

**TOWN OF STURBRIDGE, MA
CONSERVATION COMMISSION**

**Thursday, September 18, 2014
Sturbridge Center Office Building, 2nd 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

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: Leonard Jalbert, Priscilla Gimas, Carl Neilsen Jr, Carl Neilsen Sr, Brian Milam, Tom Liro, Janice Sosik, Pankaj Desai and Gary Malone

Committee Updates:

- **CPA** – (EG) Did not meet.
- **Trails Committee** – (DB) Had a meeting last Thursday. This Saturday, 9/20, we are holding a minor volunteer day to finish off the new trail by OSV. Next Sat, 9/27, we are holding a major volunteer day to put round dot/color coding on all the trails. We are meeting at the kiosk off of Rt. 84/Shattuck Road at 8am. The agent will do GIS work then can update maps, which will go in the kiosks. There are 16 trails inside Robinson Caruso.
- **Lakes Advisory Committee** – (DG) Fall clean up regarding water quality. Will be organizing on Sat, 9/20, 8-4pm a boating safety course. Held at Southbridge Savings Bank, Community Room, Rt. 20 in Sturbridge. You can go on mass.gov/eea (energy and environmental affairs) to view the schedule. Water tests have come back, can contact Glenn for data as it's not posted on line.

Approval of Minutes: August 21, 2014 – Motion to Approve: DB 2nd: DG

Walk-Ins:

93 Shore Road, DEP#300-894, Leonard Jalbert representing Mr. Bonin to discuss a change in plan. In Dec we issued an OOC, but it has now changed: originally it was a proposed deck, now they would like to include 4' frost walls and to frame in the deck to become a part of the house. Work is within the 25' limit, taking out 160 sf from the 25' area. Would the Commission allow this? Commission is concerned with going from an impervious surface to a pervious surface with a structure. Consensus: Denied.

Rt. 131 Logging Schedule and Water Run Off. Priscilla Gimas. Concern for water run-off as the corner of Farquhar Road and Blueberry Lane were affected by water run off when Rt. 131 was finished. When Hurricane Sandy was a threat, DPW put sandbags at a property and new pipes were put in, which has mitigated the water problem. Concern that abutting residents have not been notified. GC will contact the state forester about clarification on the notification procedure. It's not a clear cut; it's a thinning cut per the State Forester. Currently the plan is being modified. EG feels that we should make a policy that not to entertain future cutting plans until abutters have been notified. GC: The Commission asked the same question as to what run off be affected and we were told by State Forester that it's not a concern.

Public Hearings:

7:00 Notice of Intent DEP #300-908, 69 Route 84, (DPW fields), Parks & Recreation. (cont. from 8/21) Construction of recreational fields in Riverfront Area and Flood Zone A. Requested a continuation to the next meeting due to a turtle habitat survey in process. (Request to be continued to Oct 2nd meeting).

7:15 Notice of Intent DEP #300-912, 20 Goodrich Rd, Mary Hartpence. Repair of septic system in the buffer zone. (Request to be continued to Oct 16th meeting)

7:30 Notice of Intent DEP #300-904, 158 Lane Eight, Carl Nielsen Jr and Carl Neilsen Sr. (Cont. from 8/21) Construction of an over-hanging deck, shoreline retaining wall, and stormwater improvements on the bank and buffer zone to Quacumquasit Pond. (Need a quorum – DG have to recuse as she is an abutter. Requested to be continued to the next meeting on 9/18). DG recused herself. Erosion control and maintenance/repair of wall that's collapsing.

Documents Submitted: Stone wall detail presented tonight.

Scope: Hand dug, work will be done by hand operated tools. A woven geotextile style fabric installed behind the wall and sloped away from the lake. There is a 4" difference over the 4' height wall. 2 ½ - 3" toe drain. GC: What is "batter"? CN: It's engineering terminology for "set back". Lake side its 24" and at the edge of the bank it goes to grade. 24" is the highest point as the wall is tapered. GC: Will the wall withstand the shore ice? CN: It should deflect the ice better than the current wall. CN(Sr.): Rarely is their ice on the wall, it's not expanding freezing ice that will hit that wall. CM: The base should be gravel and backfill should be stone. Terminology on the plan seems to be backwards, just to clarify.

Motion: to approve the wall detail plan as submitted with washed stone for back fill: DB 2nd: JK. Discussion: none Vote: 4-0

CN: What can be done with the ravine? DB: Perhaps 1'x1' pavers cantered with each alternating step to break flow characteristics. EG: We need an engineered plan and you can come back since there is no plan submitted in the NOI. CN: Potential solution to level off the area and install a camel hump (made of crushed rock) at the bottom to prevent any new material getting into the lake. Applicant is concerned with lag time until the next meeting.

Motion: to approve the plan for the amended work regarding a path using a minimum of 1 ½" washed angular rock where needed, and no more than 10 yards to the edge of the 25' buffer to the end of the road. To install a camel bump at the bottom, but no other work pavers, excavation or work to be done without submitting engineered plan: JK 2nd: DB

Discussion: CM: Any motorized vehicle? CN: Yes, golf cart. CM; Timing? CN: Phase I, the upper part: Soon. Favor: 2

Opposed: 2 (CM & EG). Project is rejected. CN: Request to Appeal: Can we leave the ravine work out (Phase III) out?

Motion to approve the Upper Part: Phase I and Phase II: EG, 2nd: CM 4-0 Vote: Unanimous

7:45 Request for Determination of Applicability, 39 Draper Woods Rd, Brian Milam In-ground pool in the buffer zone. (cont from 8/21) Requested to continue to the next meeting on 9/18.

Agent Briefing: Request to install and in-ground pool 16'x32', 8'deep. Commission is concerned with the location of the house and dimension of the back yard. A site visit was conducted and Commission taped the area, and the distances were confirmed. Trying to limit the slope into the Buffer Zone. May use versa lock to limit intrusion into the Buffer Zone. BM: trying to limit the wall due to financial expense. Wanted to keep the established yard as it is currently. GC: Maybe use large boulders instead of the Jersey barrier in the steeper spot. EG: Concern where the slope is located and is requesting a specific plan of what is going on. BM: It's a pool w/4' deck and leveled area w/fence and then slope. Once the fence is installed, I will no access to the slope so it won't be mowed or manicured. CM: What will you do with the slope? BM: Not sure. DG: We need a plan showing the length of slope and how far away it is to the wetland. Also to show grades of pool decking. Erosion controls of straw wattles, no need for a silt fence. Request to continue to next meeting 10/2.

Old Business – Not discussed

New Business

- EG: Mt. Brook Road is not being installed per plan, missing a culvert. Road looks good. Concern that 2 abutters may not have been notified.
- Arborist Reports – Future practice, can ask the arborist if any trees can be saved? And what is recommended for replacement. We want the applicant to be prepared with a replacement plan and where such replacement trees will be installed. This may streamline the process.

Request for Certificate of Compliance

- 6 Meadow View Lane – Site visit on 9/4, site is well stabilized, recommend a partial Certificate. Commission signed document.

Letter Permits:

- **88 Westwood Drive, Bishop Nawrot.** 7 trees marked with orange tape for removal. A 2nd site visit was conducted. Agreed that (5) trees can be removed; recommended Striped Bark Maple and Hemlocks be used for replacement. Consensus: 5-0
- **8 Mt. Dan Road, Tom Liro.** 3 trees (cont. from 9/18). JK recused himself. CM: Saplings won't revegetate as proposed. DG: feels they are healthy trees. TL: They are older and concern for safety. DB: ok to remove but w/ 2:1 replacement with significant sized trees. EG: doesn't agree with removing. CM: ok with installing (6) 3 ½ - 4" dia. with

14'-16' tall replacement trees based on the arborist report. **Motion: To approve removal with a 2:1 replacement with comparable tree that provides canopy: DG. 2nd: DB** Discussion: TL's arborist suggested Tupalo or Black Gum as some replacements. CM: Puzzled by these recommendations, therefore requests a written recommendation of tree replacement and size from the arborist. There is to be no stumping. Withdraw the motion: DG. Request a continuation of the meeting. TL will get the arborist's opinion and provide at the next meeting on 10/2.

- **121 & 123 Shore Rd, Andrew Milne, 2 trees** A 2nd site visit was conducted, agreed (2) can be removed. **Consensus: 5-0**
- **258 Big Alum, Wayland Wheaton, 6 trees** A 2nd site visit: all 5 can be removed along with an additional tree. **Consensus: 5-0**
- **99 New Boston Road, Gary & Anne Malone, 7 trees** An arborist report, (1) 8" Birch (2) 5" Birch, (3) 6" Birch, (4) 10" Birch, (5) Birch, (6) Birch, (7) White Pine – recommend removal on all trees due to thin canopy, broken tops and/or leaning heavily and to preserve the health of other surrounding trees. Commission agrees with arborist report for removal. **Consensus: 5-0**
- **67 Arnold Road, Pankaj Desai, brush cutting and driveway extension** A 2nd site visit was conducted. GC: proposal to clear bank, clearing vegetation in detention basin and small extension to driveway. Wetlands are in back. Requested owner to stop dumping grass clippings. Russian olive is invasive, if you can remove that would be great. EG: No issue with clearing of the slope but leave the detention basin alone. No issue with driveway extension. All in agreement. **Consensus: 5 – 0.**
- **407 Main Street, Janice Sosik representing Matt Sosik. Removal of 2 trees.** Benoit Landscaping viewed trees. (2) large sugar maple trees, old age and diseased. One is mostly dead, the other tree has large split, concern for safety. CM: Feels they have another disease. Trees are in declining mode. No treatments are available. JS: Trees are not state owned, Matt confirmed. To approve the cutting of trees with 2:1 replacement, (4) trees 2-2 1/2" diameter. Can't plant a Maple as the disease is in the soil. Recommend shade trees: Honey Locust, Hickory, Elm as all are resistant to salt. **Consensus: 5-0**

Forest Cutting Plans

148 Fiske Hill Road, 7.2 acres, Kevin Smith. Not discussed.

Streeter Road, Michael Kearney trust. Timber salvage of tornado damage. Awaiting a revised plan.

Correspondence

November 1st Big Alum will conduct a 30" draw down

Property on Paradise: GC will make a site visit due to serious wetland violations

Agent Report

- **29 Main Street:** Feel there is a possible violation. Cooperative owners. Owner will have wetlands delineated. Then we can confirm where violation occurred. 9am, Tuesday will meet with Jalbert and the Owner. Owner was given a verbal cease and desist.
- **15 Vinton Road** – Granted an OOC for a replaced septic. Stabilized area and told Owner it's ok to remove the erosion controls and COC.
- **152 Lake Road** – Started work with a building permit, erosion controls and a letter permit sign was installed. Erosion controls installed but couldn't install the filter fabric, couldn't bury the skirt into the pavement, so the filter fabric was moved to the secondary barrier. Requested to but the hay bales tightly together and in a vertical placement. Looks good now
- **21 South Road** – Owner wanted Concom to purchase the property but the Town declined. GC suggested Opacum, Hull Forest or Trustees of Preservation as a possible solution. EG wants Open Space to get a change at it
- **CR** – A draft has been submitted to the State. GC to send a copy to all commissioners.
- **3 Cherry Brook, Pat McGlone** – Went back into the riverfront area with 2 more sonitubes and need conservation grass seed. We need permanent markers (boulders) that are to be recorded at registry. DEP sign is unreadable. The silt sack is growing grass. Reviewed all these concerns/findings with Fred Traphone. DB: Wants a cease and desist and wants owner to remove the 2nd two sonitubes.
- **100 South Shore** – Started work for the septic and the house work for the upper part.
- **67 Beach** – Erosion controls are in and will be putting sign up
- **214 Charlton Rd** – Detention basin in and stable, sign is still up, things look good overall
- **248 Big Alum** – Landscaping job, the erosion controls were pulled up and the sign is down. Apparently the landscaper didn't read the OOC. However, the area is stabilized and now the owner will file for COC, but will put the sign back up in the meantime.

- **Burgess School Road** – GC will call the school regarding the dumping of grass clippings in BVW. Robinson Tree Service is at the direction of Deb Boyd, School Accountant. 6 trees removed in a wetland BVW and should have come to us. Not concerned with brush hogging on banks.

Meeting Adjourned: 9:45 pm Motion: CM 2nd: JK Vote: Unanimous

Next Meeting: Thursday, October 2, 2014 at 7:00 pm

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