

# STURBRIDGE CONSERVATION COMMISSION

April 4<sup>th</sup>, 2013

Meeting held at the Center Office Building 301 Main Street, 2<sup>nd</sup> Floor

7:00 p.m. Open Meeting  
Quorum check

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

Members absent: None.

Also Present: Victor Matheson, Michael J. Nolan, Ed Paquette, Cornell Robinson and Michael Turgeon.

## Committee Updates

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

- EG stated the CPA Committee approved \$28,000.00 to be put on the budget for approval at town meeting for cleanup of the River Lands (which is being tested for lead), Conservation Easements and work on the Grave yards. EG stated the engineering firm the Committee is working with is Tighe and Bond.

## MACC Updates

- CM stated he and JK attended a course for pesticide applications in wetlands regarding municipality's and public sector lands.
- GC stated he took 3 storm water classes which discussed TSS removals in regards to today's intensifying storms.

Walk-ins:

## Public Hearings

**7:15 Public Hearing:** RDA-New Boston Road at I-90 overpass. Mass Broadband 123 is seeking a Determination for work in the buffer zone to a BVW and bank. Proposed work is installation of underground conduit and fiber optic cable within the existing shoulder of the highway.

- Michael Turgeon from MA Broadband 123 stated he is proposing to install conduit (1 ½" plastic, high density, polyurethane flexible conduit) on both sides of the I-90 Bridge going under the bridge where the line ends now within the 100' buffer. MT stated they are proposing to use erosion controls and straw waddles. MT stated this is proposed to be a one day project.
- Michael Nolan from G4S Technology stated they are proposing to dig a trench (18" x 36") using a mini excavator.
- DG asked what is proposed if they hit rock.

- MN stated it depends on the size of the rock; either they will go around it (toward the street) or they will stop work, reassess and possibly use a rock borer.
- GC stated that he walked the site and he questioned the referenced wetland line (he didn't see it on the USGS map). GC stated he had no worries with regard to sediment going into the wetland.
- DB asked MT that they get the newspaper ad to the Conservation office.

**MOTION:** By DG, seconded by CM to issue a negative determination under the WPA with the caveat that the newspaper ad be sent to the Conservation office.

**Vote: 5/0.**

### **OLD BUSINESS**

9 Audubon Way-DEP #300-471 (The Preserve) Encroachment into easement. Letter sent.

- Victor Matheson, homeowner stated that the fence in the easement beyond his property was installed by the previous homeowner and is also concerned with the clear cutting in the front yard that was done by the developer 10 years ago.
- EG stated that the easement on VM property is not used for access to the open space.
- Discussion regarding a landscaping plan for front and side yard to restore vegetation.
- DG suggested that VM bring a planting plan to the Commission.

### **Enforcement**

3 Cherry Brook Circle-DEP #300-837-Discuss site inspection:

- GC discussed past site visit results with the Commission regarding the 11 pine trees that were cut in the Riverfront area and his concern with the hay bales outside the work limit line. GC suggested either the boulders on the property or permanent markers be used as a work limit line.
- JK suggested mitigation to replace the cut trees.
- DG liked the idea of using the boulders on the property as permanent markers.
- CM agreed with JK in regards to mitigation.

*Public Hearing continued to 4/18/13 @ TBD.*

**Approval of Minutes:** March 21, 2013

**MOTION:** By EG, seconded by DG to approve the minutes of 3/21/13.

**Vote: 5/0.**

43 Old Machapaug Road-land donation update:

- GC stated this is land that is offered to be donated and approved for acceptance by the Conservation Commission that will go before the BOS meeting 4/15/13. GC stated the BOS had concerns with the property in regards to the \$183.00 lost in taxes to the town, any sign of illegal dumping, and what other open space properties this land abuts. GC stated this property abuts Army Corps land.

## **NEW BUSINESS**

### **Request for Certificate of Compliance**

90 McGargle Road-DEP 300-848-Daryl-Lynne Gottier-On hold until ground is visible:

#### **Letter Permits**

240 Roy Road-Joseph Veneziano: Addition to porch with new foundation, construction of ground patio-Porch is 110' from wetland line, patio is 90' from wetland line:

- GC stated this is a proposal for a small addition to an existing porch 115' from a retaining wall. GC stated a new foundation is proposed using a mini excavator with all spoils covered with tarps and the wetland protected by straw waddles and staked as shown on the plan. GC showed 3 pictures to the Commission and stated he had no issues with the plan.
- EG suggested no storage or stock piling on site during construction.
- DG asked the dimensions of the addition.
- The Commission looked at the plan which showed the reconstruction of the 2<sup>nd</sup> story.
- EG asked if the large pine on the plan is proposed to be removed.
- DB asked for mitigation regarding any tree removal.
- DG asked if the shrubs on the property are proposed to be removed.
- GC stated he will inquire about the shrubs and expressed concern regarding no stock piling on site during construction and suggested allowing enough stock piling with proper protection be allowed on site until construction is completed.
- EG disagreed with GC and suggested clean fill for this project be brought in and the homeowner come before the Commission with a detailed plan.

*Consensus by the Commission to do a site visit and the homeowner come before the Commission with an RDA and a stamped plan.*

- CM asked that the area be staked for the site visit.

OSV requesting permission to use conservation lands for an orienteering course to be held during Boy Scout Day, April 6<sup>th</sup>:

- GC stated the Boy Scouts are proposing to do an orienteering class at CRC April 6<sup>th</sup> from 8:00 a.m.-5:30 p.m. on the Morgan track.

*Consensus by the Commission to approve.*

#### Trail Work:

- DB stated there is a trail work scheduled for next Saturday 4/13/13 at 8:00 a.m.-12:00 p.m.

#### Earth Day:

- GC stated he is planning a town wide Earth Day cleanup scheduled for 4/20/13. GC stated interested parties should come into the Conservation Office, sign up and pick up trash bags and sign a release form. GC stated the cleanup will need to take place any time before 4/22 because the Highway department is scheduled to pick up the trash bags then.

96 Paradise Lane, Nancy Allen-Request to remove a tree that has damaged the house:

- GC stated Nancy Allen the homeowner is proposing to remove a tree that has damaged the house. GC stated on his site visit he observed severe damage at the crown and suggested removing it without removing the stump. GC stated the proposed tree is less than 100' from the lake.
- DB suggested 2 to 1 mitigation and agrees with GC regarding removal.
- JK stated he is concerned suggesting 2 to 1 mitigation to the homeowner and has no issue with the tree removal.
- CM stated he has no issue with the tree removal.
- EG stated he has not seen the site and could not vote on this.
- DG stated she wants to see the site.

**MOTION:** By DB, seconded by JK to approve the tree removal and replicate 2 to 1 with trees.

**Vote: 3/1opposed by DG/1 abstention by EG.**

- GC stated there is another tree on this property that is encroaching into the foundation which he feels the owner will be approaching the Commission for removal at some point and suggested planting 2 trees along the shore line.
- EG asked for more time to do site visits before the item comes before the Commission.
- DB suggested getting the Agenda and packets the Friday before the Conservation meeting.

Open Space Update:

- DB asked that the Commission look at the Open Space plan and make suggestion for how we can comply with the Charter.

149 Charlton Road-Stop and Shop:

**MOTION:** By DG, seconded by EG to accept the revised planting plan for 149 Charlton Road.

**Vote: 5/0.**

**SITE VISIT SCHEDULE**

Trail work review at Leadmine.

**MOTION:** By DG, seconded by EG to adjourn @ 8:57 p.m.

**Vote: 5/0.**

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