

**TOWN OF STURBRIDGE, MA  
CONSERVATION COMMISSION**

**Thursday, February 20, 2014  
Sturbridge Center Office Building, 2<sup>nd</sup> Floor**

**Meeting Called to Order: 6:00 – 6:45 pm** By Law Review; working session for Commissioners  
**6:45 – 7:00 pm** Recess

**7:00 pm** Reconvene Meeting for Regular Business

**Meeting Adjourned: 8:38 pm Motion: CM 2<sup>nd</sup>: JK Vote: Unanimous**

**Quorum Check:** Confirmed

**Members Present:** Ed Goodwin (EG), Chairman **Members Absent:** None  
David Barnicle (DB), Vice Chair  
Donna M. Grehl (DG)  
Calvin Montigny (CM)  
Joseph Kowalski (JK)

**Others Present:** Glenn Colburn (CG), Conservation Agent  
Cindy Sowa Forgit, Conservation Clerk  
Applicants and/or Audience Members: Betsy Calvert, John Elliot, Matt Brochu, Lindsay Krauss  
Brochu, Patrick McGlone, Paul Brochu, Leonard Jalbert and Matt Kibbe

**Committee Updates:**

- **CPA – (EG)** no meeting since the last meeting
- **Trail Committee – (DB)** no meeting due to snow
- **Lakes Advisory Committee – (DG)** no meeting due to snow. Continue to work on education materials and articles in the newspaper. DG would like to propose to the committee to look into lake zoning issues.

**Approval of Minutes:** September 19, 2013 - Motion to Accept: DB 2<sup>nd</sup>: JK Yea: 4 Nay: 0 Abstained: 1  
February 6, 2014 – Motion to Accept: EG 2<sup>nd</sup>: JK Yea: 3 Nay: 0 Abstained: 2  
October 3, 2013 – Motion to Accept: DB 2<sup>nd</sup>: DG Yea: 4 Nay: 0  
January 16, 2014 – Motion to Accept: DB 2<sup>nd</sup>: EG Yea: 3 Nay: 0 Abstained: 2

**Walk-Ins:**

**96 Allen Road, John Elliot DEP#300-881**

- Site visit required. Elliot to mark the area that he wants to clear. Only brush will be cut, trees will not be cut.
- Documents Received: Elliot provided a map to all Commissioners/Agent
- Propose a dock and to clear 22' along shore, make a stone footpath from house to water/dock this Spring.
- Leaving the white birch located in the berm. JE will be take some of the shoreline berm down where the dock will be installed. He will remove some stumps by hand.
- GC noted as per the Wetlands Protection Act allows owner to utilize 10% or 50' of shoreline, whichever is less. Elliot confirmed the shoreline is 220', that's why scope is 22'.
- Dock permit pulled a month ago, approved by BOS
- GC: concern on how dock will be anchored. Applicant must provide a plan to the Agent prior to issuing the Letter Permit.
- Elliot will submit the paperwork now to get the process moving. He will return at the next meeting to discuss the rest of the plan.

**Public Hearings:**

**7:15 RDA 100 South Shore Drive – Matt Brochu, Lindsay Krauss Brochu, and Leonard Jalbert, Jalbert Engineering .**

- Request to drill a well in the Buffer Zone with access along the shoreline of South Pond.
- Legal notice and abutters notification was submitted to Agent.
- Current hand dug/shallow well is being polluted due to groundwater contamination. New well must be above flood plain. Existing well power and water service line will be disconnected and re-used for new well.
- Access via shoreline: Charlton Well would provide 8'x10' small tract machine that will travel over mats to reach the well location. Erosion controls will be installed as shown on the plan.
- Start ASAP while the ground and water are frozen to cause the least amount of damage.

- Brochu spoke with a neighbor that will grant them access to the water over their land via an access point.
- OOC will include the spoils pit (3-5 yards of material) to be buried and covered with fill.
- **Motion to issue a negative determination #2 for work in a resource are subject to the Wetlands Protection Act and Town of Sturbridge By Laws therefore no filing of an NOI will be required: DB 2<sup>nd</sup>: CM Discussion: None. Yea: 5 Ney: 0**
- **Motion to close the Public Hearing: DB 2<sup>nd</sup>: CM Yea: 5 Ney: 0**

#### **Enforcement (GC):**

**31 Shore Drive**, Gary and Margaret Allard. Mike Mocko, Environmental/Sanitary Engineer. Report on progress to remove debris and correct scouring.

- No one above was present at this meeting. Mocko would like to attend 3/6/14 meeting as he had another meeting this evening. GC would like to discuss Mocko's proposal prior to going to Town Counsel.
- Deadline is today, 2.20.2014. No new activity has taken place on the scouring issue. Fining to start tomorrow.
- Mr. Mocko submitted to GC earlier this week, a proposal to protect the bank using a geotextile fabric anchored down with sandbags as a temporary measure.
- Discussion: DG is concerned with road. Request to get Mocko in early to discuss and if GC is comfortable to start to implement that portion of the plan. Fining will end when the fabric is put in place to help with the road/bank situation. GC is to confirm if Mocko's license is still active and in good standing.
- Commission to conduct a Site Visit.
- GC will email Allard of the next steps

**Consensus to have Agent meet with Mocko to review plan and to start ASAP if approved with his proposal: Yea: 3 Nay: 1**

#### **Letter Permits (GC):**

##### **324 The Trial, Matt Kibbe**

- Request a tree removal
- Documents Received: Kibbe provided photos of the tree, for the file, and requested an additional tree for removal.
- Arborist, Brady Yacek made 3 site visits and recommended the unhealthy trees be removed.
- Site visit – Commission to look at tree. GC to contact Mr. Kibbe on his cell with the site visit date.
- DB discussed the 2:1 Replication Policy with any tree removal. MK offered to plan dogwoods.

#### **Agent Report:**

- MACC Course Selections: all Commissioners and Agent selections have been submitted.
- Conservation Restrictions Report: Gathering Deeds and Town Meeting Articles, generating maps with GIS system, contacted National Heritage & Endangered Species Program for any input, and confirming that Opacum Land Trust are getting the appropriate information in the baseline documents. Currently drafting the CR's for these 4 parcels. 2 interns are in the process of compiling the data for distribution.
- Hamilton Rod and Gun Club – Year End Report for treatment of the ponds was received. GC to email a copy to Dave Mitchell. OOC will expire in 2017 due to permit extension act.
- OSV – received an NOI regarding the grout curtain and large dewatering well. Was ACE contacted and did they provide any acceptance and approval of that drawdown of Quinebaug Watershed. Clyde was contacting them, GC to follow up on status with Clyde.
- Sturbridge Retirement Cooperative: request to remove a trailer due to mold want to demolish in a dumpster within the Buffer Zone. ConCom to request a Letter Permit be filed. Will the slab remain? GC to do a site visit to confirm this.
- Cumberland Farms: Reconfigure the infiltration System to keep separate of groundwater. Provided data extrapolated using a dug pit to the north and monitoring well to the south. Submitted information and plan in packages. GC will ask them to come into a meeting to explain the plan.

#### **Old Business:**

##### **3 Cherrybrook Circle, Ed Neal and Patrick McGlone - DEP#300-837**

- Attach a 2<sup>nd</sup> floor cantilevered deck to a new single family home. The deck will hang 5' over the riverfront off of 2 existing piers installed within the buffer zone.
- Ed Neal provide wording for a deed notation required in our Enforcement Order. This condition was holding up ConCom review to add a deck.

- **Motion to accept the attachment of a deck to a new single family home: CM 2<sup>nd</sup>: EG Discussion: DB can't vote in favor as it would start a precedence; as those 2 piers were not approved when house was built. DB would not have approved the 2 piers at that time. Yea: 4 Ney: 1 Motion passes.**

**New Business:** None

**Next Meeting:** Thursday, March 6, 2014 at 7pm.

***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***