

## **STURBRIDGE CONSERVATION COMMISSION**

### **Meeting Minutes for Thursday, March 15, 2007**

#### **7:04 PM: Open Meeting**

**Members present:** Dave Barnacle (DB) Chairman, Donna Grehl (DG), Ed Goodwin (EG), and Dave Mitchell (DM) at 7:07 PM

John Hoffman (JH), Associate Member

Kelly Kippenberger (KK), Conservation Agent

Laura Hunter for Minutes

#### **Meeting with the Public Lands Advisory Committee (PLAC)**

DB requests the SCC business take place after PLAC meeting.

**PLAC Members Present:** D. Favreau, D. LaFranchise, B. Muir, C. Tieri, W. Palmer, C. Childress

**Others present:** J. Malloy, Town Administrator

B. David and P. Truesdell of Massachusetts Division of Fisheries and Wildlife (MA DF&W)

#### **Discussion:**

- J. Malloy stated that the committee was created by a vote of the Board of Selectmen. J. Malloy distributes and reads from a handout stating the charge of the PLAC committee will be to work hand-in-hand with the SCC as an advisor. It will organize volunteers and will assist in policing public lands.
- J. Malloy states there is a 35-acre parcel to be used for forestry and trail development (off Finley Road). He states that the former Camp Robinson Crusoe on the OSV property is in severe disrepair and poses a safety and health risk for Sturbridge residents. He is concerned there could be hazardous materials (asbestos) or underground tanks in the building. The structures on the property are to be demolished and a separate meeting to discuss this project will be scheduled in another one to two weeks. J. Malloy states the area at the entrance to the camp will be developed into a parking area for public access to the public land and trails. This will be one of the tasks of the PLAC.
- J. Malloy states that the 826 acres of land purchased from OSV by the town was done in conjunction with the MA DF&W. He discusses the details of a revolving fund to be set up for this parcel (revolving fund to be on the Annual Town Meeting Warrant).
- J. Malloy reiterated that the committee is to work closely with SCC to develop the land for public use and that public awareness is of utmost importance with regard to dilapidated camp buildings.
- J. Malloy introduces P. Truesdell of the Massachusetts Department of Wildlife and Fisheries. P. Truesdell distributes and reads from the DRAFT Abstract of the Conservation Restriction for the OSV land. He discusses marking boundaries of the land with posted plastic signage. He distributes examples of boundary signs.
- C. Childress asks about any flagging done during the survey to purchase. P. Truesdell responds that the perimeter was walked with GPS equipment to determine a baseline. D. Favreau suggests the PLAC be responsible for posting signage.
- J. Malloy asks if the Department of Environmental Protection can assist in policing land or if it will be solely within the responsibility of the town. P. Truesdell responds that DEP is available to assist but will not patrol the land.
- B. Muir asks about specific signage to keep the public on the trails. He states that there is ongoing fishing on Shattuck Road and would like it to be posted as public property.

- J. Malloy states there is an existing parking area on Shattuck Road near the gravel pit at the entrance gate to OSV. Now that this is considered public property, the OSV gate will likely be moved. Discussion of the gate in further detail.
- DB asks if the Dept of Fisheries and Wildlife can send a case of signs to J. Malloy. P. Truesdell responds that signs can be sent. J. Malloy asks P. Truesdell if signs can be created stating the property is a cooperative between the town and the state.
- DG asks if the area has undergone a habitat evaluation with National Heritage, especially around the ponds. She states that the Commission would be interested in getting some evaluations done. P. Truesdell responds that no detailed study has occurred and very little is known. KK states the area has always been private property.
- DG expressed concern that the ponds will get “fished out”. B. Muir responds that most fishers hold and release catches.
- DM asks P. Truesdell if there is funding available for a current conditions report. P. Truesdell states this is undecided. DM then asks if this project will be delayed or is not in the budget. P. Truesdell responds if it is delayed it will move to the next fiscal year. J. Malloy states this was to be done as a pro-bono project with Heritage Design Group, however he needs to follow-up with the offer.
- DM asks how hunting will be accommodated on the property. B. David responds that there are associated risks during hunting season and educating the public through signage of regulations, dates, and multiple use property. C. Childress suggests a kiosk for special notices. DM agrees that a proactive approach on educating the public during hunting season could provide a great opportunity for Sturbridge.
- J. Malloy suggests Leadmine Road as an access point for hunters. He states the terrain of that area has visible trails but could use clear signage.
- DB asks if there are questions from the audience.
- C. Childress asks about ATV usage on property. B. David provides proposed sign stating no motorized vehicles on property.
- DF asks about posting NO TRESSPASSING signage around Camp Robinson Crusoe to alert the public of potentially hazardous area. J. Malloy will speak to the town council.
- J. Malloy again asks if suggested signage can be shipped to town.
- KK questions if the PLAC is to focus on the OSV parcel. She states there have been other properties deeded to SCC. J. Malloy responds that the OSV property will take priority, but there are other parcels such as the one off Finley Road with the forestry grant.
- J. Malloy suggests that this discussion adjourn and if the PLAC wishes to continue discussion, then move to the downstairs conference room.

## **7:47 PM Joint Meeting with PLAC Adjourns**

### **PUBLIC HEARING**

**NOI CONTINUED from 2/15/07: DEP 300-724 for Septic system repair/upgrade and storm water reroute at 31 Bennetts Road. Jalbert Engineering, Inc. representing J. Dulka**

### **REQUESTED CONTINUANCE**

**DB opens public hearing at 7:54 PM.  
No one present for discussion.**

### **Discussion:**

- KK reads continuance request letter dated 3/6/07. KK sent Memo requesting additional information on 3/6/07 and a response from Jalbert Engineering was received on 3/7/07.
- The Board of Health ordered the existing tight tank to be restored (pump was illegally in the tight tank) and then there will be a follow-up Title V inspection. The existing tank passed Title V once the pump was removed; the applicant is currently pulling together a filing to the Board of Health to “upgrade” the tank. Until the entire Board of Health situation is complete, the applicant will keep requesting continuances.
- KK received a Request for Certificate of Compliance to the Order of Conditions for the house construction—DEP 300-529. The house is being sold and she sees multiple issues such as the circular driveway
- EG questions the pump in a tight tank, how can it not be a violation? KK responds that the Board of Health can impose fines and the state can too.
- DG asks if the system is pumping to the lake. KK responds that it is unsure where the pump outlet was
- DB states there are two issues, the tight tank and the septic system. He recommends granting a continuance. The engineer stated the pump was not working and records show the tank is pumped once a year.
- DG moves the motion. All in favor of the continuance: 3/1 (EG opposed.)
- KK asks if there are conditions on the continuance.

*Hearing continued to 4/19/07 at 7:20PM*

## **PUBLIC HEARING**

**NOI Continued from 2/15/07: DEP 300-720 for proposed 5-Lot Subdivision at 12 & 30 Farquhar Road. Bertin Engineering Associates, Inc. representing The Spaho Corp.**

### **DB opens the public hearing at 8:02 PM**

**Present:** H. Blakeley of Bertin Engineering Associates, Inc.  
Abutters

### **Discussion:**

- KK states that since the last meeting, revised plans were submitted on 3/8/07 that show many changes: driveways have been shortened on Lots 4 and 5 (resulting in revised drainage calculations), septic systems on Lots 4 and 5 have been reduced to trenches, Mitigation plans Lot by Lot, and many revisions per Tom Chamberland’s comments. Letter dated 3/7/07 in mailboxes for review.
- At the last meeting, draft Open Space documents and Conservation Restriction documents were submitted for review. Some members visited the property on 3/14/07 with the loss of snow cover. Outstanding concerns include: water coming off Farquhar Road and amount of earthwork.
- KK recommends that the Commission receives an overview of the recent changes and discuss any outstanding issues/questions/concerns.
- KK reviews plans with board. DB invites abutters to view proposed plans.
- H. Blakeley reviews changes that have been made as a result of the last hearing. The houses have been moved closer to the road and there have been changes to the septic system. Grading changes have reduced disturbed areas and resulted in revised drainage calculations.
- DB asks if the catch basin is for retention or detention. H. Blakeley responds detention.
- KK asks if there will be no water present year round in the basin. H. Blakeley responds that is correct.

- DG asks questions the shape and size of the basin. H. Blakeley responds there is a fence around the basin.
- DM asks if there have been any changes to other lots. H. Blakeley responds there have been no changes to lots 1-3. DM requests clarification of the Board of Health requiring trenches versus beds on lots 1-3. H. Blakeley responds that septic beds reduce the footprint. Since this is out of the buffer zone, trenches were used by request. DM asks if there is a preference to trenches. H. Blakeley responds that according to Title V regulations, trenches are preferred and provide better drainage. With proper maintenance both beds and trenches have same life span. Title V and the state prefer trenches, from a conservation standpoint beds are preferred to minimize grading.
- EG questions town sewer and private sewer. H. Blakeley responds that under Title V, once town sewer is available all five lots will be required to hook up. The lots will be retrofitted to allow sewer once it is available.
- KK asks who will be responsible for sewer hookup if the properties are not sold. H. Blakeley responds that the homeowner would be responsible for the tie-in.
- DM asks about the tree warden's comments. H. Blakeley states that it is all in the letter and they all have been answered
- DG inquires to the final slope of the road. H. Blakeley responds that the road will vary from 3%-8%.
- EG asks KK about the site as you come off the main road. KK has concerns with water coming off of Farquhar Road. States there is water coming from catch basin and other area and the site is beginning to have wetland characteristics with emerging wetland plants. H. Blakeley recalls the area. KK states that the area is proposed to be a stone swale and asks if there are any other options. H. Blakeley responds that there is major erosion in the channel due to the presence of water now. She states at this time of year there is a lot of water, but not in the summer. The area is proposed as a stone swale to help protect it from eroding.
- KK asks if a wetland specialist has looked at the area. H. Blakeley responds no, not since the original delineation.
- DG asks if they are looking to collect the water into that channel and then treat it. H. Blakeley responds they will collect the water and treat it through a stormceptor, that will eventually go to the basin and then into the wetland clean.
- DB states that KK noted there were wetland plants present. H. Blakeley responds that they are not dominant, it is a drainage ditch that has not been maintained. DB asks KK if she would like to have this reviewed by the SCC, by Bertin Engineering, or by a third party. KK states that old plans for the condo development showed a swale. With the single-family house proposal, the swale was removed and now an easement is present. The area in question is parallel to the roadway and because of the amount of water entering the area, it is changing. She does not believe it is a natural wetland, but more so an area that is receiving water from drainage.
- DG asks about area across street. She states a drain was put in place and there is a wetland
- DM states wetland plants convey water; the area may not be a wetland "yet". KK states the area is reacting to the water, pine trees dying and tipping over are an indication that water is present and the area is changing. H. Blakeley states they have looked at the land and attempted to test soils, but the ground is still frozen.
- DB asks if the drainage system goes in as planned what would be the outcome. H. Blakeley responds that the area will be protected by a stone swale. KK states that the stone may help contain the water, however vegetation may need to be cleared to install the swale.
- H. Blakeley states the road is 24-feet wide with 10-foot shoulders and they are willing to fortify the channel and side slopes with vegetation for stabilization. H. Blakeley and KK review photos of channel.

- DB states they cannot lose sight of the erosion on the surface. The water must be cleaned up before it rejoins the river. He also states that there is wetland vegetation from water across the street and from Farquhar Road. H. Blakeley states there is 89.9% removal of TSS through the drainage system. Only 80% required.
- KK states that if the board is satisfied with the erosion control plan, she would like to see revised landscape plans showing the vegetation near the stone channel.
- DB asks if there are questions from the abutters.
- C. Blanchard (abutter) asks about the paved driveway to the basin and maintenance of the basin. KK states that the driveway is to be paved due to the slope (requirement of the DPW Director) and that it will need to be maintained at four times per year, in accordance to the operation and maintenance plan. C. Blanchard asks if these plans will change again. KK states that any amendments to the permit will have to be presented to the board. DB states the plans are set in stone with the Order of Conditions will go with the deed. This offers protection from showing plans and then building something different.
- C. Blanchard asks if sewers were available, would the layout be different. H. Blakeley responds that layout would not change but the grading in back might change and lot 1 might move. KK adds that the tree clearing on all lots would change, no need to clear for the septic system.
- C. Blanchard asks about the sewer permit. H. Blakeley responds that the permit was revoked. C. Blanchard states that five more houses should not be an issue with sewer tie-in.
- L. Sarty asks about Open Space. KK states there is 13 acres of Open Space with two conservation restrictions on lots 4 and 5. She received an Open Space plan draft on 2/15/07 and the applicant has proposed items to be provided by the developer including signage, a survey, and marked boundaries of the open space every 50 feet. KK states that the plan includes a yearly inspection of the property and a written report will be on file with the town. H. Blakeley states that if the town is the owner of the property, the town will be responsible for inspections. EG asks what the inspection is for. H. Blakeley responds that boundary checks should be done and that it would be a good project for Earth Day or Boy Scouts.
- KK asks about parking on Farquhar Road or at the Cul-de-sac. DB states there is no direct public access parking for the open space, only accessible by property owners, which he objected to in the past and objects to again. H. Blakeley responds that there is nowhere to put a parking area. DB "vehemently disagrees" and states the open space will not be available because there is not parking available to the general public.
- EG asks how many acres in the open space. DB responds 13 acres. DG asks if parking has to be provided. DB responds, no, town does not have to provide parking, but the reason for having open space is to give town residents access to the River. Without parking, there is no access.
- Abutters ask where the access road is to the open space. H. Blakeley responds there is no access road, but an access point is available across from Blueberry Lane.
- DG states that building on these lots would create a self-imposed problem for accessing the open space. H. Blakeley states that if there would be an access drive near Blueberry Lane, then it would be in the buffer zone and close to the wetland. DB responds that there could be parking for two or three cars on the "giant lot".
- B. Martel (abutter) suggests a walking bridge over Hobbs Brook on Rte 15 for accessing the open space. That would link the property with the Publick House and their walking trails. She states behind Sturbridge Auto Body there is already a bridge abutment in place to create a second link around the pond. H. Blakeley suggests contacting organizations that would consider this project. DB states that would be an alternative and maybe the applicant should look into it.

- DM asks about the conservation restriction. KK states that it is taken from the EOEA and it is standard. Does not specifically reference the plan. H. Blakely states that final plans have not been completed.
- DG asks if sewage access would be needed. H. Blakely responds no.
- EG asks if the bridge was agreed upon. H. Blakely responds that she did not agree to the bridge but will look into it and ask if that is the only outstanding issue.
- KK states that she would like to go over any special conditions in the public forum. DB agrees.
- EG would like the hearing continued. DB asks if there are other issues from the board.
- H. Blakely states that Bertin Engineering could possibly work in conjunction with another organization on the issue of the footbridge and she requests a continuance.
- KK asks if the board would like Bertin to have some ideas ready for the next hearing, alternatives for access to the open space. DB agrees. KK also mentions that she can try to have some sample special conditions ready for review.

*Hearing continued to 4/5/07 at 9:10 PM, pending additional information.*

## **PUBLIC HEARING**

**NOI CONTINUED from 2/15/07: DEP 300-731 from Proposed Single Family House at 70 Westwood Drive. Green Hill Engineering representing Scott Simpson. This NOI replaces DEP File No. 300-672.**

### **DB opens the public hearing at 8:54 PM.**

**Present:** M. Farrell of Green Hill Engineering  
S. Simpson (property owner)  
C. Moran (Cedar Lake Association)  
Abutters

### **Discussion:**

- KK states that at the last meeting, the Commission requested revised plans to show public sewer instead of a private system and requested an analysis of the local Wetland Regulations and revised plans to show compliance (slope provision). Revised plans were submitted on 3/13/07 showing plan revisions of adding the sewer line and revising the location of the well. Additionally, a letter was submitted on 3/15/07 (in boxes for review). Outstanding concerns include, house in close proximity of the Lake when alternatives exist, alterations in the topography and slope and vegetation clearing in the 25 and 50-foot buffer zones.
- KK reviews plans and her outstanding concerns with the board. She states the house location has not changed, there is a gravel and a paved driveway on the plan, questions plantings in the area or just lawn. KK requests a detail of the retaining wall and would like a cross-section of the house showing the grades.
- M. Farrell responds that the paved driveway leads to the underground garage and the gravel driveway goes behind the garage to a concrete pad for storage purposes. S. Simpson states he was trying to keep the property looking clean and wanted this to fit into the terrain. M. Farrell states this will minimize disturbances to the land.
- DB suggests moving the house. M. Farrell responds that moving the house would take this away from a "lakefront lot".
- DM asks if there will be trees removed. M. Farrell responds that some pines will be removed. They will stake out the house and then decide what trees to remove. They would like water access since it is a lakefront lot. DB suggests a freestanding stairway to minimize disturbances

to the area. M. Farrell responds that footing could be placed at the top and bottom for stability and then the path could be selected to minimize tree removal.

- KK states that during the previous NOI filing, the Board of Selectman were in litigation over the sewer issue and would like to know the outcome of that. She recommends the SCC get clarification. KK states there were agreements that the sewer tie in would be approved if the house was to be moved away from the lake. DB states that at the last hearing a member of the Board of Selectmen was present and stated that the sewer tie would be granted if the house was moved away from the lake, yet the house was moved closer to the lake.
- M. Farrell responds that the previous owner of the property wanted 3 lots but the town would not allow the sewer tie in which resulted in litigation. S. Simpson states he would like to tie in to sewer lines but feels strongly about the placement of the house on the property.
- EG states that Lot 3 came before the SCC and was rejected. M. Farrell responds that the property is no longer three lots, just two. DM states that the site issues are still the same.
- M. Farrell states there is sand across the street and there is no erosion.
- DM questions how the project complies with the slope bylaws.
- M. Farrell states they are proposing a terrace on top of the slope leaving a flat surface available for building and preserving the lakefront. DM responds that if the owner has a boat there will be a dock and the lakefront would be altered. Also states that the minutes from the last hearing be reviewed for the issues with slope and grading with the last proposal, which was not successful.
- C. Moran (Lake Association) states the property originally had one owner and was given one sewer tie in, the next owner split the property into three lots with three houses and now the newest owner has reduced it to two lots. States the sewer tie in should be left with the buildable lot. If S. Simpson gets the sewer tie in on his lot, the house must be kept back from the lake.
- KK states that the sewer tie in is on the second lot. The previous owner accepted the SCC denial for Lot 3, and then revised the ANR to two lots and sold them off separately. Due to the Board of Selectmen sewer issue, the house has to be closer to the road.
- S. Simpson states he has a letter about the sewer connection with no notation about moving the house.
- DG asks S. Simpson if he checked with the SCC when he purchased the property. S. Simpson responds he did. KK states that if he did, he would have known that there would be issues with putting the house closer to the Lake. The Commission was very reluctant to alter the natural berm/hill on the property.
- M. Farrell references the Sturbridge bylaws regarding buffers and slopes. He states that the slope bylaw was intended for large scale projects like "Walmarts". EG responds that is not true at all, the bylaw went into effect as a result of silting from Allen Road in Cedar Lake.
- DM states he walked property and the slopes are very steep. He is concerned with the steepness and the close proximity to the Lake.
- DB states there are serious issues that need to be discussed with the Board of Selectmen and addressed before judgment can be made.
- M. Farrell states the key to controlling erosion is maintaining the integrity of the slope.
- EG asks how much will be cut. M. Farrell responds there is no cut on one side and about 10 feet on the other. There will be a walk out on one side and a full foundation on the other. He states that a cross section can be provided per request.
- DB states that this is setting a precedent. M. Farrell asks why. DB responds that he is asking the Board to allow the cutting off a top of a hill to build a house and that the board has to be careful.
- M. Farrell states he attempted to approach this sensitively by minimizing disturbance while still taking advantage of the lake view. He states this will be built to standards that exceed the norm.

- KK requests a cross section of the existing grade, the final grade and retaining wall details. KK asks about plantings or if the area will be all lawn. M. Ferrell states there will be lawn for property owners children to play. DB suggest moving house closer to the road and putting the lawn out back for the kids.
- KK indicates a critical area (south side) on plan the to M. Farrell. She states that there will be a high potential for erosion in this area, by looking at the grades and topography. M. Farrell responds there will be gutters and a dry well.
- DM asks if the area has been staked. M. Farrell responds it has not been staked and would like to know when the board will do a site visit
- DB states that the hearing should be continued for additional information. DG moves the motion for continuance. 4/0 all in favor of continuance.
- KK would like to know if property is staked prior to next hearing.

*Hearing continued to 4/19/07 at 8:30 PM*

### **PUBLIC HEARING**

#### **AMENDMENT to DEP 300-713: Proposed drainage and parking lot improvements at 58 Main Street. Bertin Engineering representing L. Moreno.**

**DB opens the public hearing at 9:25 PM.**

**Present:** H. Blakeley of Bertin Engineering

**Information Submitted:** Certificate of mailings (abutters) and newspaper to open the hearing

#### **Discussion:**

- KK states Order of Conditions issued in October to include drainage improvements to the parking lot (culvert replacement etc.). Work started in January and some things were done that were not in compliance with the Order and approved plans. Commission requested that a formal Amendment be filed detailing the changes and what is left to do. DPW submitted comments on 3/14/07 and an abutter submitted a letter acknowledging that some work occurred on his property. According to DPW Comments, maintenance of the structures is crucial, and the Operation & maintenance Plans should be revised. Members have a letter dated 2/27/07 in their boxes for review. Some members attended a site visit on 3/14/07 (photos).
- KK reviews plan changes and site photos with the board. States the culvert type has changed, there is a catch basin located in the stream, there appears to be a perforated drain present, and the stone swale is larger and has been moved. KK states the catch basin needs to be raised as the stream is back flowing.
- DM asks when the photos were taken. KK replies yesterday.
- KK states the property flooded in October and will flood again. The catch basin needs to be pumped once a month and that these plans are not a permanent fix. Since it is private property it needs to be maintained by the owner.
- DB asks about the maintenance plan. KK states there is a maintenance plan but it needs to be updated. DB states quarterly maintenance might be enough. H. Blakeley states the lot is not very big.
- DM asks if a more frequent pump out would be more effective. H. Blakeley responds that she won't know until the conditions are present. The owner needs to maintain it or she floods so it is in her best interest to keep the catch basin clear of any debris, snow, ice, or mud. H. Blakeley reads from maintenance plan.



- DB asks how the problem got this way. H. Blakeley responds that with the mild winter the project was started but the catch basin is too low and needs to be raised 6-inches to accommodate for backflow.
- DB states that both parts of the project should have been completed at the same time. H. Blakely responds that the owner needs to do this now as she has the funds and knows the contractor. DB states the Order was issued in October but work was not started until January.
- H. Blakely reviews the new plans. KK asks if the bricks will hold. H. Blakeley responds that the bricks will be fine and they are used all the time. Except for the catch basin the rest of the project stays the same. The water flow is directed to the catch basin.
- DG asks how much it will be raised. H. Blakely responds 6-inches, any more would cause flooding.
- KK asks if outlet pipe will be visible. H. Blakely responds that water and pipes will be visible.
- EG asks when the work will be done. H. Blakeley responds late April.
- KK asks if electrical wires will be buried as they are now hanging over hay bales. H. Blakely responds this will be done when driveway is done.
- DM asks if Mr. Bertin has been to the site. H. Blakeley responds he has not, located in NJ and visits MA once a month.
- KK states that flat stones need to be added to the inlet for protection and asks if there has been any consideration for spring and higher water levels. H. Blakely responds "if it's going to flood, it's going to flood".
- DM requests motion to approve the amendment. DG seconds motion. 4/0 all in favor to approve amendment of conditions.

*Hearing closed and Amended Order to be issued*

## **PUBLIC HEARING**

**NOI CONTINUED from 3/1/07: DEP 300-729 for proposed single-family house on lot reconfiguration at 116, 118, and 120 Brookfield Road. Bertin Engineering representing Cambridge Properties, LLC.**

**DB opens public hearing at 9:44 PM**

**Present:** H. Blakeley of Bertin Engineering

### **Discussion:**

- KK states members visited on 3/12/07. Garage already removed and hay bales installed. Area seeded and loamed per her request. Members showed some concern for the drainage at the end of the driveway. KK reviews photos with board and states there are wetlands and Natural Heritage across the street that go to Long Pond.
- KK states there is a need for additional erosion controls during construction.
- DG concerned with dumping water against a stonewall. DM states it looks like it may be a build-up of water in that area. H. Blakeley states she provided storm water calculations, she visited the site on 3/15/07 and took photos. She states the storm water controls that were put in place resulted in no water build up.
- DB is concerned that controls are not enough. DG states the angle creates a depressed corner where water can collect. DB states that the project may create water to the neighboring property. H. Blakeley states it already does that. EG states that a steeper grade would put water in the road.
- KK request that H. Blakeley goes over the drainage with the Board. H. Blakeley reviews photos and the plans.

- EG asks if the swale would be more appropriate before the culvert thereby getting water from both directions.
- KK asks about the collection pool on the plan. DB concerned collection pool too shallow, will fill with silt, and then be non-functional.
- DB suggests site visit to review property. H. Blakeley asks if the driveway is paved or gravel will concerns be alleviated. EG agrees a site visit is needed.
- DM states a quarter acre of land contributed to water even if the trees are removed. DG states everything is curved and sloped to the swale.
- H. Blakeley feels they have gone above and beyond for a single family house.
- EG makes motion to vote on the project. DB states applicant must ask for a continuance or a vote. H. Blakeley states she will ask for continuance since she knows she won't get a vote for approval, there seem to be additional concerns.
- DB states that he is fine with a continuance, and that a site visit shall occur with the applicant's representative. He wants the drainage explained on site.
- Members discuss a site visit time and date. KK states that she will post the site visit.

*Public Meeting Site Visit scheduled for 3/24/07 at 8:30 AM.*

*Public Hearing continued to 4/5/07 at 7:15 PM.*

### **10:04 PM OTHER BUSINESS:**

#### **1. Discussion of Recording the Orders for Big Alum Lake (DEP 300-727) and Cedar Lake (DEP 300-726)**

- Lake Association Members present.
- KK states that Lycott Environmental requested a waiver to not record the Orders since there is no Map and Lot. DEP gave verbal confirmation that it is okay.
- EG makes motion to grant waiver. DM seconds motion: 4/0 all in favor to grant waiver to recording the Order of Conditions.
- DM asks if there is a confirmation. KK responds that there is no written DEP confirmation.
- C. Moran states that in order to file at the Registry of Deeds old files could be checked for book and page number. KK states other records are not recorded.

#### **2. Discussion of Lake Residential Zoning**

- DG states that this was supposed to be a general discussion among the members, was not aware that Lake Associations were to be present.
- Cedar Lake Association members present to listen to discussion.
- Discussions included MA Turnpike problems, vegetation control, and possible rezoning around the Lakes.

#### **3. Discussion of garage removal at 22 Mt. Dan Road, Letter request by J. Pioppi.**

- KK states this is a request to remove a garage and do some grading for parking (letter dated 3/2/07). Members visited on 3/12/07. Potential for a lot of earthwork since the garage is built into a bank. Big Alum located across roadway and house lot. KK recommends RDA.
- Members agree with the RDA submittal

- EG states there is a parking lot to the left. DG states there will be at least three trees taken down.

#### **4. Discussion of Tree Removal at 15 Cove Drive Off Cedar Street**

- KK states this is a request to take down 5 trees that are dying/dead in a letter dated 3/5/07. Members visited site on 3/12/07.
- KK reviews photos of trees with board.
- DB states some of the trees are not dead or dying. KK replies that the tree on the most northern side is very decayed. A pine was struck by lightning, and an oak has beaver damage.
- DM states the lightning strike should go. EG states the northern maple should go and the beaver damaged oak should go.
- All members agree that only 3 trees should be removed.
- KK discusses Natural Heritage boundaries. KK asks what the letter should state as reasons for not removing undamaged trees. DG states that the letter should read that only the dead trees are to be removed and there is no reason to remove the trees that are alive.

#### **5. Sign Permits**

#### **6. New Correspondence**

- NOI for South Pond maintenance. KK would like to see the town line put on the map.
- KK states she has a student intern logging files and rechecking certificates to see if work was done as planned.

**10:52 PM: Meeting Adjourned**