

system. Proposing to use a pressure distribution system that will be raised, located in the rear yard. The edge of the fill is 8'-10' to wetland area. To use a silt fence and hay bales for erosion controls. Existing large boulders will prevent a return drain so therefore we only have one spot for the leach. An existing storm water drain in the road discharges into the wetland via a corrugated pipe. This will have to be a prescriptive easement as we can't block it off. Trees must be removed as the roots are too close to the leach. Site visit was requested by the commission. Commission is concerned with water ending up in neighbor's yard and requested to shift the leach a few feet. ML: Yes and will maintain a swale along the property line. EG: requested a revised plan showing where the pipe is going, the swale that will be installed and the relocated system before we move forward.

Audience Comments: Ronald Paquette, abutter. Concerned with the proximity of the tank to the property line. ML: 3' RP: How high is field ML: 3'. RP: Concern with the water as its goes down the drive so the area must be graded and contoured properly. Therefore if it's properly graded and the tank won't compromise my driveway, fence and trees; then I have no concern. ML: If the system shifts 2'-4' then we have area along swale edge (6-8" deep) to move water to the back thus you should have no concern GC: Due to non-conforming distances, have you received variances yet? They were requested from the BOH but I'm not sure if the variances have been granted yet. But we have been working closely with BOH on this design. EG: You are cutting down (4) trees; so we are requesting a 2:1 replacement ML: Not sure if we have room for 8 trees. Would 4 maples instead of 8 trees work, due to lack of room? DB: Since you have no other approvals, the commission can't make a decision. **Request granted for a continuation to the next meeting on Dec 4th at 8:15pm**

7:30 Request for Determination of Applicability, 81 McGilpin Road (septic system) Mark and Cheryl Ghodotti. CM abstained. Mark Farrell, Green Hill Engineering, representing the owners. Proposing to replace the leach field. The old system will be dug out and replaced. GC: Clerical note: the boxes were not checked on the RDA. MF: Yes, I wasn't sure which ones to choose. This is an existing 4 bedroom house. The existing leach is in the front yard which won't pass Title V. Will be installing new sand, new pipe and new stone. The wetlands in the rear abuts the neighbors' house. There is a small hydraulic area between the two wetlands. The wetlands are to the east and west, work area will be enclosed with straw waddles. Excess material will be removed. Construction of the new leach will be in the location of the old leach. GC: You may want to use anti tracking pads as you go up drive, and across the lawn to help keep mud off the road due to wetlands all around. DB concern that the west side of plan seems steeper than what's noted on the plan MF: 3:1 grade. DB: Ok, but the side walls need to retain themselves. **Audience comments:** None **Motion: To close the public hearing and accept the plan as presented. To issue a negative determination under the MA WPA and the Town of Sturbridge Bylaws for work done without a NOI; having special conditions that no mud will go into the road: DG 2nd: DB Discussion: None. Vote: 4-0, CM recused himself. Signatures received.**

7:45 Request for Determination of Applicability, 4 Scotch Pine Chris Bourchard Owner forgot to post the legal ad in the newspaper therefore is requesting a continuation to the next meeting on Dec 18th. **Continuation Granted.**

8:00 Notice of Intent, 30 Goodrich Road NOI for a septic system and an addition to a house. Mark Ferrell, Green Hill Engineering DEP#300-919
Agent Briefing: No comments from DEP. MF is representing himself. Proposing to place a grinder pump and a holding tank at the top of Goodrich Road, which is a common practice on this road. Site visit was conducted. It would be a 2000 gallon tank with a retaining wall. There is a gravel driveway down to his property and the neighbor's property. One tree will need to be removed. Proposing a permanent set of stairs be installed. There will be wooden stairs with hand dug posts, no excavation but maybe to remove some of the old stairs. Part of building clapboards grade is high. To remove the addition and rebuild it in the same place but at a higher grade 6-12" to eliminate the dirt up against clapboards. Will use straw waddles for erosion controls. EG: The well is 19' and 2nd well is in neighbor's driveway. The tight tank will need a variance. MF: I'm currently trying to do that but also looking to acquire land across the street. If I get that land, then I will come back to present that option at a later date. GC: Where is your well? MF: There is no well, draw the water from the lake. DB: Why put on blocks? MF: Wants to raise the existing floor so it will remain at the same elevation as rest of the cottage. I would remove material by hand up the driveway, using minimal material (appx. 1 yard). DB: You will need ZBA and BOH variances. **Audience Comments:** None **Request granted for a continuation to the next meeting on Dec 18th in hopes to have valences in hand by that time.**

8:15 Notice of Intent, DEP #300-897. 21 New Boston Road, J. Patel. Proposed hotel development. Pat Doherty, Midpoint Engineering c/o applicant Jay Patel and Ed Neal, Attorney for the applicant; all present. PD: In summary, at the last meeting the applicant was looking for comments from the board and submitted a storm water management report with revised engineered plans. The vernal pool is in the newest plan located in a 100' no disturb area. A new site plan was presented. There was a delay in getting the storm water calculations to the Commission, which was sent over yesterday. Commission was unable to review these calculations prior to this meeting. **The Storm water plan Summary:** New Boston Road grade is 10-12' higher than parking lot, and the building grade is 10-12' lower from the parking lot. The roof

and the parking lot run off will flow through a storm sceptor into an underground chamber system. It will hold more than 1" rainfall (1-2 yr storm) before discharge would occur to the right-away. A little run off may enter into cedar pond. Gutters and catch basins are located through the perimeter of the parking lot. There are a few ways to calculate storm water:

- Design storms: 2 yr storm is 3". More frequent storms (1-2") run off, minimal run off from this site.
- Water quality storm: is a typical rain storm, 1" rain storm which occurs 6 times a year on average. Most rain fall event is ¼" – ½" that we typically see. We designed the system to infiltrate stormwater for frequent small rain fall events.

In this report, we used a 2 yr storm that has minimal run off to cedar pond for our project. GC: Will the vernal pool receive the same amount of water during construction? Will it be impacted? PD: It will receive run off from this site, but most is coming from Cove Drive and Sunset Drive. Most of it, is ground water, based on their borings calculations rather than run off. DB: A typical depth of a rain garden? PD: 1 ½ ' on average. GC: Any fore bay? PD: No, a pea stone barrier will be at the edge since it's a small area. A fore bay is not necessary. EG: What is the timing and is it a one complete project in terms of construction? JP: No, as there is no tenant for the bank or the restaurant yet, only hotel will be occupied as of now. The pad size will be installed for the bank & restaurant but then left as grass until tenant is in. There is no paving until the tenants are in. If there are no tenants, then we will loom and seed those areas until a tenant is secured. CM: Roof drains: are the bank and restaurant tied into the storm sceptor? PD: No, since its small area at the bank/restaurant. DB: Vernal Pool: it's 21' drop and no construction in front of it, but the water fluctuates. PD: It holds 18" – 2' of water. The elevation of ground water in this gravel area will fluctuate. DB: Regarding lighting towards the vernal pool, can you modify so the reflection isn't going towards the VP? PD: Yes, we are using LED fixtures and can use shielding methods to reduce light to this area in addition to the wooded area that currently surrounds the VP which won't be touched. **Audience Comments:** Paul and Pam Rosenbloom: Thanks for the support of this project. Town folks are ready for this. We are really looking forward to the "Gateway to Sturbridge" being installed. EG/GC: Since haven't had the opportunity to look at the storm water calculations, we can't comment at this time. CM: It's greatly improved plan and overall succeeds in wetland protection. **Request granted for a continuation to the next meeting on Dec 4th at 7:30 pm.**

Request for Certificate of Compliance:

63 Beach Ave, #300-451, David Aho. Work completed is not in compliance with the Order of Conditions issued in 2001. In addition, tree removal request: 1 tree by new owner, David Cane and his wife, Amy. Ed Neal, was present, representing the owners.

Agent Briefing: Tree removal request: This request is made due to cancellation of home owner's insurance. The insurance company is requesting a trimming. Site visit was conducted. We feel the white oak appears healthy and the issue is the two low overhanging branches. We feel it can be pruned and would remove hazards. DC: Will pruning damage the health of the tree. JK: Yes it's possible a risk. DC: Concern with the other tree also (which was not identified for the site visit). Perhaps it could just use pruning, but is concerned that the insurance company may not be satisfied. Consensus: To trim both of the trees. **Certificate of Compliance Request:** Commission was recently requested to sign COC. The OOC was from 2001. A site visit was conducted, but in doing so, the plans that called for an existing deck to become a room with a 9'x10' deck, but the deck itself became a room. The patio is now covered with concrete which is not what would have approved especially as it's in a 25' no disturb zone. Work was not permitted under the WPA and to allow it to remain in place sets a bad precedence. Attorney ED Neal is representing the new owner. EN: If the Commission requests removing the patio, my concern would be that it would be very disturbing to remove it, perhaps its best if it's left as is. EN: I'm concerned with run off during any restoration. GC: The erosion controls would take care of any run off. To remove the room and convert back to a deck would be a great expense. EG: Proposing the removal of the patio from wall back to the porch, thus removing the impervious surface (concrete) and tie drainage into a pervious surface. Requesting the owner to provide a plan. The reason for the delay in the COC, there was no title search when the daughter bought the property from her father, David Aho. Recently, the daughter sold to the current owner now, for which a title search as done and the non-conforming work was now discovered. Commission suggested stone pavers as we find them to work as long as they are installed correctly. EG: If the owner finds a spot to break the concrete so we can see what's underneath, that might be helpful in determining a better solution. DC: Could we slice 6" concrete valleys into the existing concrete EG: In an effort to help with financial impact to the new owner, I feel the sun room could remain. A site visit is planned while the owner will look for options to resolve the concrete patio removal and provide a plan with any replacement work associated with this project. **Request granted for a continuation to the next meeting on Dec 4th.**

Note: DG excused herself and left the meeting at 7:53pm

Minor Amendments to Orders of Conditions:

156 & 158 Lane Eight, DEP #300-904 Carl Nielsen Sr. and Carol Derby. Carl Nielsen Jr. representing applicants. Requesting to amend the Order of Conditions to include the maintenance and repair of the existing boat launch so to help with current erosion issues. Signatures obtained on OOC.

Notice of Intent DEP #300-916, Burgess School PTO. Interpretive nature trail in the buffer zone and BVW. Signatures obtained on the OOC.

Notice of Intent DEP #300-912, 20 Goodrich Rd, Mary Hartpence. Repair of a septic system in the buffer zone Special condition of operation and maintenance plan submitted to Commission and BOH. Signatures obtained for the OOC with above special conditions.

Notice of Intent DEP #300-914, 187 & 189 Lake Road, John Argetus. Construction of a garage in the buffer zone. Special condition: to have no mulch on the slope so 4" layer of top soil and to provide a conservation mix and wildlife plantings. signatures obtained on the OOC with above special conditions.

Letter Permits

- **88 South Shore Drive, Richard Sitnik. 2 trees** Site visit made. Tree 1: a 60' hemlock located at the water line. Tree 2: a 70' black oak located in the center of the property near the cottage. Hemlock appears to be thinning due to disease but the roots are holding the hillside in place. The bark comes down to high water mark. According to the arborist report, Tree Huggers out of Monson, the oak has a crack which compromises its stability, thus it's unsafe. Commissioners agree that the oak should be removed, but there is a difference of opinion regarding the hemlock. Consensus: Owner can remove oak but no decision can be made on the hemlock until an arborist report has been submitted. The owner will provide to the Commission.
- **45 Mountain Brook Drive, Michael Dube. 1 tree** This tree is located next to the shore Consensus: Tree should be removed.
- **63 Beach Ave, David Cane. 1 tree (see above)**
- **27 preserve way (11 trees removal) Matt Nichols. Agent Briefing:** GC was requested to take measurements. The rear yard: 2 white pine trees which are 57' to wetland. There are 2 other large white pines located 90' to wetland. There are 2 trees located 135' from wetlands. As for the trees along westerly line, only the morning sun would get in there. There are some wetlands and some trees are close but as far shading and light, all trees are within the 200' buffer zone. These are jurisdictional and do they have a shading impact on the wetland? Hemlocks seem diseased, but can be saved per JK. The white pines in back corner, overhanging house, GC feels there is no concern for impact to wetlands if these trees are removed as it's a heavily canopied area. MN: There will be no clearing of the land; the request is about safety concerns to the house. Commission feels that some trees can be removed, but other have concerns with the buffer zone. Commission cannot make a decision without an arborist report. MN: will provide the commission with an arborist report.

Forest Cutting Plans

7 Ladd Road, David & Pat Barnicle. There are 38 acres. DB recused himself. No wetlands and there is no harvest in the wetland. All work is an upland harvest. Commission recommended approval for this plan which will be submitted to the BOS.

Correspondence: None

Open Space Update: Not discussed

Agent Report: None

Site visit schedule: Not discussed

Meeting Adjourned: 10:03pm Motion: DB CM: 2nd Vote: Unanimous

Next Meeting: Thursday, December 4, 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

The items listed, which may be discussed at the meeting, are those reasonably anticipated by the Chair.~ Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.~ For those items that will be discussed, the Conservation Commission will address its questions and concerns with a proponent before allowing the public to weigh in on the topic being discussed with the proponent.~ For public discussion of non-agenda items, such discussion will be handled during the Walk-in period or as allowed by the Chair.

