

STURBRIDGE CONSERVATION COMMISSION

May 3, 2012

7:00 P.M.-Open Meeting - Quorum check as time allows.

Members present: Dave Barnicle, Chairman, Donna Grehl, Ed Goodwin, Calvin Montigny (Alternate Member), and Joe Kowalski (Alternate Member).

Members absent: Jeff Bonja.

Also Present: Erin Jacque, Conservation Agent, Rebecca and Peter Mimeault, Pat and Joe Wondolowski, Jim Dick, Mike Loin, Mr. Kady (not signed in) and John Holdcraft.

7:00 PM-Open Meeting - Quorum check

As time allows

CPA, PLAC and Lakes Advisory Committee update(s)

Walk-ins:

Peter Mimeault-76 South Shore Drive-DEP #300-751:

- PM read his narrative regarding minor amendments to DEP #300-751 which are;
 1. Modifying an existing swale along the upland side of South Shore Drive.
 2. Orienting the driveway as it relates to the gravel road.
 3. Changes in the design within the Right of Way to include about 10' of pavers and cobblestone to transition from gravel to a paved surface.
 4. Modifying the landscaping and positioning of the proposed garage.
- EJ asked PM when the work would start if the swale associated with the roadway is approved.
- PM stated asap.
- EG questioned whether the changes were minor and wants time to review them, hear comments from Greg (DPW) and do a site visit.

MOTION: By DB, seconded by DG to approve the driveway and garage modifications.

Vote: 2/1 opposed by EG.

1 abstention by WLH.

Dave Holdcraft-South Shore Drive/44 Allen Road:

- DH asked the next time the Commission goes on his property they get permission from him.
- DB stated it was an error on his part; he had intended to get back to DH regarding the timing of the Emergency site visit.

7:30 p.m. Public Hearing – (Public Hearing to open May 3, 2012) Notice of Intent application submitted by Roux Associates, Inc. on behalf of Exxon Mobil Pipeline Company for preventative maintenance of petroleum pipeline at 117 McGilpin Road.

- Jim Dick from Roux Associates, Inc. showed the area of proposed work.

MOTION: By DB, seconded by WLH to approve with the same Order of Conditions as previously given.

Vote: 3/0.

EG recused himself.

7: 45 p.m. Public Hearing – (Public Hearing opened April 19, 2012) After the fact Request for Determination of Applicability submitted by Randy Bercume to determine whether work to construct a shed at 11 Draper Woods Road is subject to the Wetlands Protection Act and Local Wetlands Bylaw and Regulations.

- EJ stated she has asked for comments from the Building Inspector and hasn't received any as of tonight. EJ asked that the homeowner seed and stabilize the soil areas.

MOTION: By DB, seconded by EG to issue a negative determination under the WPA.

Vote: 3/0.

1 abstention by WLH.

- DB suggested the homeowner use an organic fertilizer such as Milorganite.

MOTION: By DB, seconded by DG to issue a positive determination under the local bylaw.

Vote: 3/0.

1 abstention by WLH.

8:00 p.m. Public Hearing – (Public Hearing opened April 19, 2012) Notice of Intent application submitted by Bertin Engineering on behalf of Edward Moore for conversion of a deck into a 3 season room and redesign of a deck at 18 Birch Street.

- ML presented the proposed work and stated there is very little soil disturbance and will hand dig sonotubes.
- EG asked what the distance of the 2' cantilevered section is to the water.
- ML stated the distance to the water is 30.5'.
- EJ recommended armoring on the North side of the garage and tie in the downspouts on other areas of the house to the infiltration chamber (garage) and asked ML where the downspouts from the garage discharge to.
- Pat Wondolowski (an abutter) stated the downspouts discharge water onto her property and then discharges into the lake.
- ML stated the stone area can be pitched along the deck towards the front into the dispersant area under the deck.
- EJ suggested the downspout be redirected and the pipe that sends water into the lake be disconnected and redirected toward the stone area.
- DG stated she would like a site visit.
- DB asked ML that the area of construction be staked.

Public Hearing continued to 5/17/12 @ 8:00 p. m.

- EG asked for additional plans in regards to the sloping of the roof.
- ML showed plans of the proposed roof line and stated the gutters will direct the water under the deck.

8:15 p.m. Public Hearing – (Public Hearing opened April 19, 2012) Notice of Intent application submitted by Green Hill Engineering on behalf of Bruce & Bernice Hartwick to install a 2,000 gallon holding tank, abandonment of existing septic system, drilling of a new well, jacking up the house and pouring of a new concrete foundation at 62 Bullough Road.

- Mark Farrell from Green Hill Engineering presented the plans to the Commission and stated this is a proposal to replace the existing septic system with a 2,000 gallon holding tank in between the road and the home and a drilled well. MF also proposed to install Piers 4' deep so the house will sit 2' higher. MF stated an old leach field area is proposed as a dewatering area.
- EJ suggested a ring of 8 staked hay bales lined with filter fabric.

- Mr. Kady stated that grading will stay the same with a proposal of 16 footings under the home. Mr. Kady stated some of the spoils from excavation of the Piers will be stock piled during construction.
- DB stated everything needs to be covered.
- DG asked if any trees are proposed to be removed.
- Mr. Kady stated no trees are proposed to be removed.

MOTION: By DG, seconded by EG to approve with the Agents comments regarding stock piling and dewatering.

Vote: 3/0.

1 abstention by WLH.

8:30 p.m. Public Hearing-(Public Hearing opened January 19, 2012) Review of proposed Land Use Policy includes Land Use and Management Policy items like Trails, use of Conservation Lands, Rules & Regulations on Conservation Land, Terms of Timber Harvest, Mechanized Vehicle Policies, Handicapped Access, Conservation Restrictions, Management by Parcel, etc.

Public Hearing continued to June 21, 2012 @ 7:30 p.m.

OLD BUSINESS

Hein's CR Commissioner review:

- EG asked for a copy of the conditions of the Purchase and Sale for the Hein's property.

Update from MACC Annual Conference:

Tabled.

Commissioner Signatures on Haying License:

Discuss Summer Conservation Commission Schedule:

Reminder June 7, 2012-Joint meeting of Conservation Commission, Board of Selectmen, Recreational Trails Master Plan Steering Committee at Town Hall:

- EJ stated that the Open Space Committee requested to come before the Commission along with the BOS in June. EJ stated she will e-mail the OS Committee in regards to meeting on June 7th, 2012.

Reminder April 30, 2012- Meeting with Board of Selectmen regarding Private Roads:

Reschedule.

43 Mashpaug Road:

MOTION: By EG, seconded by DG to accept 43 Mashpaug Road for the care, custody and control of the Conservation Commission.

Vote: 4/0.

14 Birch Street-Update:

- EJ stated she sent a letter to 14 Birch Street indicating that the Commission would like the site work completed by 5/1/12.
- **(CD ended here @ 10:07 p.m.)**

66 Mt. Dan Road-Update:

- EJ stated she sent a letter to 66 Mt Dan Road indicating that the Commission would like the site work completed by 5/1/12. (CD ended here).

NEW BUSINESS

Complaints

96 McGilpin Road-After the fact letter:

35 South Shore Drive-Construction activities:

44 Allen Road-Breached Beaver Dam:

- DB stated on their site visit the Commission observed a breached Beaver Dam that was possibly caused by Mother Nature.

Old New Boston Road-Complaint regarding Det. Of Applicability:

Enforcement

SPAHO-Regep Lane(See correspondence from Public House and Kevin & Kim Casella):

- EJ stated an enforcement order was sent to Walter Regep and she hasn't heard back from him. EJ stated she received correspondence from the Public House indicating that the Spaho subdivision is responsible for material coming off the property entering the wetland.
- The Commission suggested stabilization action by May 17th or fining will begin and the Commission will seek DEP involvement.

Request for Certificate of Compliance

124 Podunk Road-DEP #300-828:

- EJ stated she did a site visit and armoring was placed at one of the outlets.
- DB stated he took photos and they comply with the plan.

MOTION: By EG, seconded by DB to approve the Certificate of Compliance.

Vote: 4/0.

The Highlands Subdivision-DEP#300-466:

- EJ suggested conditions before releasing Certificate of Compliance which are:
 1. Remove abandoned filter fabric on the site in several locations.
 2. Remove trash at the outlet of Basin #1.
 3. Hold the release of lot #23 pending stabilization.

MOTION: By WLH, seconded by EG to approve with the Agents conditions.

Vote: 4/0.

The Sanctuary Subdivision-DEP #300-470:

- EJ suggested conditions before releasing Certificate of Compliance which are:
 1. Remove abandoned filter fabric on site in several locations.
 2. There is minor rutting around Detention Basin #2 and recommended minor seeding in some areas.
 3. EJ stated she observed water being held in a Basin off of Hunter Lane.

MOTION: By DB, seconded by EG to issue a Certificate of Compliance pending the Agents conditions.

Vote: 4/0.

Emergency Certifications

31 South Shore Drive-30 Day Extension(Ratify):

- EJ stated she received a request by the home owner asking for an extension for the Certificate of Compliance for 30 days due to the Beaver Dam being breached upstream.

Discussion and Consensus by the Commission to remove the Tarp within 10 days.

Leadmine Mountain Conservation Land-Reported Dump Site-Drafted:

- EJ stated there was dumping on site of 8-10 drums which need to be excavated and removed from site. EJ stated she will be taking Contractors out for potential hazard waste removal. EJ stated as of now there is no start or end date.

MOTION: By DB, seconded by WLH to issue the Certificate of Compliance pending the start and end date of work.

Vote: 4/0.

Water Works Drive-Truck Roll Over(Emergency Response investigation of possible spill)-Drafted:

- EJ stated this is to seek an Emergency Certificate with the start date of 5/8/2012-6/7/2012 to sample soils in regards to a truck roll over. EJ suggested installing erosion controls to stabilize.

MOTION: By DB, seconded by EG to issue the Emergency Certificate.

Vote: 4/0.

Minor Amendments to Orders of Conditions

76 South Shore Drive-DEP #300-751:

200 Lake Road-DEP #300-825:

- EJ stated this is a proposal to convert an existing closed porch to an open porch by removing seasonal windows and walls and replace with columns and providing additional support to an existing deck with no excavation. EJ stated this would require no change in the foot print.
- DG would like a site visit.

Letter Permits

9 Highland Lane-Swimming Pool:

- EJ stated this is a proposal for a 20' x 36' pool outside the 50'. EJ suggested that the pool be pumped rather than drained, the pool stay on the plateau, erosion controls be installed and no stock piling. EJ stated if the fence is changing a different approval is required.

Consensus by the Commission with the Agents conditions.

272 Big Alum Road-Drainage Improvements:

- EJ stated this needs to come back with engineered plans.

Forest Cutting Plans

Holly Tremblay-New Boston Road(Hull Forest Products):

- EJ stated this will be coming back to us in a couple of weeks.

Correspondence

Division of Fisheries & Wildlife-Request:

- EJ stated F & W submitted a letter to the Commission for a Bird Monitoring study on the Ballard Property (Shumway Farm).

Consensus by the Commission to approve.

Appeal SCC #12-13 for 31 & 35 South Shore Drive:

- EJ stated an appeal was filed for SCC #12-13 and will keep the Commission informed.

Review of Land-Tax Possessions/Possessions/Property for Auction (Finance Department):

- EG stated this is a proposal for the Commission to acquire 3 parcels of land for Open Space and is recommending that the Commission make a motion to accept the parcels at 45 Champeaux Road, 234 Walker Road and 236 Walker Road.

MOTION: By EG, seconded by DB that the Conservation Commission is willing to accept the parcels.

Discussion by the Commission regarding the above properties.

- DB asked that a note be sent to Barbara and the TA that the Commission is willing to accept the parcels.

Vote: 4/0.

128 Mashpaug Road-Trash Complaint (forwarded for BOH):

- EJ stated she received a complaint regarding trash removal at 128 Mashpaug Road which she forwarded to the BOH.

Tennessee Gas Pipeline Yearly Operational Plan:

- EJ stated if anyone would like to look at the plan she has a copy.

MOTION: By WLH, seconded by DB to adjourn @ 10:20 p.m.

Vote: 4/0.