

STURBRIDGE CONSERVATION COMMISSION

January 17, 2013

7:00 p.m. Open Meeting
Quorum check

Members present: Dave Barnicle, Donna Grehl, Ed Goodwin, Calvin Montigny and Joe Kowalski.

Members absent: None.

Also Present: Howard Fife, L.S. Jalbert, Larry Tuttle, Adam Shopkimas, Sean Hale, Tom Chamberland, Sery Bounphasaysonh, Gary Allard, Margaret Allard, John Holdcraft and Paul Duarte (not signed in).

Committee Updates

CPA, SLAC, Trails Committee(TC), Trails Master Plan Steering Committee(TMPSC):

- EG stated there was no CPA meeting.
- DG stated SLAC is meeting tonight and has published another article regarding water storage.
- DB stated the TC is planning on publishing an article in the newspaper regarding the development of friends of the Trails.

Walk-ins:

43 Abrams Drive-Brian Juliano: (Continued from 1/3/13) Letter Permit for concrete driveway in buffer zone (work for retaining wall and beach construction withdrawn at applicant's request)

- BJ stated he is here for the proposed concrete driveway to replace the existing asphalt driveway and extend it up to the garage. BJ stated he is proposing to remove the asphalt off site with no stock piling.
- DG suggested the area be hay baled.
- DB asked that BJ provide a sketch of the existing driveway and the proposed work.
- EG suggested the Agent do a site visit once the sketch is submitted to the Commission.
- GC asked that BJ submit a letter to the Commission of where the asphalt is being disposed of (on company letterhead).

Consensus by the Commission to approve the Letter Permit with noted conditions.

Letter Permits

48 Streeter Road-Joe Overly-Fill and grading in the Buffer Zone:

- GC stated JO is proposing to remove 4 or 5 stumps in the buffer and showed pictures from his site visit of the extent of fill being proposed. GC stated the

proposed work is about 50-75' to the Brook and suggested erosion controls. GC stated JO is also proposing to remove two red maples on the line of where he is filling.

- DB stated he would like clearer information regarding the distance to the Brook and prior to any work the Agent be notified.
- DG asked for before and after pictures to be sent to the Commission.

Consensus to approve the Letter Permit with no removal of the two red maple trees that were requested by the homeowner.

Public Hearings

7:15p.m. Public Hearing: NOI DEP #300-841, 94 Paradise Lane, Alan Peppel amend Order of Conditions to move the driveway, demolish and reconstruct a single family house.

- GC stated this is a request to amend an OOC to remove existing pavement, relocate the driveway and the remove 3 pine trees.
- LJ stated there are concrete pads on the property that are also proposed to be removed, the house staying on the same footprint, and the 3 pine trees proposed to be removed are 6-9" in diameter. LJ explained the drainage system to the Commission with the opening of the pipe 35' from the lake which will be armored with stone and filter fabric. LJ stated 4" of top soil is proposed to be placed 1-2' around the foundation, the shore line staying in its natural state and a 5' cantilevered deck proposed for the southeast portion of the house.

MOTION: By EG, seconded by CM to approve the plan as presented with no storage on site.

Vote: Vote: 5/0.

- CM asked when the applicant is proposing to start work.
- Alan Peppel stated 4/1/13.

7:30 p.m. Public Hearing: RDA-10 Audubon Way for the construction of a sunroom in the Riverfront area:

- GC stated this is for a proposed sunroom replacing an existing deck on the same footprint about 150-165' from the brook.

MOTION: By DG, seconded by DB to issue a negative determination under the MA WPA and the town of Sturbridge Wetland bylaw using no erosion controls and no tree cutting.

Vote: 5/0.

7:45 p.m. Public Hearing: NOI DEP #300-879 for 506 & 510 Main St. Cumberland Farms demolition and expansion.

- Paul Duarte stated this is a proposal to demolish the existing structure, pavement and storage tanks and replacing all with new. PD stated the proposed Cumberland Farms is 4,513square feet, a 2,496 square foot canopy over 4 gas pumps with an entrance off Main Street and Hinman Street; a new curb line on both Main and

Hinman streets along with new walkways. PD stated the existing impervious area is 24,788 square feet and the proposed impervious area is 24,992 square feet. PD stated there is a Riverfront area in the northwest corner of the site totaling 19,727 square feet with 5,435 square feet being impervious. PD stated there is no storm water management currently on the site. Post development storm water is to be collected by a deep sump catch basin for the parking area with an oil water separator conveyed thru a pipe into a water quality stormceptor. PD stated the water from the proposed canopy is also going thru the stormceptor with the runoff from the roof of the proposed building going thru an infiltration system with a 12" pipe. PD stated the northeast corner of the building where there is a depression is proposed to be filled in with a domed grate on top and is part of the storm water maintenance plan.

- GC asked about the flow of the stream during construction.
- PD stated the pipe will be rerouted with construction done in phases with a stone construction entrance off Main Street, the existing catch basins and the new catch basin will be equipped with a silt sac until the site is stabilized and the pavement is down.
- EG questioned whether there is contamination on the site and stated he would like a site visit.

MOTION: By DB, seconded by EG to continue the Public Hearing to February 7th, 2013 @ 7:30 p.m.

- EG asked the Agent to contact DEP regarding their position on filling a stream and 0 wetland loss.

Vote: 5/0.

8:00 p.m. Public Hearing: RDA MA DOT, MA Pike I-90 Interchange 9 infrastructure improvement.

- Sean Hale from Epson stated this is a proposal to install a camera and two poles; 1 pole for the camera and the other pole for the electric line with no impact to the BVW. SH stated if pruning is necessary it will be done by hand and the only ground disturbance is for the foundation of the two poles. SH stated there is 60' of fiber logs proposed for erosion controls.

MOTION: By EG, seconded by DB to issue a negative determination for work in the buffer zone.

- GC asked how the site will be accessed.
- SH stated access is proposed from the turnpike side with overhead wires coming from the Picker Road side with no impact to the wetland and minor limb trimming for wire clearance.

Vote: 5/0.

8:15 a.m. Public Hearing: NOI DEP #300-877, 168 Lake Road (continued from 1/3/13) to demolish and rebuild a single family house.

- Lenny Jalbert stated this is for the demolition of an existing house with removal of all structures out of the 25' and 93% of any structure out of the 50'.
- Larry Tuttle stated the homeowners are requesting the removal of 3 trees with one of them being a potential hazard.

Discussion regarding the mitigation of trees.

- DG suggested 2 to 1 mitigation with pine trees.
- EG suggested other plantings in addition to planting River Birch.
- JK stated he is ok with planting just River Birch.
- GC asked about the dock when the trees are proposed to be removed.
- LT stated the applicant is looking into an extract and pull type of dock.
- DB asked the footage from the front of the proposed building to Big Alum.
- LT stated the footage to Big Alum from the front of the building is 47'.
- GC asked about outlet protection on the shore line.
- LJ stated proposed is a stone blend with rip rap and discharge is 2-3' above the water line.

MOTION: By EG, seconded by CM to approve the project with changes as stated.

Vote: 5/0.

8:30 p.m. Public Hearing: NOI DEP #300-878 505 Main Street (cont. from 1/3/13)
Thai Orchid addition and parking lot improvements.

- LJ presented the landscape plans to the Commission which changed from a tree planting adjacent to Route 20 to low profile plantings.

Discussion regarding the tree that was cut off at the top without approval (that shaded the wetland) and suggested planting three 4" in diameter trees as mitigation.

- DB asked if all discharge and snow is proposed to stay within the site and also what the height of the berm is.
- LJ stated the drainage calculations are in the packet he gave to the Commission this evening and the stormceptor is good up to a 100 year storm. LJ stated that the lot is proposed to be encompassed by a berm and discharged to the wetland area. LJ stated the height of the berm is 9" to the bottom that goes up 6".
- DG asked about filling in the back of the lot.
- EG stated they are filling in up to 1' to the back of the wetland.
- LJ stated the interceptor needs to be raised and will be held back with 2' of mulch on the banking.
- GC suggested using jute netting and a conservation mix in place of the mulch.
- Tom Chamberland who is representing the American Legion which abuts the property had questions regarding the plan.

MOTION: By JK, seconded by DG to accept the plan with conditions as discussed.

- DG asked about the garbage receptacles.
- LJ stated the garbage receptacles are part of the maintenance plan and will include standard cleanup.

Vote: 4/0/1 abstention by CM.

Minor Amendment to Orders of Conditions

36 Mount Dan Road: DEP# 300-873 Request to modify erosion controls due to frozen lake and ground conditions.

- LJ stated the applicant is proposing to install a 4' temporary plywood wall around the lake side walkway/decks and tarpaulins installed on the frozen lake 25' out from the house with straw waddles to hold them in place during demolition of the house and removed and stored at the end of each day. LJ stated if there is no ice a boom would be used in place of tarpaulins.

Public Hearing continued to 2/7/13 @ 7:45 p.m.

Correspondence

Trails Committee has received the Leadmine Mt. Core Trail Design report from Kay-Linn Enterprises (e-mailed to Commissioners).

- GC stated this is to amend an OOC to remove the top soil layer and place a hard pack gravel surface to be ADA compliant with no tree cutting.

MOTION: By CM, seconded by JK to approve the amended OOC.

Vote: 5/0.

Compliance/Enforcement Issues

31 South Shore Road-Allard-restoration in the RFA:

- GC stated that the Commission requested an "as built" from the Allard's in December 2011 to be submitted by 2/2/12 and read a section of the letter that was sent to the Allard's into the record.
- Gary Allard stated to the Commission that he used the wrong plan (by accident) for his recent LP. GA stated the plan dated 2/1/12 shows the actual conditions on the site. GA signed that plan and stated the plan shows what is on the site now. GA stated there has been no unauthorized work done on the site.

75 Westwood Road:

- GC stated he received a letter from the homeowner regarding cutting on his property without permission that he was not aware of any wrong doing and asked how the Commission would like to handle this.
- EG suggested letting the matter drop.
- DB asked the Agent to send a note to the homeowner thanking him for his concern.

Request for Certificate of Compliance

9 Audubon Way-DEP #300-471(Possible encroachment into conservation easement):

- GC showed pictures to the Commission from his site visit of encroachment into the easement and also a wire fence in the easement which the easement states no fencing allowed and suggested not issuing a COC. GC suggested that the homeowner remove the fence.
- EG suggested that permanent markers be placed that shows where to stop mowing.
- DB suggested concrete bollards for the permanent markers.
- GC suggested sending a letter to the homeowner stating they are in violation of the Conservation easement.

DG left the meeting @ 9:45 p.m.

Approval of Minutes:

MOTION: By EG, seconded by CM to approve the 1/3/13 minutes.
Vote: 3/0/1 abstention by JK.

Adjourn:

MOTION: By CM, seconded by EG to adjourn @ 10:13 p.m.
Vote: 4/0.

A copy of the DVD from tonight's meeting is available upon request if needed from the Audio Department @ 508-347-7267.