

**TOWN OF STURBRIDGE, MA
CONSERVATION COMMISSION**

**Thursday, October 3, 2013
Sturbridge Center Office Building, 2nd Floor**

Meeting Commenced: 7:00 pm

Meeting Adjourned: 10:17 pm

Motion: CM 2nd: JK Vote: Unanimous

Quorum Check: Confirmed

Members Present: Ed Goodwin, Chairman
Dave Barnicle, Vice Chairman
Donna Grehl
Calvin Montigny
Joe Kowalski

Members Absent: None

Others Present: Glenn Colburn, Conservation Agent
Applicants and/or Audience Members

Committee Updates:

- **CPA:** meeting next Monday, 10.7.13
- **Trail Committee:** meeting next Thurs, 10.10.13. Board of Directors Meeting is Wed, 10.9.13
- **Lakes Advisory Committee:** not met yet

Walk-Ins: None

Minutes: Nothing available for approval at this time

Public Hearings:

7:10pm: NOI DEP# 300-890 173 Cedar St, Mark Farrell, Green Hill Engineering c/o Lisa Thomas for septic repair.

- Selling, 20 yr. old house, Title V failed.
- Replacing in same area where existing system resides. One small tree may need to be removed for grading (105' from wetland).
- The leach and final grading will be located 97' from wetlands
- Current system is 90' from the wetlands. If moved out of 100' BZ you would have a large hump in front yard. Under Title V regulations, you can go up to 25' within wetland as it's considered a repair, not a new system.
- Vegetative cover is grass. Unable move the system 3' closer to house as the perk test will need to be redone.

Motion to Approve plan as presented by GHE: CM 2nd: JK. Yea: 2 nay: 3.

Discussion: DG any check for vernal pool? No signs of open water per Mark.

Motion to Reconsider based on new info to be provided by engineer: DB 2nd: CM Yea: 5 Nay: 0.

Motion to move 3' out so to be out of 100' BZ/wetland, wrap hay bales around driveway side to prevent erosion. EG 2nd: CM Yea: 5 nay: 0.

Motion to close Public Hearing: DB 2nd: EG Yea: 4 Nay:0 Abstention: 1

7:20 NOI DEP#300-891 114 Leadmine Lane, septic repair Mark Farrell, Green Hill Engineering c/o Gerald Blake

- New 1500 gal tank, new pump 55' from edge of vegetated wetland
- Dug well on water side
- Unable move system across street as it's a ROW, ledge and it won't fit
- Request to remove 3 dead pine trees on opposite side of road
- GC requested erosion controls be wrapped around near house using hay bales and straw waddles

Motion to approve plan presented by GHE using hay bales Yea: 5 nay: 0

Motion to close Public Hearing DB, CM 2nd Discussion: none. Yea: 5 nay: 0

7:20 pm: NOI#300-888 Bluewave Capital Solar Project; Hare Road/Hobbs Brook Plaza

Attendees: Sam Moffett- TRC , Rob Jackson – Engineer TRC, Anne Reitmayer – Bluewave (delayed arrival)

- Commission held a site visit for the 5 solar arrays proposed
- Additional details reviewed at visit raised additional questions.
- New plans dated 9.24.14 regarding access to site.

GC questions/comments:

- Amount of grading at all arrays, why so much grading? Concern for stabilization. Could using racks to help with terrain to bridge the contours? Per TRC, proposed grading would maximize energy production and maximize stormwater infiltration in array 5. No more than 2:1 or 3:1 slopes. Can install a rack on a slope but more expense is involved, installing an additional post that goes down deeper than typical would have to occur. TRC/BW will provide Commission with additional data regarding these recommendations ... stay with current topography or put in platforms. What percentage of efficiency will we get? Today - 20-25% but can vary based on newer technology
- Limits of cutting; just to areas shown on plan. Try to retain the large trees.
- In your NOI, why not mention banks and boarded vegetated wetlands. Per BW, there are a few stream crossings – if unplug (2) 18” culverts, not sure how it will work out. Hobbs Brook crossing is now destroyed; maybe an open bottom box culvert was suggested (preferable – James will provide specs to TRC).
- Seed mix: GC requested seed mix that would be beneficial to wildlife..
- Request Peer review; EG is in favor for review of delineation, calculations and input. EG is concerned with drainage of wetlands. BW feels that planning board wants a peer review also but would like expedite this process due to financial constraints. Suggested:
 - New England Environmental, Mickey Markis
 - Ecoteck, Art Allen.
 - Both could do review in timely manner.
 - GC to make arrangements.
- TRC provided a CD to GC: information included: NOI, NOI addendum, recent plans, stormwater report, geoteck report – for Ecoteck to review.

Request continuance of meeting for 10.17.13, Commission will try to get a peer review before next meeting.

Motion for Continuation at next Meeting on 10.17.13 at 8:30pm: DB 2nd: CM Yea: 5 Nay: 0

8pm NOI DEP#300-889; William Emerson, 248 Big Alum road, landscaping and stair lift system. William Parker c/o William Emerson. All proposed plans: planting, budget not finalized.

- Site visit Sunday.
- Move location of silt fence to better catch runoff from hill
- Silt socks placed along road to be added to OOC
- Discussed planting plan, proposing native plants, no invasives.
- Leaving erosion control in place until acceptable growth on hillside.

Motion to close public hearing and issue an Order of Conditions on MA Wetlands Protection Act and Town of Sturbridge Wetland Bylaw, as per acceptance of plan on 248 Big Alum Rd: DG 2nd: DB Yea: 5 Nay: 0

Applicant enquired about the “next steps”: Receive OOC. You have 10 days to appeal. This OOC must then get recorded at Registry. Then contact Conservation Agent to conduct a pre-construction site visit. Must have the DEP file# sign posted (at road side and at water side) and that erosion controls are in place prior to any construction.

8:15pm RDA 102 South Shore Drive, Ed Paquette, Paquette Builders c/o Roger Lafreniere

- Culvert top of drive was filled in with gravel from road. Water running down driveway created washout under sidewalk and deck. Proposed putting 1 ½” stone in swale to avoid repeat of problem. CM feels need 3-6” rip rap to hold in place.
- South Shore Drive is a private road. Town only grades the road for safety purposes and will not do maintenance on the catch basin.

Discussion: Need engineered plan to solve constant wash outs. Discussed a maintenance plan for culvert.

- Immediate issue: clean up current violation and provide Long Term solution

- Lake side of lawn is thin grass grass, nothing to hold soils.
- EG like to see clean out pipe and put stone – short term fix first then fix washouts in land. CM – go with 3-6” stone under porch and put down staked hay bales near pipe.
- GC to talk to DPW on what sand, materials they use to grade road.

Amended Motion to grant permission to make repair next to house, install stone swale going into hay bales, clean out lake and bring in an engineered plan: JK, 2nd: DB Yea: 5 Nay: 0
Request continuance of meeting for 10.17.13, Commission granted.

Old Business:

47-51 Wells Park Road, Sal Pizzano property. Misc. wood chips: Doug Smith to clean out sediment ponds. GC met on site to see where dredged material would be placed and noticed a violation of wood chips in the Riverfront Resource Area. GC spoke with DPW, wood chips did not come from them. Unsure of where wood chips came from. Commission agreed to have GC to issue a Cease and Desist and meet with Conservation with a plan for removal.

138 Walker Pond Rd, Scott Hengen, DB enquiring about the status of the forest cutting next to pond. This fall they were going to grade it. Site visit needed.

Enforcement

96 Allen Rd, Russ Jennings,

- Site visit by GC
- Continue to work on unstable slopes, hydro seeded and germination started.
- DG concerned with stabilization. Hay bales need constant maintenance. Need to be staked in after grading/seeding done.
- Modifications in grading plan reflected in new plan.
- GC: receives reports on lake clean up. Letter was to be sent to GC, RJ will forward letter to Glenn.

Draper Woods, Tim Reardon: no one present, not discussed.

10 Whittemore: Buddy taking more out of area and reseed it. Will carry on the agenda until project completed.

Requests for Certificate of Compliance:

- **22 South Road, Ruth Curbooy, long drive to large farm pond in rear.**
 - GC received call today on this. House built in correct location, barn built behind 200’ BZ out of jurisdiction. 3 sided barn (warming shed) – 60’ from wetlands, no plan on this. GC spoke with the buyers, Ruth and both attorneys.
 - Buyers would like to retain this warming shed.
 - Not suitable for animals. Ruth is ok with this.
 - Request for Determination will be handed in if approved by Commission. Shed been there 3-4 yrs. No erosion, established lawn only. Nothing inside the shed, dirt floor.
 - Options: To Issue COC “as is” or file an “after the fact”.
 - If issue COC, to include:
 - Proposed barn was not built where was originally proposed and NO additional barns be built. Crossing near culvert, wetlands and black ABS pipe, CM wanted to make clarification that the corrugated manufactured pipe (50-60 yrs. lifespan).
 - DB wants an “as built” plan showing this pipe.
 - Phil Stoddard, c/o buyer wants to keep barn up and wants to close on property next week.
- **Motion to Issue a Certificate of Compliance with above notations and a plan: CM: DG: 2nd.** Discussion none.
Yea: 4: Nay: 1

- **146 Lane 8, #300-886 146 Lane 8 , Louis Fazen; Lynn Eckhert (cont. from 8/15)**, To amend OOC; to allow 6x20 deck as shown on plan, no one present to address. Commission closed the Public Hearing. Must wait until they apply for amendments.

Letter Permits

- **10 Mt. Dan Road, Jace Stolberg, JBS landscaping and Tree Services.** 2 hemlocks infected as per forester via insect damage at base. Won't affect soil erosion due to other trees. Site visit: EG this weekend, other 3 look fine (white oak&white pine) CM – agree with hemlock condition, 2 white pines typical look and white oak (base is scared but can't say if its structurally weakened) Consensus: **Motion: To cut down 2 hemlock, leave the other 3 but must be replaced w/1 tree: DG 2nd: CM Yea: 4 Nay: 0 1: abstained. Put on hold to make a site visit to look at trees.**

Correspondence:

- **Outdoor World –17 Mashapaug Rd.** Requesting a letter permit. Cleaning of beach, raking in front of campsites, regular rakes, won't lower pond for clean-up. Supervised by staff. Consensus: all in favor to grant it.
- **Hall Forest Project Invitation** to attend event on 10.12.8 at 2pm: Tour of factory in Pomfret, CT.
- **Lycott Environmental – c/o of DCR**, consider to allow management under existing OOC at Wells State Park. Walker Pond Weed Treatment within the 2 acre beach area. They provide map of areas treated at end of year. Never received a map of proposed areas. Expiration of this OOC falls under the permit extension act; may expire in 2014-15. Granted permission but they need to send a map of where and what they are doing and what they are using. GC to notify them that we need this information before moving forward.
- **MassConn Sustainable Forestry meeting 11.1.13 at Norcross Wildlife Sanctuary.**

New Business:

Cedar St – water main break just passed entry to Burgess Elementary School. Runs along left side of drive (same side as sign), believe its town property. Can damage be removed? GC not sure thick enough to remove. May need a site visit. CM suggested GC speak to DPW about installing hay bales.

Old Business:

Dave (John) Holcraft – 44 Allen Rd, Sturbridge. South Shore

- Linda Cocalis is in support of removing dam if needed for septic system protection and road safety. Commission to write BOH regarding dam removal. BOH has to issue Order for work to be done. Need emergency certification provided to owner for working in the resource area. Property owner to remove dam.
- Dave Holdcroft provided pics. Seems to be some altering of wetlands, which is now affecting DH property, Allen Rd and South Shore. Fresh hay is altering a wetland, however can't identify the person in the picture. CM and EG feels need to be addressed. GC to send an email to Linda Cocalis. Allard previously ordered to keep pipe clear.
- DB sees 3 Issues as:
 - removal of beaver dam by hand
 - material removed is taken off site (can't be piled up in resource area.
 - Pipe maintained to allow free flow of stream.
- Next steps: If dam is not removed, then we can go to DEP for assistance or start the enforcement process.

Motion: request an Order from BOH to have owner remove the hay dam and spoils from site completed within 10 days.

Site Visit: Commissioners' schedules: best days are Tue or Fri after 9am. This week there are a few site visits needed.

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