submits the green cards but does not have a copy of the tear sheet. He states that he is pretty sure it was advertised and will fax the proof to the Conservation Office. KK asks the Commission if they would like to open the public hearing with out proper notification requirements. DM states that he has no issues opening the hearing, if the hearing was not properly advertised then at the next meeting the minutes will have to be read. Other SCC members agree to open the hearing.

KK states that the Commission issued a Positive Determination (SCC 05-44) in early 2006 because there appeared to be more wetland than what was delineated and the Commission felt that the proposed work required the filing of a NOI. The NOI includes demolition of the existing camp within the wetlands and the construction of a larger house (about 200 sq ft larger) built on piers. An existing shed is also to be removed. An area of 400 square feet of wetland shrub plantings is proposed, her concern is the area of temporary disturbance. KK also requests pier construction details. SCC members review the 5/24/06 plan by Jalbert Engineering and photos from 1/13/06.

### **Discussion:**

- S. Morrison states that the construction is within an area of the lawn that was flagged as wetland because of the hydric soil, wetland plants growing in and ground water at the surface. The cottage was built back in the late 1940's or 50's before the Wetland Protection Act.
- C. Bemis states that there is a private well and they have town sewer (recently installed around Big Alum Lake).
- S. Morrison states they are proposing to put the house piers. DM questions if it is possible to move the house back and closer to Lake Road. C. Bemis states they would be putting it on the sewer line.
- KK questions the temporary disturbance with removing the existing house. S. Morrison shows on the plans where there they will not do grading.
- DM states the house is in the wetlands and S. Morrison states there is 400 square feet of mitigation of shrubs. DM has concern with the area of mitigation, he would rather see the mitigation be near the Lake. DM prefers to see the house moved away from the Lake. DG requests that the sewer line is shown on the plan. FD is concerned with the foot traffic of people at the house, walking through the wetland area, mowing the wetland etc. EG states that he would like to see the house be the same size—a larger house is discouraged.
- SCC members request a site visit of the property before discussing the proposed project any further.

*Hearing continued September 28, 2006 at 8:45 PM pending site visit. Applicant agrees.*

**PUBLIC HEARING**

NOI CONTINUED from 6/15/06: DEP 300-678. 186 New Boston Road, Single Family House and Reclassification of a Stream. Green Hill Engineering representing J. Boutiette

**Written Request for Continuance - Hearing continued to October 5, 2006 at 7:30 PM**

**PUBLIC HEARING**

NOI for DEP 300-709: 278 Cedar Street, septic system repair. MSPE, Inc. representing Ralph & Anita Tavernier.

**DM opens public hearing at 9:51 PM**

**Present:** M. Santora, MSPE, Inc.

**Summary by KK:** First hearing on project for septic system repair, KK receives green cards from abutter notification and a copy of the newspaper ad to open the hearing. KK states she visited the property on 7/25/06 and have no issues. There is a seasonal grass swale on property that is coming out of the wetland area and a 3-inch pipe. This project is pending Board of Health approval. KK shows the members photos from the site visit and the 7/26/06 plans.

**Discussion:**

- Members review the plans as M. Santora states that the project is a septic system repair. Currently the existing system is being pumped out, if the system is not pumped, sewage would run and would have the potential of crossing over to the neighbors into the pond. (KK clarifies for the Commission that the property is located just north of the farmer's pond on Cedar Street).
- M. Santora explains to the Commission the type of septic system that is proposed, it is a new type of system that is "environmentally friendly". The type of system will uses 40% less space that other septic reserve systems. The two large trees on property will remain.
- KK questions if he received approval from the Board of Health and M. Santora states not yet.
- KK states she visited the site and there is a small 3 to 4 inch white pipe (photo's shown to members) coming out the wetland. It appears to have been installed by the property owners to possibly help with ponding water. The pipe discharges to a seasonal swale that is mowed grass. There is no other wetlands on property and KK also checked off property near the end of the swale. KK suggests that additional erosion controls are installed to protect the neighbors property and that the trees are marked to stay for the contractor.
- M. Santora states he is the contractor and he will make sure the trees will stay.
- EG makes a motion to approve the project with additional erosion controls, FD seconds the motion. All in favor: 4/0.
- KK requests 21 day consent from the Applicant. M. Santora gives consent to issue the Order in more that 21 days. He states that he still needs to obtain Board of health approval.

*Hearing closed. Approval Order to be issued. 21 Day consent given*



**PUBLIC HEARING**

NOI CONTINUED from 7/20/06: DEP 300-700. 164 Lake Road, single family house improvements. Para Land Surveying and Engineering representing G. Galonek

**DM opens public hearing at 10:12 PM**

**Present:** G. Galonek, Applicant

**Summary by KK:** KK states that SCC Members visited the property 7/22/06 and members requested addition details on the retaining wall repair. No new information has been submitted to the office. She recommends that the Commission does not phase the project, retaining walls are important features and she doesn't think the Commission should require the walls to be replaced as a second phase.

**Discussion:**

- DG has concerns about the control of erosion and limiting water/erosion from getting to the lake.
- G. Galonek shows on the plan that the property slopes to the road.
- EG states that he does not have a problem with the hay bale location or starting work outside of the 100-foot buffer zone (road side of the house), however he requests additional details on the retaining wall (portion of the retaining wall between the Lake and the house).
- G. Galonek states he cannot begin the repairing the wall at the Lake's edge until the water level is down.
- Members discuss the phasing the project.
- DM agrees that more details about the retaining walls on the Lake side of the property, VersaLok walls or stone, height of the wall, stock pile of material, any material to be brought in, any vegetation to be cleared etc. DM states that if the retaining wall at the lake's edge is to be repaired by hand with stone that is already on property during draw down, then it could be done with a Letter Permit.
- EG makes a motion to approve the plans on the road side of the house (garage construction) with a Condition that the Applicant come before the Commission within one year to Amend the Order for the retaining wall work near the house. A second Condition stating that the retaining wall for the Lake edge can be done through a letter permit. FD seconds the motion, all in favor 4/0.
- KK requests consent to issue the permit in more than 21 days. G. Galonek states that he is supposed to start work this weekend. He cannot wait 21 days. SCC members explain the 10-day appeal process and process for recording the Order of Conditions. G. Galonek requests if the Order can be ready by next week. Members agree to sign the permit next week. KK states that no work can start until erosion controls are in place and approved and that the Order is recorded.

*Hearing closed, approval Order to be issued.*

**10:36 PM OTHER BUSINESS:**

**1) Member Sign the Following Permits:**

- Extension Permits: Allen Homestead Development, DEP 300-419 & The Preserve, DEP 300-471
- 78 Fairview Park Road: Partial Certificate of Compliance DEP 300-482

**2) Discussion of 184 & 186 Lake Road Letter Permit for tree removal: SCC 06-28**

KK shows members of the photographs that she took during the site walk and reviews the letters written by the property owners. KK states that the property owners will leave the stumps and root systems in the ground, no potential for erosion. KK states that she prefers the trees to stay, but does not think removing the trees will impact the Lake. DG states that there is no real reason why the trees should come down, unless it

is clear that the trees are dead and/or dying. DM makes a motion to allow the tree removal at 186 Lake Road through the letter permit, FD seconds the motion. All in favor: 2/2 (DG and EG deny).

EG states that the Commission must enforce the 25-foot no touch buffer zone. KK states that in the case of these two lots, the 25-foot buffer zone exists as lawn and does not have the same performance standards as un-disturbed buffer zone.

EG makes a motion to allow the tree removal for 184 Lake Road through the letter permit, FD seconds the motion. All in favor: 2/2 (DG and EG deny).

KK to write letter to applicants in regards to the 25-foot buffer zone.

### **3) Discussion of 47 Bennetts Road Letter Permit for deck: SCC 06-29**

KK shows members of photographs and plans prepared by Jalbert Engineering, Inc. The letter permit is to allow the replacement of pressure treated deck with composite decking, the footings are to remain and no new excavation and no new expansion.

FD makes a motion to allow the replacement of the deck material through the letter permit process with the Condition of no stockpiling near the Lake. DG seconds the motion, All in favor 4/0.

### **4) Discussion of 18 Stoneybrook Drive, driveway bridge**

KK shows the Members photographs of a site visit on 8/2/06. KK states that the property owner is looking to replace the driveway bridge on property, the bridge was damaged during the October 2005 floods. The driveway has a sinkhole and the owners have been parking on driveway and walking to house. Is this an emergency? The bridge leads to a house crossing over a perennial stream. The contractor—Kearns trucking—submitted a sketch that shows concrete footings to replace the steel and wooden bridge. The bridge is to be higher in elevation for more clearance and the footings are to be located further from the stream.

DM questions if the existing bridge is to be completely removed and excavated out. DM states that the work is significant and needs a NOI. EG states that it is not an Emergency since the damage occurred in October 2005. Other members agree that a NOI is necessary. KK questions if the Commission would allow the work under a Letter Permit and require As Builts. DM states that he is not comfortable with just a sketch and needs engineered plans. EG makes a motion to deny the Letter Permit and require a NOI to be filed for the bridge work. FD seconds the motion, All in favor 4/0

## **FIRE ALARM AT 11:00PM**

### **Brief discussion outside included:**

- McGilpin Road, tree clearing
- Set site walk schedule for August (8/19/06)
- Discussion of Crescent Gate Unit 12 Sun room

## **11:25 PM Meeting Adjourned**