

**TOWN OF STURBRIDGE, MA  
CONSERVATION COMMISSION**

**Thursday, December 19, 2013  
Sturbridge Center Office Building, 2<sup>nd</sup> Floor**

**Meeting Called to Order: 7:03 pm**

**Meeting Adjourned: 9:06 pm Motion: DG 2<sup>nd</sup>: CM Vote: Unanimous**

**Quorum Check:** Confirmed

**Members Present:** Ed Goodwin (EG), Chairman  
Donna M. Grehl (DG)  
Calvin Montigny (CM)  
Joseph Kowalski (JK)

**Members Absent:** David Barnicle, Vice Chair

**Others Present:** Glenn Colburn (CG), Conservation Agent  
Cindy Sowa Forgit, Conservation Clerk  
Applicants and/or Audience Members

**Public Hearing Notification, Wetlands Protection Act Disclosure and Newspaper Ads:** (DG) Read notification and disclosure. All newspaper ads will not be read this evening.

**Committee Updates:**

- **CPA – (EG)** No meeting; some walked Plimpton with Trust for public lands. Darcy would like to propose a town forest in Sturbridge. To add this item to 1/16/13 meeting.
- **Trail Committee – (GC)** Arbutis Trail relocation from OSV land onto our property. To discuss at 1/16 meeting. Red Trail: new OOC, not on same deed (Ballard parcel). Feb 20<sup>th</sup> – NOI and state filing. GC will research to see if this could be an amendment vs. a new filing with state and NOI.
- **Lakes Advisory Committee – (DG)** ice safety information issued

**Approval of Minutes:** Approved - Dec 5, 2013

**Walk-Ins:**

**James DiMaio:** To provide follow up to a few requests on Plimpton Cutting Plan from the meeting on Dec 5<sup>th</sup>. Note: JK recused himself.

- One master map was provided as per request of CM. Map also noted the difference slopes.
- DiMaio included a 1 page summary of recommendations of Buffer Zones near vernal pools along with a topo map identifying contours, vernal pools and stone wall. Included is a cross- section of the aquatic features.
- No harvesting except for removal of a few ash trees.
- Approximate largest distance is 83'; Average is 105'.
- Last Friday, DiMaio and GC conducted a site visit. Committee commented on concern for vernal pools, but DiMaio advised that large trees are being left for shading.
- Large trees, to remain, have been marked with double slash markings.
- Committee had no further questions, all has been resolved
- Permit was approved.

**Paul Watson, OFS:** 50 Hall Road – to discuss property maintenance and wetlands; postponed to 1/16/13 meeting

**Bart Liro c/o Tom Liro, 8 Mt. Dan Rd** – to discuss tree removal permit. Previously approved the removal of diseased oak and hemlocks have been completed. New request to remove the 5 white pines near stone wall. Owners have had 5 Tree Removal Companies look at property; all have stated that these trees should be removed. Owners are concerned with safety and will replant w/ 5 new trees. Commission discussed:

- Site visit deemed that all healthy trees were left. The original Commissions' decision of "no" was that these trees look healthy.
- This is a slow recharge lake; therefore a concern of any tree removal.
- CM requested the owner to provide the Commission a proposal from a certified arborist with a recommendation of removal of these 5 trees. Owner agreed.

**Frank & Peggy Soucie, 5 Kaitbinski Drive** – to discuss the potential of converting deck to house and add a 3 car garage. Currently the parking lot/driveway is 2450 +/- SF. Garage is 930 +/- SF. Proposed work would return 1400 +/- SF of pavement back to grass. Conservation work would have to start beyond the 50' set back, due to wetlands: 1<sup>st</sup> 25' is no touch and 1<sup>st</sup> 50' is no new structure. Discussed process with the potential owners that they may want to go to ZBA (to get setback & coverage by laws); also to have an engineered plan drawn up.

**Public Hearings:**

**7:15 pm: RDA 2 South Paradise Ln, Ron Methe c/o J Methe – Construction & Development** Proposed 2<sup>nd</sup> floor addition. Scope: remove roof, will reuse the existing walls and foundation. No perimeter drain. Garage: 1 bay. Install a new deck on the same footprint of existing deck. Dumpster will be on site and site will be cleaned daily. New roof runoff will be directed via gutters, downspout into existing drain/dry well.

**Motion to close Public Hearing:** EG 2<sup>nd</sup>: CM Vote: 4 Yea 0 Nay

**Motion to issue a negative determination #3 for work in the Buffer Zone as per the proposed and reviewed plan with the addition of installing erosion controls as noted on plan:** CM/GC 2<sup>nd</sup>: DG Vote: 4 Yea 0 Nay

**7:30 pm: RDA 76 South Shore Drive (f/k/a lot 25), Peter Mimeault.** Stormwater management for private road. ROW passes through ½ acre lot. Submitted application of RDA. Phase I – temporary driveway, property is stabilized and vegetated; no activity. Requesting to consider sketch as part of RDA scope to improve roadway and reduce sediment via the proposed stormwater management system in connecting to the swale. If the neighbors put in a stormwater management, Mimeault would like to connect into it at the last 10'. He would like to dig a 4' trench, install a prefab box (mimicking Bertin Engineering's plan) fill with rocks, perforated pipe; covered with geotek. Mimeault is requesting a "conditional" negative determination. Conditional being, that he won't be able to start work until the abutter installs a storm water management system. Discussion: GC feels this is a good proactive tactic for his section of the Bertin Plan without an impacting a resource area thus a negative determination. Balance of swale is covered and filled with rocks. Discussion: JK good thorough plan, CM connection of this box/pipe. Mimeault will have the Male pipe = downhill; Female pipe = up hill. Audience members: Seguin, Holdcraft support this idea/plan. Mimeault will remove box and leave geotek wrapped rocks, pipe once in place.

**Motion to close Public Hearing:** EG 2<sup>nd</sup>: JK Vote: 4 Yea 0 Nay

**Motion to issue a "conditional" negative determination; "conditional" based on the neighbors agreeing with the above proposed plan:** EG 2<sup>nd</sup>: CM Vote: 4 Yea 0 Nay

**7:45 pm: Bluewave Capital Solar Project DEP#300-888;** (continuation: 11/7/13)

**Attendees:** Sam Mallett- TRC, Anne Reitmayer – Bluewave. Answer any final questions based on last revised, accepted plan.

- GC noted Public Hearing was closed at last meeting. That folks were invited to answer any final clarifications needed.
- Commission's concern for monitoring the project. States that Commission will have an inspector. Commission agreed that Art Allen, will be a 3<sup>rd</sup> party monitoring this project on behalf of Conservation. Bluewave agreed to pay for all of Allen's time spent in monitoring the site.
- Sam requested if at all possible to issue the OOC by next week or before 12/31/13 so BWave can get this project in this fiscal year due to national funding cap. GC agreed to this request.

**Enforcement (GC):**

**31 Shore Drive,** Gary and Margaret Allard, not present. Report on progress to remove debris.

- Dam is being lowered incrementally and water is going down significantly as requested, per BOH order.
- GC is now concerned with a new problem that is occurring due to the (2) cuts made thus creating water flow into 90 degree angles, creating a scourer. GC invited the Allards to attend tonight's meeting to discuss this new concern. Although the water level is lowered, the debris pile can still shift and block culvert.
- Discussion by Seguin, Holdcraft regarding the BOH order expires today and the dam still exists and what will be done about this. EG reminded these folks that the BOH ordered this enforcement and this Commission is unable to discuss how BOH will proceed.
- GC will speak with Allard tomorrow about the status of dam removal, BOH enforcement order and ConCom's new concern with these two new cuts. GC will invite the Allards to report on status at our next meeting on 1/16. The work should be done by Jan 1<sup>st</sup>. BOH will have to take monetary action and fining will start via a formal process at the next meeting. If work hasn't been completed by this evening, GC will issue a different emergency certification with a new end date of January 1<sup>st</sup> allowing Allards permission to continue to work until January 1<sup>st</sup>.

**Letter Permits (GC):**

**93 Shore Rd, DEP#300-894;** Timothy Bonin. Site visit the other day by Jalbert. 3 issues addressed; drain & pump system, paved berm and the drip edge. Commission signed the OOC.

**146 Lane Eight, DEP#300-886;** Lynn Eckhert and Carol Neilson. Request to amend an OOC to allow a 6'x20' deck; seasonal dock off deck. Commission signed the OOC.

**328 The Trail, DEP#300-892;** Rocco Falcone. Request to amend OOC due to mold on 1<sup>st</sup> floor; which was initially to remain as is. Commission signed OOC.

**Requests for Certificate of Compliance (GC):**

**6 Vinton Rd, DEP#300-511;** Philip O'Connell Jr. Site visit, completed according to plan; stabilized. Commission signed the COC.

**27 Ladd Rd, DEP#300-767;** Anthony Piergallini. To replace washed out culvert. Site visit; completed. Commission signed the COC.

**Emergency Certifications (GC):**

- **Old Sturbridge Village.** Repairs to earthen dike and pond drawdown. Sink holes arose; causing a delay. Commission agrees to issue another emergency certificate once OSV can start the work.

**Agent Report:**

- **Stoney Brook Drive:** Open Space, 8 ac parcel: Waiting on attorney to draft a letter of the official "turn over" of this land to the Town. Hope to have in hand by 1/16 meeting.
- **Intern:** Brook Andrew will be back to work in our office again. Working on 4 CR's (Long Pond, Shepard, Heinz Farm and Riverlands), Baseline docs and reports.
- **Doug Vizard, Lane 10.** Redrafted letter from DG (version 2) was accepted and will be sent out to Mr. Vizard.
- **ConCom By Law Revisions:** CF will printout Buffer and Banks for Commissioner's to review, comment. EG would like to first review the Alexandria copy prior to any work starting on this.

**New Business:**

**Next Meeting:** Thursday, Jan 16<sup>th</sup>, 2014 at 7pm. Note: Thursday, Jan 2<sup>nd</sup> meeting was cancelled due to no new filings received in the last week.

***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***