

STURBRIDGE CONSERVATION COMMISSION (SCC)
Minutes for Thursday October 5, 2006

Open Meeting at 7:02PM

Board Members Present: David Barnicle (DB), Chairman; Ed Goodwin (EG); Donna Grehl (DG); David Mitchell (DM) arrives 7:07PM
Kelly Kippenberger (KK), Conservation Agent
Danielle Garry for Minutes

CPA and Zoning Study Committee Update

- EG tables the CPA update--discussion of quorum attendance
- DG states there are no updates for the Zoning Study Committee

7:04PM New Business

- DB states he visited Steve's Collision for an erosion control check. The hay bales look good, there is a lot of stock piling on site for excavation of the foundation.
- Members have a brief discussion of improving Conservation meetings. KK suggests a structured meeting where each member speaks one at a time with questions/concerns, members agree. (DM arrives at 7:07PM)
- DB motions to accept the 5/18/06 minutes as reviewed and written, EG seconds. All in favor 3/1, DG abstains. DG states she has not reviewed the 5/18/06 minutes

7:15 PM Walk Ins

1) 29 Valley Road: Tree removal Letter Permit request

- J. Brogan present for discussion
- KK states that SCC members visited the property on 9/9/06 and members noted that the tree's root systems were stressed from patio. KK indicates that the owner consulted a tree expert (R. O'Hop) who said the two pines trees will fall in near future.
- KK shows the members photographs taken on 9/7/06 of the trees to be removed. KK questions J. Brogan of exactly what trees are to be removed.
- J. Brogan points out on the photographs that the first tree he wants to remove is the one leaning. He consulted a tree expert who said it will fall on its own because the root system is shallow. He states that when the tree falls, it will damage his dock and retaining wall. J. Brogan points out the second tree to be removed and clarifies that the tree closest to the patio is to stay.
- DB states that if the trees are removed, the temperature of the Lake will change. He noticed on the site walk the difference of temperature in the shade.
- J. Brogan states that the trees to be removed are not healthy--it is a safety issue. In order to protect the lake he built the retaining wall and the trees might destroy the wall.
- DG states that she has a problem with calling the situation a safety issue.
- DM states that the main issue with removing trees is the potential for erosion and shade in the terms of lake and wildlife habitat. He questions if removing the two trees will have a cumulative impact on the Lake.

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- EG states he does not want to interfere with what people want to do on their property but the trees are clearly in the 25 foot no touch buffer zone. He believes that the trees are not a threat, the trees will die but not anytime soon. DG agrees.
- DG Motions to not approve the cutting of the trees under a letter permit, EG seconds. All in favor 3/1 (DM opposes).
- DB explains to J.Brogan the procedure of filing a Notice of Intent if he still wants to cut the trees down.

2) 186 Lake Road: Tree removal Letter Permit request

- J. Field present for discussion
- KK states that the members visited the property on 9/9/06 and observed that 1 tree appeared to be healthy and 1 tree was not. On 9/15/06 J. Field submitted a report by an Arborist that stated the trees have a root problem due to constriction of the stairs and retaining wall. The owner stressed concern of the trees falling onto the house and proposed to leave the root systems intact. KK shows the members photographs of the trees.
- J. Field states that the trees started to die about 3-4 years ago, one tree is clearing dying and has not produced many tassels. He states that he enjoys the Lake and does not want to see the trees to come down, but he cannot risk damage to the house if they fall. The house was built about 10 years ago and he actually removed one less trees than what was proposed. He uses no fertilizers and installed a catch basin to help with the runoff going into the Lake.
- KK states she feels the board must be consistent with tree removal requests, however believes that removing two trees will not impact the Lake. If the root system is to remain, then there should be no erosion issues. DM agrees that erosion is not an issue.
- KK states that the Commission should develop a policy on tree removal on the Lake. The Commission views about 5 to 10 tree removal requests per year, she likes the fact that residents realize that they have to request approval for tree removal.
- DG states she doesn't think the trees are dying. J. Field states that a tree expert said they were dying. EG states that he does not think the trees are going to die soon. He states that they have been there for years, the trees are within the 25-foot no touch buffer zone.
- EG questions what KK thinks. KK states that she is not a tree expert. She doesn't want to see the trees removed but does not think removing the trees will impact the Lake.
- DM agrees and states that the board is not tree experts and does not think the tree removal will impact the Lake. DG states that the trees provide shade for fish and other Lake habitat. DM Motions to approve the tree removal, DB seconds. All in favor: 1/3 (DB, EG, DG Oppose).
- DB explains to J. Field the procedure of filing a Notice of Intent if he still want to cut the trees down.
- EG states that if the tree dies, come and talk to the Commission about removal

PUBLIC HEARING

NOI Continued from 8/3/06: DEP 300-678. 186 New Boston Road Single Family House and Reclassification of a Stream. Green Hill Engineering representing J. Boutiette.

Request for Continuance. KK reads continuance request submitted 10/5/06 via fax by Green Hill Engineering. DM Motions to accept request and continue the hearing, EG seconds. All in favor: 4/0. Hearing continued to November 16, 2006 at 7:30 PM

PUBLIC HEARING

NOI CONTINUED from 8/31/06: DEP 300-711 for 36/38 Goodrich Road, demolition of an existing house and new house construction. Jalbert Engineering, Inc. representing Frederick Gunn

DB opens the Public Hearing at 7:37 PM.

Present: F. Gunn

Discussion:

- KK states that SCC members visited the property on 9/30/06 and have several questions & concerns including: Phasing of construction, erosion potential beneath the decks, slope and potential for erosion, area of disturbance is to be lawn, tree removal, high water mark location, location of the septic system and stabilization measures through out phases of construction.
- KK shows members the plans and states that the phasing of this project needs to be provided in detail. Her concern is the stabilization of the area where the existing house is--once it is removed. She is also concerned with the amount of material to be brought in to create level ground for the house.
- F. Gunn states that he wished he was notified of the site walk. He also states that there is a camp existing, not a house and he wants to remove it because it is falling down. The camp was built on the ground with cinder blocks--the camp was hand built by family members. He is proposing to build the house first then remove the camp by hand.
- DM questions how much material is being removed and F.Gunn states just the camp will be removed.
- DG questions what is beneath the camp, F. Gunn states ledge--the camp was built on rock.
- F.Gunn shows the members the cross section on the project plan. He states that if ledge is present, there will be a footing drilled into the ledge. The house will not have a foundation, he plans on building the retaining wall and then backfilling the wall. It will be a small off road parking area.
- DM states he is concerned with the stabilization of the excavator and F.Gunn states he will be using one. Removal of the camp will be done by man-power.
- DM states that he is concerned with not knowing where the ledge is on property. SCC members discuss the footings of the house. Members recall how steep the property is and express their concern for erosion issues. DG states that as soon as trees are removed there will be a erosion issue.
- KK requests to review the construction sequence on the plan. KK questions the stock piling of materials. F. Gunn states that he is going to use the existing decks for stock piling.
- DM states that the plans need to reflect the work. The one site plan has too much information. F. Gunn agrees and states that the Engineers put too much information on the plans.
- DB states that having the information is good but it should be broken out into phasing plans--each plan should be a construction phase.
- DM states that the profile should be revised to show how the house is to be built. Seems to be conflicting information on the plan and what he is stating.
- DB states he is concerns with the decks and seeding of the area where the decks are. He prefers to see specific plantings and not just loam and seed.
- DB suggests to F.Gunn to ask for a continuance so that he can submit good, readable plans.
- DM requests confirmation that the retaining wall will not fail, he states that a wall expert Engineer may have to confirm this.

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- EG states that the phasing of this project is a definite issue. He would like to see the stock piles areas on the plan and not be near the water. The 25-foot buffer zone will have to be fully restored.
- F. Gunn questions what the Commission wants. DB states that KK can write a letter listing the Commission's concerns.
- KK states that the Commission has concerns with the slope of the property and the phasing of construction. The members requested revised plans showing the phasing of the project in detail and showing restoration of the 25-foot buffer zone.

Hearing continued to November 16, 2006 at 7:50 PM pending receipt of revised plans.

PUBLIC HEARING

NOI CONTINUED from 8/31/06: DEP 300-712 for 69 Paradise Lane (Lot 1), Construction of a single-family house. Allen Engineering, Inc. representing Snowflake, LLC

DB opens the Public Hearing at 8:05 PM

Present: J. Schmitt, PWS

M. Allen, Allen Engineering, Inc.
Abutters

Discussion:

- KK states that SCC members visited the property on 9/30/06 and have several questions & concerns including: slope and erosion control issues—no retaining wall proposed, the amount of cut & fill within the 25 & 50 foot buffer zones, the close proximity of lawn to the 25 foot buffer zone (rear of house), concerned with water/sand/salt traveling down driveway and into lake, area is a primary recharge for the lake—Commission is very concerned with the water quality during and post construction. No mitigation has been proposed, no alternatives analysis—no consideration to the local bylaw. Also—the office received questions about the project by an abutter via email on 10/4/06. The email has been inserted into the project file and was forwarded to the Commission members.
- DB states that he is concerned with the 25 foot buffer zone in the back of the house. Also, there may be a vernal pool in the wetland behind the house location.
- M.Allen shows members the revised plans and states he has added mitigated measures for the commissions concerns. First, a portion of the driveway runoff will be collected in a grass swale and will meander naturally through the woods. A trap rock swale is proposed on the north side of the driveway and it will act as a velocity reducer. At the bottom of the driveway there will be a 4-foot deep trap rock settling basin to collect the runoff from the driveway and protect the wetland. The driveway was moved 8 feet to the south away from the wetland and now the limit of work is 12 feet away from the wetland. Additionally, during construction there will be check dams along the slope to prevent erosion. A construction sequence was added to the project plan, the driveway will be built first, then stabilize the slope and then finally build the house. M. Allen states that the proposed owners want to naturally vegetate the slope.
- KK states that the swales and settling basin will need pre and post construction maintenance. The maintenance schedule is the property owner's responsibility.
- EG states he wants to see the history of the lot which was requested at the last hearing. He wants to prove there is no hardship. If there are alternatives to accessing the property then the project is a hardship.

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- M.Allens shows the members that the lot meets the required frontage and states that there are no other alternatives. He states that he is pretty sure the lot predates the MA Wetland Protection Act. EG states that he needs definite proof, dated plans etc.
- J.Schmitt discusses the mitigation plan for stabilizing the slope. She submits photographs from a similar 2:1 slope with plantings--a special hydroseed mixture with clover. She agrees that native shrubs should be planted with the hydroseed. Additionally, she believes that installing the binder coat of the driveway as soon as it is graded is a good idea--less sediment erosion.
- DB states he does not want to see invasive plant species on the slopes and J.Schmitt agrees.
- DG questions the number of trees that need to be cleared.
- S.Sanderson (abutter) states he agrees with the enhancements on the plan, however the concern is protection of the Lake and questions why the lot is so critical to build on. He questions the property owner's liability if the Lake is impacted--maybe water quality samples should be taken pre and post construction.
- DM states that the Commission reviews the potential of filling the wetland. There are state water quality standards and residents can monitor the turbidity if concerned. The liability is on the property owners to not violate the Order of Conditions.
- KK suggests requiring an erosion control monitor during construction due to the steep slope of the property.
- S. Sanderson questions reclassifying the stream. J. Schmitt states that she collected photos and field notes of the stream dry. All information was submitted, including drought information. She recalls walking the stream and not seeing any dams. KK states that the stream appears to be meandering flow within the wetland and without defined banks. There are defined banks across the street where the stream is channelized.
- W.Sanderson (abutter) questions the property access availability. He states that there was access available from Glendale Road and newer portion of Paradise Lane.
- DB suggests researching the Tax Assessors data or the Planning Board files for information. The SCC does not have that information, but has requested it from the Applicant.
- J.Hill (potential property owner) states that they are looking to purchase the lot. She loves the land and wants to build a house, she would not sub-divide the lot or damage the lake in any way by using pesticides.
- DB requests to review the gravel swale on the driveway. He questions snow removal on the driveway and storing the snow in the swale. What about when the snow melts and the soils thaw, he is concerned with the re-charge of Big Alum Lake.
- J.Schmitt states that the system is designed for the water not to go straight into Big Alum Lake.
- DB questions the culvert under the driveway and M.Allen states there will be a 12-inch pipe for road runoff
- DG states that there is a lot of water in the area of the driveway. There is a potential problem with runoff.
- EG states he would like to see the driveway move even farther from the wetland--there is work in the 25-foot buffer. He has a concern with the detention basin, he feels that it is an encroachment on the wetland. EG is also concerned with opening the canopy near the wetland and losing shade in the wetland.
- DB suggests a continuance to the hearing to allow additional information to be submitted. M. Allen agrees to a continuance.

Hearing continued November 2, 2006 at 8:10 PM

PUBLIC HEARING

NOI CONTINUED from 9/7/06: DEP 300-716 for 286 Big Alum Pond Road, proposed house demolition and construction of a new house. Bertin Engineering Associates, Inc. representing J. Casaubon

DB opens the Public Hearing at 8:50PM

Present: H. Blakeley, Bertin Engineering & Associates, Inc.

Discussion:

- KK states that SCC members visited the property on 9/9/06 and she visited the property on 9/26/06. SCC concerns after the site walk included details of the erosion issue near the driveway and protection of the catch basin. KK states that her concerns are tree clearing, slope of the property and stabilization, and no mitigation proposed for a larger house. Bertin Engineering submitted revised plans and documents on 10/4/06 and 10/5/06. The revised plans include mitigation details/planting plan and a sequence of construction.
- The members review the revised plans and property photographs. KK states that an abutter called the office concerned with the close proximity of the house near the roadway. Many residents walk the area and the connecting path to Clarke Road/Big Alum Extension.
- DG questions the plantings and how many trees are to be removed. H.Blakeley shows the members the 6 to 7 trees to be removed. She reviews the construction sequence with the members: remove the existing house, stabilize the area with mulch, topsoil and the plantings, then start to build the new house. A geo-textile mat is going to be used for the eroding slope near the driveway. There is a roof infiltration system proposed so the runoff will infiltrate into the ground through a low velocity swale.
- EG questions if the garage is within the walkway that people use. H.Blakeley states yes, but it is on private property. The Town does not plow the walkway area and the plows stop just before the property. (G. Morse in audience and confirms that the Town plows the "circle" area of the property)
- DG questions the tree removal. H.Blakeley states that the limit of work is also the limit of tree clearing.
- DB comments that the geo-textile mat is a good thing. He questions if the only work in the 25-foot buffer zone is demolition of the house and the proposed plantings. H.Blakeley confirms.
- KK states that the erosion controls need to be installed first and remain in place until fully stabilized.
- DM states that the planting plans are vague and H.Blakeley states that is because the species list is not finalized. The property owners want natural plantings like mountain laurel.
- DG states that no fertilizers to be used. H.Blakeley agrees
- DM Motions to approve the plans as presented, EG seconds. All in favor: 4/0.

Hearing closed. Approval Order of Conditions to be issued

PUBLIC HEARING

NOI CONTINUED from 9/7/06: DEP 300-714 for 120 Lane 10, proposed house demolition and construction of a new house. Green Hill Engineering, Inc. representing Vizards.

DB opens the Public Hearing at 9:07PM

Present: M.Farrell, Green Hill Engineering, Inc.

Discussion:

- KK states that at the last meeting SCC members voted to accept the location of the house but had outstanding concerns with the slope of the property and construction access. Members requested a construction sequence and stamped engineered plans. Concerns included tree clearing and high potential for erosion. A draft version of a revised plan was submitted 10/5/06 and includes a construction sequence and a dry well for driveway runoff. Her concerns include—showing the trees to be removed, and stockpiling of soil.
- KK shows members the revised plans. M.Farrell shows the members the stock pile area on the plans--little material is to be removed. He states that the rear footings are going to set at grade and then back filled. He did not mark the trees to be removed. He reviews with the members the infiltration of runoff near the parking area. M. Farrell also describes the construction access and the sewer trench with be backfilled with 1 ½ inch stone.
- EG questions what type of equipment will be used and M.Farrell states an excavator will be needed to dismantle the house and place the materials into a dumpster to be hauled off site. The plan is to put in a gravel driveway with 2-3 inch trap rock on top. Trucks will be traveling up and down the driveway to bring in the material.
- DB states he is concerned with the driveway and the steep access to the Lake. The velocity of the water will move over and through the trap rock
- D.Vizard states that the pitch of the driveway and the trap rock should help slowing the velocity of the water coming down the drive. He also states that no trees will be cut on the west side of the property. DG states that if a lot of trees are taken down the property will not be stable.
- KK questions the grade of the driveway and M.Farrell states 18-19% grade about 10-feet wide.
- DM states he is concerned with the future use of the driveway. D. Vizard states that it is not a driveway but a construction access. He states that they will park at the top near the garage and then use a golf cart to get to the house.
- DM states that he would rather see the access way return to a natural state after construction. There is no reason to have a driveway that steep going to the house. He is very concerned with the driveway staying.
- EG questions is a staging area is going to be needed. KK states that there should be no stock piling.
- DB asks the Applicant if he would like to continue the hearing in order to submit revised plans showing the trees to be removed and details on the construction access. Applicant agrees
- DM states that the applicant should look into removing the access drive after construction.

Hearing continued November 2, 2006 at 8:40PM pending revised plans

APPOINTMENT

Request for Certificate of Compliance for DEP 300-559: Lot 29—30 Tannery Road in Allen Homestead, Gary and Cynthia Taudel.

DB opens the discussion at 9:30 PM

Present: G. Taudel, property owners

Discussion:

- KK states that the property is located 2 lots from the Lot that currently has a Stop Work Order and is going through the Amendment process (DEP 300-550). KK and DG visited the property on

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9/20/06 (shows members photographs) and witnessed a couple of problem erosion areas. At this point, the property owner is responsible for the Order of Conditions and stabilizing the property. KK recommends that an Engineer observes the erosion problem as it is impacting a retaining wall.

- DG states that the erosion is bad and going through the wall
- G.Taudel states the slope was done by Soper Construction and the retaining wall was put in 6 months ago. He believes the erosion has happened because it rained after seeding.
- DM questions if completing the wall caused the problem. KK states that the lot next door has the big versa-lok wall and the retaining wall on this property is large stone. The Taudel's amended the original order to have a grassed slope instead of a retaining wall. SCC members recall. DG states that the steep portion of the backyard has revegetated nicely. The erosion problem is on the side of the house. G. Taudel states that the area is like a funnel down the retaining wall. KK questions if it is supposed to be a grasses swale.
- EG suggests having an Engineer look at the problem and fix it.
- EG Motions to deny the Certificate of Compliance and require an Engineer to look at the problem and fix it, DM seconds. All in favor: 4/0.
- KK questions if the SCC should require a time line for the problem to be fixed. EG states that it is not necessary. DM states that it is in the best interest of the property owner to fix the problem.

APPOINTMENT

Discussion with Greg Morse, DPW Director for proposed McGilpin Road work.

DB opens the discussion at 9:43 PM

Present: G. Morse

Discussion:

- KK states that the town is proposing to improve McGilpin Road. She sent a memo on 8/10/06 stating that the work may be considered a limited project and the Wetlands Protection Act and may require a permit. She requested that Greg Morse inform the Commission of the scope of work to help determine if a permit is necessary.
- G.Morse states that the road is approximately 9,400 feet long. The average width is 18 ½ feet wide and it should be at least 21-feet wide. The work will be in the existing shoulders of the roadway and the drainage of the road needs to be improved. Trees along side of the road will need to be cut, went through T. Chamberland for the scenic road. There is about 25 hazardous and 20 non-hazardous trees. The project will take about 3-years (pavement costs) and they are proposing three phases: Phase I is the southern end, Phase II is the bulk of excavation--main drainage issues and Phase III is the northern portion.
- DG questions if the drainage issues are due to an increase of development. G. Morse states with development, there is more use in the road. The drainage of McGilpin Road is pretty bad, parts of the road always wash out, culverts are in the wrong place and some culverts are in bad condition. The pipe at the main wetland needs to be replaced.
- DM suggests that KK looks at the area of the big wetland to see how close the work will be. DM also suggests that KK determine which lots have wetlands.
- SCC members discuss if a NOI is needed.
- EG questions if a beaver deceiver is to be put in at the culvert. G. Morse states that as long as the culvert is maintained, it should be okay.
- DM states that he feels comfortable with KK working with G. Morse on the project and treating it as a repair to an existing roadway. He does not think a NOI is necessary, he suggests a Memorandum of Understanding. DB agrees.

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- DM states that KK can draft a Memorandum of Understanding that will detail what activities need a NOI, for example enlarging a culvert size or filling in the wetland. Other members agree.
- DB suggests that the members take a vote to accept the project as a repair.
- DM states that the Commission should review the Memorandum of Understanding prior to a vote. SCC members agree. G.Morse agrees.

PUBLIC HEARING

AMENDMENT for DEP 300-504: 304 & 306 Leadmine Road, construction of a driveway for a single family house. Jalbert Engineering representing D. Seaver

DB opens the Public Hearing at 10:06 PM

Present: L. Jalbert, Jalbert Engineering
D. Seaver

Information submitted: Green cards and newspaper to open the hearing

Discussion:

- KK states an Order of Conditions was issued 2/27/03 and included the construction of two driveways to span a bordering vegetated wetland—one crossing (500 sq feet of alteration) and replication area (1100 sq ft). Recently, the Commission Extended the Order and it is valid until 2/28/08. The Applicant has revised the scope of work to be one driveway instead of two. Alteration and replication areas are the same. The only change to her understanding is that one driveway will be constructed instead of two—the original Order stated that two driveways were to be constructed so she thought it was important to Amend the Order to clearly state only one driveway. The project was approved with a Work Plan and Wetland Replication Protocol by Eco Tec (dated 2/7/03). She recommends that the Commission approve of the Amended plan and that the Amended Order of Conditions reflects the Plan drafted by Eco Tec with regards to the replication area and monitoring.
- L.Jalbert shows the members on the plan that the driveway to stay is the upper driveway. The three changes to the plans are: driveway, swale and culvert to be removed, the 3 to 1 slope and the cross section of view on the plans. The limit of work has changed.
- There is a brief discussion of the hay bales and limit of work to be defined. D. Seaver states that the hay bales are already installed but where the second driveway was supposed to be.
- DM states that the change is positive. He suggests that new haybales are installed at the real work limit. EG agrees.
- DM Motions to accept the changed plans, EG seconds.
- Discussion continues regarding the limit of work. Members state that the work is to be monitored with photographs. KK states that there is a wetland replication protocol and monitoring in the Eco Tec report originally approved. She can pull special conditions from the report.
- All in favor: 3/1(DG abstains)

Hearing closed and Amendment to be issued with Special Conditions.

10:26 PM OTHER BUSINESS

1. 124 Lane 10 Letter Permit Amendment

D. Vizard present for discussion

KK states that a Letter was submitted on 9/19/06 to the Commission regarding a house addition. The Commission issued an Order of Conditions on 12/14/06 for the septic system repair--the house next door is currently before the Commission. The proposed house addition is within the 100-ft buffer zone but the existing house separates the Lake and the work. KK questions the construction access

D. Vizard states that no machinery will be used. There is an existing foot path that will be used for access to the house addition.

DM states he has no issues with the work, other members agree. DM Motions to issue a Letter Permit, EG seconds. All in favor 4/0.

2. Correspondence received re: DEP 300-314, 120 Clarke Road

Atty E. Neal present for discussion

KK states a Letter was received on 9/26/06 by Atty Ed Neal—forwarded to members on 10/3/06. The letter is in regards to a Certificate of Compliance for DEP 300-314, the permit for the driveway on 118 and 120 Clarke Road. Her recommendation is that the Commission sends a letter to the two property owners notifying them of the possible violations to DEP 300-314. The letter should request a full \$evaluation of the wetland alteration and replication areas.

KK shows the members the old plans and states the Commission approved the Order of Conditions in 1997 for the driveway. Recent submittals state that the driveway was constructed in the wrong location.

EG states the Commission needs an As Built Plan. DB reads the May 18, 2006 hearing minutes for 118 Clarke Road

Atty E. Neal states that the driveway shift should be a problem to the Conservation Commission. EG states that the Commission needs to deal with the current owner.

KK states that an Enforcement Order was issued in 8/2001 because the replication areas were not built. DB agrees that a letter should be sent to both property owners and it should give a deadline for a response. The situation is not a good one and it involves wetland alteration. The Commission needs to know what happened--as built are needed.

EG Motions that KK should draft a letter to both property owners notifying them of the violations and request a response, DG seconds. All in favor: 4/0.

3. Revised plans for 263 Cedar Street—DEP 300-694

KK states the Commission issued an Order on 7/11/06 for SFH construction. Applicant wishes to modify the location of house and driveway (plan dated 9/18/06)--limit of work to remain. KK states she has no issues with project and recommends that the Commission approve of changes through a letter.

EG Motions to accept the changes with a Letter Permit, DM seconds. All in favor: 4/0.

4. Correspondence for 8 Eagle Avenue-DEP 300-689

KK states that an Order of Conditions was issued 6/6/06 for construction of a church etc. Letter received 9/11/06 from the Applicant stating that they are not moving forward with the building plans however—the 25 foot buffer zone was restored. KK visited the property on 9/20/06 and noted that boulders were moved, ut no plantings. She recommends that a letter is sent requiring the plantings (see photos).

Members discuss the situation and request that KK sends a letter thanking the Applicant for keeping the Commission informed however the plantings should be done to fully restore the 25-foot buffer

5. Letter Permit for 154 Lake Road—Proposed Well.

KK states that a Letter Permit request was submitted for a well. Her and DG visited property on 10/2/06 (see photos). No issues, but erosion controls must be installed where the trench is. The well is in an area of gravel parking

Members looks over the photographs and agree that hay bales should be installed.
EG Motions to approve Letter Permit, DM seconds. All in favor: 4/0.

6. Request for Certificate of Compliance—DEP 300-687. 126 Podunk Road.

KK & DG visited the property on 10/2/06 (see photos). KK states that the property is not completely stable—she recommends a letter of no compliance to stress that the new property owners are responsible.

DG states that there is a perimeter drain and a deck that was not shown on the plans.

DM Motions of Letter of No Compliance, DG seconds. All in favor 4/0.

7. Request for Certificate of Compliance—6 Hunter Lane (part of the Sanctuary DEP 300-470).

KK states that she and DG visited the property on 9/20/06 (see photos). The property is part of the Sanctuary Development. KK states that she does not recommend a partial Certificate because the Sanctuary Permit expired on 9/3/06 and Top Coat pavement has not been installed. DB states then the project is not in compliance with Stormwater Policy--big issue

KK states that As Builts were to be submitted and the top coat was to be installed in 11/2005 (reads from Extension permit issued 9/2005).

EG Motions to deny Certificate of Compliance, DG seconds. All in favor 4/0.

DB states that Tom Moss needs to talk to the Commission at the October 19, 2006 meeting. Members agree, concerned with the Stormwater at the Sanctuary

Meeting Adjourned at 11:30 PM