

STURBRIDGE CONSERVATION COMMISSION (SCC)

Minutes for Thursday, May 4, 2006

Members Present 7:00 PM

Dave Banicle (DB) Chairman, Dave Mitchell (DM), Donna Grehl (DG),
Kelly Kippenberger, Conservation Agent (KK)
Danielle Garry for minutes

6:50 PM Discussion of Summer Meeting Dates

Discussion of summer meeting dates: 6/15/06, 7/20/06, 8/3/06, 8/31/06, 9/7/06, and 9/28/06

7:07 PM Walk-In Bob Briere to discuss Holland Road Site

- DB states he requested B. Briere come in to discuss the status of the Stallion Hill contaminated property owned by Westville Development (Jerry Paquin).
- KK states that A. Jones is responsible for the contamination on property and that a Certificate of Non-compliance has been issued by the DEP.
- DM states this is a DEP issue and the commission is not responsible for the time frame.
- DB states to B. Briere he may need to speak with DEP for the status.

7:22 PM Walk-In Sturbridge Host Hotel (application of beach sand – Letter Permit SCC 06-13)

- KK states T. Brothers of the Sturbridge Host Hotel is requesting a letter permit for the application of wash sand at the beach area of the Host Hotel and Oxhead Tavern. She states the sand will be transferred in by Bond Construction.
- T. Brothers states he will need approximately 11 cubic yards, approximately 1-3 inches deep and he would like to know if there are regulations of sand being spread by machine.
- KK states the letter calls for the use a small bobcat can be used along with doubled staked hay bales to abut each other.
- DM recommends setting the hay bales 6 inches from the high water mark.
- DB requests the hay bales be staked by noon on Monday, May 8th.
- KK requests a sketch of the area where the sand will be spread. She states she would also like to see the entire beach area shown on the sketch including the deck and dock.
- KK states she will visit the site prior to sending out the approval letter.
- KK requests a call from T. Brothers once the project is complete.

PUBLIC HEARING

NOI CONTINUED: DEP 300-662 for single family house construction at 12 Ridge Hill Road, Trifone Design Associates representing Jason Lemieux.

DB opens the public hearing at 7:37 PM.

**Present: Fred Trifone, Trifone Design
Heather Lemieux, Property Owner**

Discussion:

- KK states the hearing has been continued since August 18, 2005 pending Zoning Board (ZBA) approval. There is isolated wetland on the property found during the NOI process that had not included on the application.
- KK states the Commission requested that the house to be at least 25 feet from the wetland, which will require a special permit from ZBA. The permit was issued on 4/19/06 and revised plans were submitted 5/4/06 (dated 4/27/06) showing the location of the house approved by the ZBA.
- KK states her questions include: the limit of clearing and lawn, success of the wet pond, plant species to be installed, and mitigation must be provided for the house in the 50 foot buffer zone.
- She adds abutters have concerns about the drainage.
- KK states the house is still within the 50 foot buffer and the applicant is requesting a waiver from the 50 ft buffer and is willing to put in a wet pond with a perimeter drain.
- KK shows the members the approved plans from ZBA.
- Members look over the plans and have a brief discussion of the wetland area.
- DG question if they are going to put fill into the disturbed area. F. Trifone replies yes and states they plan to improve the disturbed area.
- DB questions if they can put a permanent structure in the 50 ft buffer zone. F. Trifone states they would push the house as far away from the wetlands as possible.
- KK recommends restoration of the wetland with shrubs, ferns, etc.
- DB states that the plans are not convincing enough to approve the project. He reminds the applicant there are only three members present and that an approval would need all three votes. He adds that he has visited the site several times and there is always water present.
- H. Lemieux asks the Commission what they would like to see on the plans.
- DB states they need to show how a house can be put there successfully with limited environmental resources and with the water table so high.
- DM states he agrees with DB about the water table, his concern is with the poor drainage soils and site drainage.
- F. Trifone states he can perform a "perc" test to establish the soil type.
- DM states to revise the plans showing the minimization of the footprint, possible removal of the garage, the protection of the delineated wetland area, and a drainage proposal.

Hearing Continued June 15, 2006 at 7:30pm pending revised plans.

PUBLIC HEARING

Discussion of Lake Vegetation Maintenance NOI Requirements

DB opens the public hearing at 8:13 PM.

Discussion:

- KK states since the last discussion on 4/20/06, no new comments have been submitted. ACT submitted comments prior to 4/20/06.
- KK recommends discussing the abutter notification and filing fee procedures.
- DM states he has made changes to the NOI Guide and tried to incorporate comments from Jerry Smith. He states they discussed the fish species, to avoid spotting, and to keep monitoring the lakes. He also suggests having planned and mapped treatment limits.
- KK states that they could issue an extension to the Order of Conditions.

FINAL Approved 10/11/07

- DG states the Order of Condition have been issued every year.
- DM suggests changing the abutter notification from the 200 foot to 100-foot buffer zone. KK states a change would need to be a voted on by the Board.
- KK states the bylaw states the abutter notification is at the 200 ft buffer zone with the lake as the property line.
- DM states he will be presenting Lake Data Summary on May 25, 2006 and would like to have the coordinator of the Quineboag River Association speak about water qualifications.
- DM asks the Board to go out for water testing on August 4th & 5th, 2006.

KK is to notify the public of the May 25th, 2006 presentation by postings and email.

PUBLIC HEARING

NOI CONTINUED: DEP 300-684 for demolition and reconstruction of a house and installation of a septic system at 80 & 118 Leadmine Lane. Jalbert Engineering representing G. Pinto.

REQUESTED CONTINUANCE TO JUNE 1, 2006 AT 9:15 PM

8:35 PM: Discussion of Open Space parcels. OSV Management.

- DB states that he did a site walk and he is impressed with the property.

PUBLIC HEARING

NOI CONTINUED: DEP 300-682 for septic system repair at 11 Shepard Place. Green Hill Engineering representing property owner, I. Ethier.

DB opens the public hearing at 8:43 PM

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

Discussion:

- KK states this hearing was continued from 3/16/06 pending revised plans and approval by the Board of Health. She adds revised plans were submitted on 5/3/06 showing the relocation of the septic system.
- KK states her concerns are the location of erosion controls and protection of the drainage pipes and swales. She adds an intermittent stream is not shown on plans.
- KK states she and DG visited the property.
- M. Farrell states that the septic system is a raised system and the pipes can be moved to pump up the system. DM questions if the pipes have been replaced and M. Farrell replies yes.
- The Board discusses the pipe location and the swales.
- M. Farrell states that the size of the pipe is 4 inches and can be replace with a 6 or 8-inch pipe. He also states the pipes are compromised by a willow tree which has plugged up the pipes.
- KK states that the plans do show the pipes on it.
- DB questions if the stream is within the buffer zone and if it will need hay bales. KK questions to the board if they want a stream line on the plans and the commission responds yes.

Hearing continued June 15, 2006 at 7:50 pm pending revised plans.

PUBLIC HEARING

NOI CONTINUED: DEP 300-678 for single family house construction and reclassification of a stream at 186 New Boston Road. Green Hill Engineering representing J. Boutiette.

DB opens the public hearing at 8:57 pm

**Present: Mark Farrell of Green Hill Engineering, Inc.
Carol Childress of the Opacum Land Trust**

Discussion:

- KK states she drafted a memo on 5/1/06 outlining all the issues with the project. She adds SCC members visited the site on 4/12/06.
- KK recommends going through the memo to discuss all issues. She distributes photos of the stream, along with large trees and a blocked culvert.
- KK states that the application is for reclassification of an intermittent stream to a perennial stream. She adds this could be of concern for the Marble Salamander survey.
- DM asks M. Farrell if he is willing to waive the reclassification. M. Farrell responds possibly. DM states the stream is highly regulated and there are endangered species present.
- C. Childress shows the members a copy of a map from Natural Heritage.
- M. Farrell states the plan submitted to Natural Heritage did not show relocation of the house.
- KK states that the New Hampshire project needs a conservation permit. She adds she would like survey done with a study of the habitat species.
- DB states he will not have a motion until the habitat study is complete.
- M. Farrell asks the board if they can decide on making a motion and then he can study the area of property to put the house, he may be able to set it away from the backside of the property, which would resolve any crossing.
- DM questions if they are able to put in a driveway with a curb.
- KK states that the area is an old cart path, which is rocky and has hemlocks. There are large trees and not sure if it would go through wetland or not.
- DM asks if stream crossing has bank replication. KK states the flagged stream is banked off and if the stream is spanned there will be bank disturbance.
- M. Farrell states the sub service flow can go under the driveway.
- KK states there is a limited area of replication.
- There is a brief discussion of wetland replication.
- DB states there is a large wetland area. DG states there are large rocks and trees.
- DM asks if they able to work around the obstacles to minimize the disturbance to the wetland area.
- Members look at plans from 2 years ago with a brief discussion about them.

Hearing continued June 15, 2006 at 8:10 pm, pending revised plans with alternative driveway and location of house.

PUBLIC HEARING

NOI CONTINUED: DEP 300-694 for proposed single family house at 263 Cedar Street. Green Hill Engineering representing C. Soper.

DB opens the public hearing at 9:30pm

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

Discussion:

- KK states the hearing has been continued from 3/18/06 pending a site walk. She adds she visited the property on 4/12/06 and distributes photos. She states there is a vernal pool off the property in the wetland system (WF 14).
- KK states her concerns are hay bales and a silt fence are needed and the grading and clearing within 100-ft of the vernal pool.
- KK reviews the plans and photos with the Board. She states Natural Heritage has a map of the PVP. She points out the wetland area and states there is considerable debris and some slopping, but she is okay with the delineation.
- DM states a site walk is needed. DB agrees and adds the trash needs to be removed.
- M. Farrell states the owner is willing to remove all the debris. DM asks how. M. Farrell states machinery will be required because of refrigerators, drums and tires on site.
- DM asks if the corner of the house and septic have been marked. M. Farrell responds no.

Hearing continued June 15, 2006 at 8:30PM pending site walk.

PUBLIC HEARING

NOI CONTIUED from 3/18/06: DEP 300-691, 300-692, 300-693. 84 Westwood Drive, Lots 1-3. Proposed 3 single-family houses. Robida Engineering representing Choinski.

KK opens the Public Hearing at 9:40PM

Present: James Robida, Robida Engineering
Stan Choinski, Choinski Construction
Neal Allen, Abutter

Discussion:

- KK states the hearing has been continued from 3/18/06. She adds SCC members visited the site on 4/8/06 and revised plans were submitted on 4/18/06 (dated 4/12/06) with sewer connection option removed on lots 1 and 2.
- KK states the SCC has concerns with the amount of earth work and stabilization of the slopes and would like the delineation to be checked. She adds the abutter is concerned with the septic system.
- KK states to the members that the sewer connection on lots 1 and 2 have been removed from the plan. She adds this is an ANR divided into 3 lots and Zoning has approved the lot size.
- DM questions if there is grade vegetation and KK states at 85%, the hydrology has been altered, change grades to protect the lake.
- J. Robida states that the land has been impacted. The plans call for grade at the null to the water and fill to go around lot 3.
- DB states he has concerns with debris going into the lake.
- DM asks if there can be less grading.
- J. Robida asks the members to focus on Lot 3 for this hearing.
- S. Choinsk states that Lot 3 is a 1.1 acre lot with a sewer tie in. He adds disturbance would be minimal on this lot.

FINAL Approved 10/11/07

- DM questions how much additional fill is needed. J. Robida states that lot 1 would require 1300 cubic yards, lot 2, 1600 cubic yards and lot 3, 244 cubic yards.
- DM expresses concern for the flagged wetland area and the amount of grading on lot 3.
- DG asks about cart path. KK states it will need to be on the plans.
- KK states there is a well pipe to the house with clearing limits.
- DM asks why there is a well there. J. Robida states it is furthest from the leach field.
- N. Allen states there is no water in the well.
- J. Robida states there is a gravity wall. He adds he is not sure what type of walk out area will be done.
- DM feels the silt fence is too close to the grading.
- DB questions why the house is "jammed" in the left corner of the lot. J. Robida responds there are not many options. DB states there are other options. He adds that by reducing cut and fill the resource area will be protected.
- S. Choinski states they can put the house closer to the road which will have less impact to the site.
- J. Robida states there really isn't another place to put the house, they need a gradual entry into the home and they need a lot of fill to support the driveway.
- DB asks if they want a continuance or a vote.
- S. Choinski asks the Board for recommendations. DB replies the Commission would like to see the well moved, changed to the driveway, and less cut and fill.

Hearing continued to June 15, 2006 at 8:45PM pending site walk.

10:12 PM OTHER BUSINESS

Discussion of Beaver issues at Opacum Land Trust, Carol Childress. 14 Audubon Way. Letter Permit SCC 06-14.

Present: C. Childress, 14 Audubon Way

Discussion:

- C. Childress states there are beaver dams holding back the water. She adds 4 pipes have been installed with 2 cages in the water but the beavers have put debris on top of the pipes stopping the flow of water.
- C. Childress states she has gone to the Board of Health, but they do not feel this is a safety issue. She suggests replacing the 4 pipes with 2 new pipes where the weir is, replace or take out the weir, and dismantle the dam to let the water flow.
- DB states he is concerned with the size of the pipes. C. Childress states when the dam was dismantled, the water went down but the beavers are coming back.
- KK is to go for a site walk and take photos to present to the commission for Other Business on May 18, 2006.

Sign Permits

- Order Extension: Lot 30-38 Tannery Road (DEP 300-560), Lot 31-34 Tannery Road (DEP 300-550) and Sturbridge Retirement Corp. Extension: DEP 300-528.
- Certificate of Compliances: 9 Holland Road (DEP 300-339) and 130 Lane 9 (DEP 300-331).
- 101 Cricket Drive Enforcement Order (DEP 300-646)

FINAL Approved 10/11/07

Discussion of 126 Clarke Road Cell Tower (DEP 300-416).

- KK states that the land is for sale

Discussion of Draper Woods Planting Plan by NEE.

- KK shows the members the revised plans, states there is a temporary disturbance to the wetlands. Revised restoration and planting plans okay.

Discussion of Spring Hill Estates/Sturbridge Woods, Old Town Way.

- KK shows the member blue prints and they discuss the retention basin.

MEETING ADJOURNED AT 11:15 PM