

STURBRIDGE CONSERVATION COMMISSION

Thursday June 20, 2013

****Meeting Held at the Sturbridge Center Office Building 301 Main Street, 2nd 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: Glenn Colburn, Conservation Agent; Liz Banks, Brian Unger, L.S. Jalbert, Keith Beecher, Alan Peppel, Carl Desse, Tom and Kelly Peck, Victor Matheson, Mike Pento, Andy Cormier and Lou Latour.

Committee Updates

CPA, SLAC, Trails Committee(TC):

- EG stated that everything for CPA was approved at town meeting.
- DB stated a Kiosk was built at the Shattuck Road Conservation parking area with assistance from about 20 Tantasqua High School students.

Approval of Minutes: June 6, 2013

MOTION: By DB, seconded by CM to approve the June 6, 2013 Minutes with a correction on page 4 in regards to the CVS Public Hearing.

Vote: 3/0/2 abstentions by EG and DG.

Walk-ins:

Allen Peppel-94 Paradise Lane-Tree replacement-Landscaping design:

- Allen Peppel stated he is here to discuss the planting of 4 trees as mitigation for the removal of 1 tree that was previously approved by the Commission.
- Carl Desse from Rutland Nursery stated the trees to be planted as mitigation are: 1 shade master Locust, 1 clump River Birch and 2 Red Maples. CD stated there is low bush blueberry which is being choked off by bittersweet and grapevine that is proposed to be eradicated and planted with sod and showed the Commission the area on the plan.
- DB asked how wide the green shaded area is on the plan that is proposed to be sodded.
- CM stated the green shaded area is 8' wide.

- GC stated the 0-25' is a no disturb buffer zone and suggested that other than the 4 trees to be planted as mitigation, that this be considered as an amendment to Mr. Peppel's Order of Conditions, or under a new filing.
- EG stated he is comfortable with including the low bush blueberry landscaping with the tree replacement.
- DB stated he would like to review the landscape plan.

Consensus for the placement of 4 trees as indicated.

Army Corp of Engineers-Discuss debris cleanup in floodplain of Quinnebaug River:

- Keith Beecher, Project Manager for Westville Lake stated he is here as a courtesy to discuss the cleanup of the debris (caused by the Tornado) in the Quinnebaug River. The Army Corp will be cleaning up a section in Sturbridge. KB stated Army Corp is proposing to clear boundary lines to prevent trespassing. Some acreage will be cleared.
- Mike Penko, Ecologist for Army Corp. stated he notified the Conservation Agent and Natural Heritage(NH) was also notified which they stated their concerns regarding the wood turtle habitat and the fresh water mussel off of OSV road. KB stated if the work area is too steep for machinery the tree will be cut, dropped and left in place. MP stated in regards to the protected species habitat when work is being done someone will walk ahead of the machinery to watch for the turtles. A freshwater mussel sweep is also proposed to be done. KB stated if the water is too deep work will not be done in that area. KB stated to prevent erosion wood chips will be placed. MP stated he will e-mail Natural Heritage tomorrow to let them know that they met with the Conservation Dept. and what the plan is for the proposed work.
- EG asked that they be judicious with the removal of the snags.
- GC asked if NH gave a specific date for the work to be done.
- MP stated he is aware of BMP but NH did not give a specific date.
- DG asked if the vernal pools can be marked and avoided.
- KB stated crews will watch for shallow depressions that might serve as vernal pools and avoid those areas.

Victor Matheson-9 Audubon Way-planting plan in easement, fence removal:

- VM discussed his planting plan with the Commission which the Commission expressed concern with the proposed Hemlock plantings because of the Woolly Adelgid infestation.

MOTION: By EG, seconded by CM to approve the plan as submitted with the possible exception to change out the Hemlock to an appropriate replacement.

Vote: 5/0.

- VM will call the Agent when the work is completed.

Public Hearings

7:30 Public Hearing: RDA-46 Bushnell Road-Mark Corriveau-replacement of septic system:

- Lenny Jalbert showed the Commission the hay bale line on the plan and stated he is proposing to remove the existing septic system and replace it with a new septic system (trench system). LJ showed where the excavation is proposed and stated fill is proposed to be brought into the site. LJ stated the area of excavation is sloped away from the wetland area in a westerly direction and showed the 100' buffer zone on the plan.
- DG asked about the swale on the plan.
- LJ stated it's a depression in the ground so no water from that area will enter the wetland.
- CM asked about a grade change to the septic system area.
- LJ stated the grade change is 3.5'.

MOTION: By EG, seconded by DB for a positive determination for area, and a negative determination for work under the WPA, Sturbridge Wetland Bylaw and the Rivers Protection Act.

Vote: 5/0.

7:45 p.m. Public Hearing: NOI DEP #300-TBD 60 South Shore Drive-Kelly Peck-replace retaining wall at the shore line:

- John Peck stated this is for a proposal to repair a retaining wall at the shoreline.
- GC stated the wall was in poor condition per his site visit but the work will need to be done at drawdown. GC stated the plan shows erosion controls at the water line. The Commission has not received a file number from DEP or a response from NH&ESP.
- DG asked how the work is proposed to be done.
- Lou Loutour gave a brief description of the work and erosion controls.
- DB asked how he is proposing to pour the footings.
- LL stated the footings are proposed to be poured to the manufactures specs.
- CM suggested the Commission do a site visit.

Public Hearing continued to July 18, 2013 @ 8:00p.m. and a site visit scheduled for 7/15/13 @ 3:00 p.m.

8:00 p.m. Public Hearing: RDA 9 Holland Road-G.B. New England 2, LLC (Con't.from 6/6/13) Filing for Determination under Bylaw only. (**Applicant has requested a continuance to 7/18/13 @ 7:30 p.m.**)

NEW BUSINESS

Appropriate a sum of money from the Wetlands Protection Fund to pay the Administrative Assistant (FY 14):

MOTION: By DB, seconded by CM to approve the \$4,240.00 from the WPA fund to pay the Administrative Assistant for five hours per week.

Vote: 5/0.

Election of New Officers:

MOTION: By DB, seconded by DG to nominate EG for Chairman of the Conservation Commission.

Vote: 4/0/1 abstention by EG.

MOTION: By EG, seconded by DG to nominate DB for Vice Chairman of the Conservation Commission.

Vote: 5/0.

MOTION: By DB to nominate CM for Vice Chairman of the Conservation Commission.

There was no second so the Motion failed.

Enforcement

10 Whittemore Road-Bret Soper-Fill in Wetlands and Buffer Zone (June 6)

- GC showed pictures of the site at 10 Whittemore Road as a result of a cord wood operation and suggested that Bret Soper clean up down to the soils followed by a conservation seed mix with hay mulch on top. GC suggested shutting down the cord wood operation.
- DG agreed and suggested the cleanup be done by hand with a time frame.
- EG suggested a delineation of the wetland be done and bring in an expert to consult on remediation.
- DB suggested a phased approach.
- EG suggested that BS communicate with GC **now**.

Consensus that a Cease and Desist Order be issued.

- GC suggested a time frame of starting the clean up by 7/1/2013 and completed by 7/18/2013.
- EG asked that details of how the cleanup operation is to take place be included in the cease and desist letter.
- GC stated the cease and desist letter will be ready this Tuesday for signatures.
- DG suggested that BS refer to GC for guidance.

Draper Woods DEP #300-469-Tim Reardon-Failure to contain erosion/maintain erosion controls:

- GC showed pictures of the unstable site and asked how the Commission would like to handle the situation.
- DB suggested an immediate cease and desist.

Consensus by the Commission to issue a cease and desist.

67 Allen Road-Thomas Kane-Work in BVW (letter sent 5/21):

- GC stated the brush piles have been pulled out of the buffer zone but the planting in the front of the home hasn't been completed yet.

Emergency Certification

19 Mashpaug Road-Outdoor World-Repair of water line as ordered by DEP:

- GC showed the plan to the Commission and stated this is for emergency repairs only from DEP to repair a drinking water supply line. GC stated he did a site visit and the site looked good. GC stated the water line is proposed to go over the culvert thru the grass and reconnected.
- CM asked the diameter of the poly line.
- GC stated the line is 1 ½"-2" and the work should take 1-2 days to complete.

104 Westwood Road-Andy Cormier-Foundation work:

- AC stated this is for a foundation 65'-70' from the shore line that has cracked and shifted 3" from its original location. He is proposing to dig 2 trenches 3' wide and 6' out and make a concrete abutment to hold the foundation in place. AC stated there would be excavation of about 8 yards of material which he can store at the top of the driveway and backfill after. AC stated he still needs to meet with the Building Inspector.
- GC stated that at the direction of DB he issued an emergency certification 6/13 which now needs to be ratified.
- EG asked how wide the crack is in the foundation.
- AC stated the crack is about 1" wide.
- After further discussion the commission came to the conclusion that this did not meet requirements for an Emergency Certification.

Consensus by the Commission that this is not an Emergency and did not ratify the Emergency Certification.

Agent Report

62 Mount Dan Road:

- GC stated he walked the perimeter of the silt fence line and spoke with Jason Pecoy regarding installing erosion controls on the westerly side of Mt. Dan Road where soils have been stockpiled.
- DB asked about the pile of rocks on site and questioned whether a wetland was being filled.
- GC questioned whether there are jurisdictional wetlands in this area.
- DG asked if the Commission had required trap rock on the road.
- DB felt the area on the opposite side of the road from 62 Mount Dan Road is a primary source of recharge for Big Alum.
- EG suggested a site visit.
- EG asked what the plan is for the rock that is at the water's edge against the silt fence and if it's in compliance with the approved plan.
- GC stated the rock is within 1'-2' of the approved plan.
- EG asked how far back from the existing wall on site is the rock proposed to be placed.
- GC stated the rock is proposed to be better than 25' away from the water and suggested bringing the plan with the Commission on a site visit.

- DG asked about stock piling on site.

Trails Committee Report:

- GC stated that the TC worked on the West Ridge trail with hand tools doing repair work on damage caused by work vehicles on wet, unstable trail surfaces. GC stated proposed future work includes the red (wet areas), blue (wet areas) and white trails (relocating some areas of the trail). GC stated he is planning to go on site to Hein's 7/1/13 @ 4:00 p. m.
- GC stated a senior worker has done Mountain Laurel trimming on the Pond Loop trail.

Request for Minor Modifications to Orders of Conditions

60 South Shore Road-Kelly Peck DEP #300-853-7' x 21' deck on existing house-no digging involved:

- KP confirmed from the June 6th meeting that there would be no digging regarding the cantilevered deck.
- DB stated he has no issues as long as there is no digging.

Letter Permits

Walker Pond Association-Beach nourishment:

- Liz Banks stated she is here seeking permission to bring in beach sand to replenish the north and south beach along with the volleyball court at Walker Pond.
- Brian Unger stated the proposed beach sand will be placed in the same location with no expansion from the grass area to about 5'-10' from the water.
- GC stated the proposal is for 144 yards of sand for all 3 locations.

Consensus by the Commission to approve the sand replenishment at Walker Pond.

- DB asked LB to call the Agent when the work is complete.

ADJOURN

MOTION: By DG, seconded by DB to adjourn @ 9:55 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.