

**TOWN OF STURBRIDGE, MA
CONSERVATION COMMISSION**

**Thursday, September 19, 2013
Sturbridge Center Office Building, 2nd Floor**

Meeting Commenced: 7:00 pm

Meeting Adjourned: 10:16 pm Motion: JK 2nd: DB Vote: Unanimous

Quorum Check: Confirmed

Members Present: Ed Goodwin, Chairman **Members Absent:** None
 Dave Barnicle, Vice Chairman
 Donna Grehl (arrived at 7:15pm, excused herself at 9:45pm)
 Calvin Montigny
 Joe Kowalski

Others Present: Glenn Colburn, Conservation Agent

Committee Updates:

- **CPA:** not met
- **Trail Committee:** GC discussed
 - Red Trail (intermittent stream, suggested a bridge vs. culvert. Must file NOI since in wetland and since outside the previous Order of Conditions covered proposed at Leadmine Mountain
 - Arbutus Park Trail around Camp Robinson Caruso: regrading (for water drainage) and realigning (50' for water drainage) on that trail and staging work in prep for this weekend. Work on Sat 28th and spread crushed stone to further meet ADA compliant trail.
 - logging plan on OSV/Leadmine – not discussed.
- **Lakes Advisory Committee:** not met

Walk-Ins:

Dave (John) Holdcraft – 44 Allen Rd, Sturbridge:

- Question on 96 Allen (Seth LaJoy) how much went into pond: CM responded about 40 cubic feet of sediment into pond.
- Issue at 35 South Shore Drive, Seguin's, road washing out. 31 South Shore is where trouble is starting, since built has not been keeping culvert open. Mr. Holdcraft said that the 31 South Shore Drive resident brought in a bale of hay and he is helping beavers to build dam. Has been going on since 2010, what is commission going to do about it? DG never saw water from Allard's property during construction. DG unaware that the BOH has ordered him to keep culvert open. GC hasn't asked Allard directly if he is doing this, but probable as the hay bale has appeared on the road and on the dam. This is not beaver activity. EG, feels no assumptions of who should be called out. CM: what is GC's suggestion: Allard is complying w/BOH to keep culvert open, but he is altering a wetland (filling, cutting vegetation, damming). No commissioner has proof that he is altering wetlands but letter could request he remove the hay bale. Water backing into Holdcraft's property. Trees falling from soft ground. Water has been backed up for a long time. Commission can act on hay bale and non-beaver related (brush and logs being dropped on dam). BOH or Fish and Wildlife can request dam be removed. Non beaver related brush along with hay.
- GC site visit with Linda Cocalis today and this property is not the only prop effected (35 S. Shore/ Seguin's).
- Read a Letter (copy sent to Holdcraft) sent to Seguin's, dated, 3/21/12, BOH granted work to be conducted at 31 Allen Rd by clearing debris by inlet pipe to South Shore Drive and to maintain it in a matter so that it shall remain free running and clear.
- Commission can ask Allard to remove hay from the dam. Other than that it's out of Conservation's jurisdiction. DEP won't get involved as it's between two personal properties. Agent to get clarification of the BOH letter, regarding maintaining clear pipe.
- DG excused herself from the meeting.

Recap of this issue that will be continued to the next meeting, under Old Business around 9:15pm.

Public Hearings:

7:05 pm: NOI DEP#300-872, 62 Mt. Dan Rd, Daniel and Shannon St. Onge; Peter Lavesque, Pioneer Environmental; Don Frydryk, Sherman and Frydryk Engineering; Jason Pecoy, Pecoy Companies

- Revisions to plan and site visit (last Thurs) of requested changes, drew back retaining wall of the original approved plan and back to 25' no disturb zone. Added 2 additional plantings w/in 25' buffer zone.
- Stormwater runoff area totals 1330sf. Half-inch storm would fill infiltration area .2-feet, with plenty of extra capacity. No soil test borings for the wall were done. Installing imperious stone pavers with pea stone to deal with water coming down the driveway and stairs. Lakeside of property has gutters; other side goes into stone areas. Foundation went down 12'.

Motion to close Public Hearing: DB 2nd CM. Yea: 5 Nay: 0. Motion to issue an Amended Order of Conditions on MA Wetlands Protection Act and Town of Sturbridge Wetland Bylaw, to approve plan as revised and submitted: DB 2nd CM. EG requested to include in OOC that garage has hay bales, and add erosion control plan prior to construction. Yea: 5 Nay: 0

7:15 pm: RDA 9 Cove Drive, Leonard Jalbert, Jalbert Engineering c/o David & Ada Fitzgerald (continuation from 9.9.13) 2 issues addressed: Pacasandra planting off driveway and blueberries near the lake w/in 50' BZ. Revised plans have been received by commission.

Motion to Accept: Yea: 5 Nay: 0. Motion to close Public Hearing: CM 2nd: JK, no discussion.

Motion to Issue Order of Conditions on MA Wetlands Protection Act and Town of Sturbridge Wetland Bylaw, to approve plan as revised and submitted: DB 2nd CM Yea: 5 Nay: 0 Must get CO after one growing season.

7:30 pm: Bluewave Capital Solar Project NOI#300-TBD; Hare Road/Hobbs Brook Plaza

Attendees: Sam Moffett- TRC , Jaime Walker – Wetlands Scientist TRC, Rob Jackson – Engineer TRC, Anne Reitmayer – Bluewave,

- Legal notice & abutter notification handed to Agent.
- Scope: Located off Hare Rd, near Hobbs Brook, occupying some land owned by State of MA, under control of MA DOT. Total site under 100 acres. Proposing to use 11 acres of that space to accommodate solar project (sized at 3 megawatts). NOI contains wetland report. Site has streams, boarding vegetated wetlands and vernal pools. 5 areas for solar arrays numbered: #1 through #5, with #1 western most area - #5 eastern most point. Site developed with access using Hare Road and George Vinton Road (currently a paper road) may use as access road with upgrading by adding culverting stream crossings. Lot of solar on a small footprint w/minimized impacts to wetland areas. Working on plan to submit to planning board shortly. Open to suggestions in working together w/town.
- Commission Questions:
 - Clarification: Square foot of arrays add up to 654,000 SF = 15 acres not 11 acres.
 - plan C1-A: array #1: Does usable area include all hash marks? Yes.
 - Grading plans – 16' from lower level to upper level. Creating plateaus to work with the arrays. Water table: varies shallow to deep
 - Crossing – Two crossing on George Vinton Road. Will these crossings be improved? Grass species picked to provide good habitat for birds. Will require mowing schedule to consider nesting birds.
- Foundation for racking system: 10'deep. 13 borings taken and submitting a geotechnical plan
- Usage area: limited tree cutting and disturbance inside the 50' buffer zone. No work in 100' industrial setback zone. Disturbance only in solar array areas. Areas where trees would be removed and/or replaced to be shown on next set of plans.
- Access point: proposing George Vinton Rd to be access point must still go to Planning Board. Paper road built but dirt and paved in spots. Upgrade existing culverts, stone culvert isn't sufficient at array #2. Replace culverts at crossings of George Vinton Road. Road will be made of pervious metal (steel mesh) material placed into the road surface, like a honeycomb. Road will be plowed, sanded in the winter. Array areas will be fenced with an 8" gap for critters to migrate between uplands and wetlands. Some of the wetlands are vernal pools.

- Flood Plain: 100yr FEMA flood plain isn't noted on plan for the arrays. Any loss of flood storage capacity would require compensatory flood storage
- Array is a racking system. Multiple panels racked on single rack.
- Flagging is complete and Commission to do a site visit. GC site visit, noted some orange flags that had no numbers, what do they represent in the field. Pink and Blue flags are Bwave. Orange is surveyor's flags for topography.
- DB requesting a 3rd party to review this project as it's a large project.
- One invasive species – fragmities in area of Hobbs Brook. Nothing found for endangered species.
- Discussed other projects that Bluewave is involved in currently; Rochester, MA (New Bedford area): 31 North Ave; same as regs specified in our project. Using vegetative coverage vs. gravel.

Commission will do a site visit before next meeting. BWave must be aware of Commission visit per DOT requirements. Request for continuation for next meeting 10/3 no time yet appx 8:30pm

Motion for Continuation at next Meeting on 10/3 at 8:30pm: DB 2nd: CM Yea: 5 Nay: 0

8pm William Emerson, 248 Big Alum road, landscaping and stair lift system. William parker c/o William Emerson. All proposed plans: planting, budget not finalized.

Scope: lot had been heavily forested with hemlock trees, all trees removed by homeowner over the past 5 yrs. Final Scope of project: will be based on the applicant's budget. Will need a site visit. Cottage owned by owners in their early 80's; need a way of easier access for homeowner; proposed stair lift. Proposed stone stair for use now and a stair lift for use later in their life. 3 proposals for review; most favored plan would be proposed construction drawing. No removal of trees on plans. Low voltage lighting will be installed along stairs. Will provide a final plan prior to site visit and mark out chair lift w/two stakes and a string. Request for continuation on 10/3 at 9pm.

Motion for a Continuation at the next meeting on 10/3 at 9pm: Yea: 5 Ney: 0

8:30pm 96 Allen Rd, Seth LaJoy, LaJoy Associates, c/o John Elliot.

- As built plans after septic system is complete.
- No changes of contours, but final plan will show
- Plan approved with contours, if contours change must be approved by Conservation
- Area was washed out; was regarded, stabilized and hydro seeded.
- Stone berm is installed; almost 4'ht. Driveway not finished yet
- Feel site stable and secure; want a report of grading at the next meeting.
- Emergency in the future, call the chairman and vice chair. Phone number should be on website or add to our conservation phone message.

Motion for Continuation for next meeting on 10/3, around 9:30pm. DB 2nd: DG Yea: 5 Ney: 0

9:15 pm: NOI DEP #300-886, Louis Fazen; Lynn Eckhert (cont. from 8/15); voted to close Public Hearing and voted to issue an OOC minus the deck, but Order of Conditions not recorded yet. Eckhert would like to represent herself to request a reconsideration of environmental impact of grass, elevate the house, 3 cantilevered deck options and redesign of dock. **Need to refile OOC. GC will contact Eckhert/Fazen to re-file. All in favor.**

Old Business:

- DB: Stewardship plan that needs to be fixed. Need to get the plan going again. State wants to see town's forest harvesting plan incorporated into the stewardship plan. Perhaps make some minor adjustments to the forestry plan
- DB: Regulations; suggested to meet next Thurs to start working on them again. EG can't make next Thurs. Need to get secretary back before we start to rewrite the regulations

Enforcement

- **43 Draper Woods, Ryan LaFortune:**

Erosion controls in good condition; some hay bales need to be replaced due to rot; hydro seeded. House across the street (45?) rocky swale will need some attention. Jalbert is staying on top of the situation with GC and Tim Reardon.

- **10 Whitemore:** GC spoke with Soper Construction after site visit, starting to pull back debris. Good progress being made.

Requests for Certificate of Compliance:

- **176 Podunk Road, Thomas Buell – DEP #300-820;** 3 car garage, site visit. Jalbert noted that the carport is enclosed thus 4 stall. Well vegetated area. Paper plan is in the file. Suggested CO issued as area is well stabilized. Commissioners signed the COC.
- **9 Vinton, SFH, septic in rear, plan w/him at site visit.** Well stabilized. Work well inside hay bail. Raised system. Suggested CO issued. Commissioners signed the COC.
- **Exxon Mobile Pipeline** - Request to extend same OOC #300-855 (Grand truck trail, near OSV parking lot) to work few hundred yards down on same pipeline of area. Minor Repair work needed. One day project. **Accept: Yea: 4 Ney: 0**

Letter Permits

- **10 Mt. Dan Road,** put on hold to make a site visit to look at trees.

Correspondence:

Parks and Recs: to use trails at Heinz and Leadmine for a walking club Oct 5 – Nov 30 appx 8-9am. Asking permission of Commission. All agreed, no issue.

Big Alum Lake Association: 11/1 open dam close 1/1 for dam drawn down

Agent report:

- **94 Paradise:** John Getner to remove stockpiles and boulders off root systems; will have equipment to move boulders and soils redistributed next week
- **36 Mt Dan:** Dr Stageis's contractor to inspect and repair silt fence, new well installed, large water volume 50gal/min. dewatering went well.
- **Draper woods;** fences to remain in good condition;
- **Tannery road:** 4 house under superseding OOC; all need erosion control repairs. GC will follow up
- **Peter Mineault –** South Shore Drive working on swales.
- **Southbridge Landfill – Linda Cocalis –** contacting DEP to test some odd liquids that are flowing towards Sturbridge. Flows go into McKinstry Brook then into the Quinebaug. Notify DEP; a good idea to get water test. Asks BOH if water testing being done

A copy of tonight's meeting can be found on our Town's website or is available upon request via the Audio Department: 508.347.7267