

STURBRIDGE CONSERVATION COMMISSION
MEETING MINUTES FROM JANUARY 5, 2006

Meeting Opens at 7:07PM

Present: Dave Barnicle (DB) Chairman, Donna Grehl (DG), Ed Godwin (EG), Dave Mitchell (DM) at 7:08PM
John Hoffman, Associate Member
Kelly Kippenberger, Conservation Agent

Discussion of Administrative Help for Commission

- DB states the Commission is in need of help immediately.
- KK states she has received three applications and will be holding interviews next week.
- DB states there will be a need for some training.

Approval of 11/17/05 Minutes

- Deferred as DG and DM need to review.

Walk-Ins

1) T. Reardon Builders for Lots off Wallace Road

- T. Reardon and L. Jalbert of Jalbert Engineering, Inc present
- KK states that a RDA was filed for Lot 1 (part of an ANR for 6 lots). It was determined that there are several issues, there is a perennial stream within the wetland, wetland not flagged (estimated on plan) and clearing has occurred on all lots. Construction of houses has already started on Lots 4, 5 and 6. Lot 2 has a Building Permit.
- DM states that he is concerned something like this can happen
- EG states that the wetland line was never approved, how could construction start.
- L. Jalbert submits a letter to the Commission. The wetland delineation was done at the time of the survey, flags were verified in the field—28th and 29th of December. EG questions when the area was delineated. L. Jalbert states that the delineation was done sometime in April 2004.
- L. Jalbert states that the lots are within the riparian zone to a perennial stream, but the stream is about 538 feet away at the greatest distance. On Lot 1, Wallace Road is about 397 feet from the stream. The wetland is flooded and the stream is difficult to determine where the bank is.
- L. Jalbert states that work started on Lot 1 (clearing), there is a Building permit for Lot 2 and Lots 3,4 and 6 have house construction.
- DM questions the limit of the vegetation clearing. L. Jalbert states that the current condition plans are not done, but will show the limits of the clearing.
- DM asks for an explanation of why a RDA was not done to approve the wetland delineation.
- DB questions the distance between the house and the wetland on Lot 4, appears to be closer.
- EG states that the Commission needs to check the wetland flags and approve of the delineation before moving forward. No work should be going on.
- J. Hoffman questions if they are working on a 8% slope. Members discuss the slope Regulations.
- T. Reardon states that 3 houses have gone up, he was not aware that he may be in violation. He hired a professional Engineer to do the job right and the plans show the wetland more than 200-feet from the houses. He is not trying to “cut corners”, he knew that wetlands were far down the slope so hay bales were installed.
- DB states that the problem is that the delineation was not approved. How does he know the plans are right? DM concurs and states that the wetland line needs to be established.

- Members discuss what should be filed. RDA vs. ANRAD for delineation. KK states that a RDA should be fine, it will also show the proposed work.
- Members state a RDA for each Lot shall be filed.

VOTE – RDA: SCC 05-37 for 164 Podunk Road septic repair. Green Hill Engineering representing P. Tremblay. (Property located within Natural Heritage area.)

DB opens discussion at 7:35PM

Present: M. Farrell

- KK states NHESP gave project clearance on 12/12/05. She adds that the SCC is okay with the project.
- DB states he visited the site and has no concerns.
- DB makes motion for a negative determination. DG seconds motion.
- **VOTE:** 4/0 all in favor of negative determination.

Hearing closed and a negative Determination to be issued

Public Discussion: Forestry Grant Discussion with T. Chamberland and Forester

DB opens discussion at 7:40PM

Present: T. Chamberland

- KK summarizes the five parcels for a potential management plan
- T. Chamberland states that letters have gone out to 3 foresters requesting hourly rates. Responses are due next Friday (S. Garrish, G. King and M. Casavant).
- T. Chamberland states that the next step is to “hire” the forester to develop a recommendation for the management plan. T. Chamberland states that the Commission could choose several small parcels or 1-2 large parcels. T. Chamberland states that the Commission should decide a focus and objectives.
- DM states that he believes there should be some sort of invasive species management incorporated.
- DB states that the forester can come up with good ideas when visiting the selective parcels. His thoughts were to clear cut two areas of the parcel for educational purposes—show forest progression between a partial cut and a selection cut.
- Members discuss the benefits of demonstration verses management of the parcels
- T. Chamberland states the next steps are to select a forester, select parcels (March) and review the drafted plan (May). The Grant is to develop the plan, not implement.
- Members discuss invasive tree species, Norway Maple, Poplar etc. T. Chamberland states he is attending the National Trail Builder Conference, it will be a help to the Town.
- DB states that the plan should include a list of trees on the property.

PUBLIC HEARING

NOI Continued for DEP 300-682: Septic System Repair at 11 Shepard Place. Green Hill Engineering representing property owner, Irene Ethier.

DB opens public hearing at 8:10PM

Present: M. Farrell of Green Hill Engineering

- KK states that the first hearing was continued and never opened. M. Farrell submits the green cards and newspaper to open the hearing. KK states there are abutter concerns.
- KK summarizes the abutter letter (drainage of area)
- M. Farrell states that the site is wet. There is a curtain drain and there are pipes in the backyard to keep the backyard dry.
- DM questions how old the house is. EG states it was probably built in the 1950's
- M. Farrell states there is an old leachfield. EG states that all septic systems in that area have problems. M. Farrell states that there is high ground water and there were not many decent percs on site. The alternatives are limited because there is ledge too.
- DG questions the tree removal. M. Farrell states that the tree removal is limited. There are two large willow trees to be removed.
- DB wants to make sure the drainage will improve, or at least not be altered. KK states that it will be a raised system so that may alter the drainage and she is concerned with the pipes.
- DM questions access to the construction
- KK states that she needs to visit the site and look at the wetlands. DB states he has no need to see the site. EG states he doesn't need to see the site either, he lives in the area.
- DG states that she is concerned with the pipes and wonders if they are to be replaced.

Hearing continued to 2/2/06 at 8:15PM pending site visit

PUBLIC HEARING

NOI Continued for DEP 300-680: Septic System Repair at 88 McGargle Road. Jalbert Engineering, Inc. representing property owner, Carol Carpenter.

DB opens public hearing at 8:30PM

Present: L. Jalbert of Jalbert Engineering, Inc

- KK states she has no issues with the project and shows members photos from 1/5/06.
- KK states it will be a tight tank and work will be done this spring.
- KK states that material will be removed off site and clean fill brought in
- L. Jalbert states that 6-in stone will be brought in and it will meet Title V.
- EG motions to approve, DM seconds. All in favor: 4/0

Hearing closed, Order to be issued

PUBLIC HEARING

NOI for DEP 300-686: Septic System Repair at 299 Cedar Street. Jalbert Engineering, Inc representing property owners, A. and P. Koziol.

DB opens public hearing at 8:35PM

Present: L. Jalbert of Jalbert Engineering, Inc.

- L. Jalbert submits green cards and newspaper to open hearing
- KK summarizes the project with the Commission and goes over the plan. She states that there is ledge near the road, that is why the system cannot be in front of the house.
- L. Jalbert states that work will be done this spring and that an alternative would be putting the system to the east of the house but the wetland wraps around the property.

- Members state that a site walk is needed. EG states that the property line and septic system should be marked.

Hearing continued to 3/2/06 at 8:15PM pending a site visit.

Public Discussion: DEP 300-416 Enforcement Order/Project Revisions: 126 Clarke Road proposed cell tower.

No one present, DB offers to table discussion until someone is present. DB continues with Other Business—as time allows

OTHER BUSINESS:

8:40PM: Sign Permits

- Order of Conditions: DEP 300-679 – Lot 4 off Bentwood Road; Proposed Duplex
- Order of Condition (2) and Negative Determination for SCC 05-29 to 05-32 and DEP 300-673 to 300-685 – 209 Main Street; Single Family Houses on Lots 2 to 6.
- Amendment and Extension of Order of Conditions: DEP 300-508 – 31 South Shore Drive
- Extension to Order of Conditions: DEP 300-482 – 78 Fairview Park Road
- Negative Determination: SCC 05-46 – 483 Main Street (Fiskdale Substation)
- Amendment to Order of Conditions: DEP 300-644 – 118 Arnold Road

8:50 PM: Review of 78 Fairview Park Road as built. DEP 300-482

Present: E. Lloyd

- KK states that As Builts were submitted on 1/4/06. The plans are not certified by a PLS, KK questions if the Board has a problem with this.
- E. Lloyd states that she is concerned with the water level near the road. Members discuss the water flow. KK states that it is an intermittent stream shown on the USGS across the street, but by looking off the Topography map, she can see that water flows in that area. Members state that it was flagged as a wet area during the NOI.
- DB asks if E. Lloyd agrees with the structures as shown on the plan. E. Lloyd states she is concerned with the accuracy since it is stamped by a Sanitarian. She questions if when she asks for a Certificate if the Commission would be satisfied with this plan. DB states that he thinks M. Judson, the original applicant should confirm if the As Builts are accurate.
- DM states he does not have a problem with checking the visuals in the field.
- DM states that the plan is ok for acceptance for him. There are some corrections to the plan that he would like to see: the pipe should be located, the distance from the house to the wetland should be shown and the drainage area off property should be shown.
- E. Lloyd states that the drainage on the side of her lot was intentionally built off property.
- KK questions if the Board is concerned with the rip-rap and the stability of the banking. E. Lloyd states that the rip-rap makes the level of the swale higher. Members agree that it should be fine.
- DM states that the minor revisions to the plan is all that is left.

9:10 PM Review of Beaver Deceiver problems at 446 Main Street – Empire Village. DEP 300-480-2

- KK states that correspondence is to be submitted for 1/19/06.
- DM suggests a meeting to be set up before. He is concerned with the wetland.
- EG states there is silt in the wetland and the owner is responsible

- KK to set up a meeting with the owner and engineer

9:25PM 51 Holland Road Remediation Property. DEP 300-553

- B. St Hilliare present and states that the status of the Order of Conditions is to be done by Sugrue Associates.
- DB states that the project is overstepping bounds without Natural heritage approval.
- B. St Hilliare states that the existing artesian well is capped with cement slurry. There are 3 downstream monitoring wells (10-11 ft deep) and one deep well (25-ft deep) for deep monitoring.
- DM states that he is not opposed to monitoring wells but thinks a 100-ft radius may be too big.
- DB concerned for trees to be taken down for the wells. B. St Hilliare states that brushed can be cleared now that it is winter, but the area gets thick with vegetation in the spring.
- Members discuss the water table at the surface in some areas.
- EG states that he would like to see the project proceed and that if monitoring wells are needed then so they should be done.
- DM agrees and states that minimal impact will be done during winter as the ground is frozen.
- DM makes a motion to allow the installation of the monitoring wells per the inspection of KK. EG seconds. Discussion: KK requests that two concerns are answered, the Order of Conditions should be addressed item by item and that the method of monitoring well installation should be submitted. DM adds that monitoring wells 4-feet of the ground need to be capped. DB questions who will be onsite, B. St Hilliare states a licensed engineer and LSP. KK adds minimal to no cutting is allowed. Vote: 4/0 approved.

9:50PM: 55 Beach Road Letter Permit

- KK shares photos with Board members
- Members discuss the tree size
- DB states the Board will set a bad precedent if they allow the tree removal, it is a large tree
- DM argues that it does not overhang the water, there is no fish habitat to be destroyed and if the roots remain, then no soil impact.
- Consensus of the Board to allow the tree removal with a letter permit and standard conditions.

10:00 PM DEP 300-416 Enforcement Order/Project Revisions: 126 Clarke Road proposed cell tower (continued from earlier).

- V. Dronin present from Green Mountain, Inc.
- KK states that the recent erosion control report submitted by EcoTec on 12/22/05 calls for a temporary settling basin at the edge of the slope, paving an apron at the curb cut and questions the splash pads at the culvert outlets. The Commission should decide if the EO can be released.
- V. Dronin states that the engineer has rescheduled the survey work for next week. He will be redesigning and reevaluating the scour pads. DB states that if there is good justification, then maybe they can be removed from the plans.
- V. Dronin agreed to revise and/or add the following on the plans: 1) scour pads, 2) culvert at Clarke Road entrance, 3) As Built elevations.
- V. Dronin adds that he is working hard to satisfy the Commission and requests a release of the EO.
- DM states that the site appears to be under control and he is glad that EcoTec is doing the erosion reports. EG states he has no issues with releasing the EO, DG agrees.
- Members request that revised plans are submitted no later than 2/2/06. The temporary settling basin is to be at station 450 (according to the plans).

- KK adds that springtime would be a good time to get started on the replication areas. DB adds that the replication areas need to be established and need to succeed or another Enforcement Order.
- EG motions to release the EO, DM seconds. Vote in favor: 4/0

10:20PM Discussion of Cedar Lake Recreation Area – Beach Sand restoration/add sand.

- KK questions the Board members what they would like to see for information relative to adding sand at the Town Rec area.
- JH states that there should be previous letter permits on file from previous years.
- DB adds that washed sand needs to be added.
- DM adds that usually the Cedar Lake Association submits the request
- Consensus that a letter permit is ok detailing how much sand and that it is washed.

10:25PM Discussion of proposed Lake Management Committee

- DM states that Lake Management is a new thing for herbicide treatment. The state came out with documents such as the GEIR (practical guide to lake management) that has all new thresholds for treatment etc. The DEP also came out with a guidance document for weed treatment under the Wetland protection Act.
- DM states that the Commission should have further discussions on forming a committee to come up with a policy for weed treatment. New NOIs will need to be filed.

Meeting adjourned at 10:32PM