

**TOWN OF STURBRIDGE, MA
CONSERVATION COMMISSION**

**Thursday, March 5, 2015
Sturbridge Center Office Building, 2nd Floor**

Meeting Called to Order: 6:00 – 6:45 pm Conservation Restrictions Review; working session for Commissioners
7:00 pm Reconvene Meeting for Regular Business

Quorum Check: Confirmed

Members Present: Ed Goodwin (EG), Chairman **Members Absent:** Donna M. Grehl (DG)
David Barnicle (DB), Vice Chair
Joseph Kowalski (JK)
Calvin Montigny (CM)

Others Present: Glenn Colburn (CG), Conservation Agent
Cindy Sowa Forgit, Conservation Clerk
Applicants and/or Audience Members: Ed Hood, Howie Fife, William Clougherty, Lynne Girouard

Committee Updates:

- **CPA – (EG)** Meeting held Monday night, approved moving forward with the Plimpton property. The Town will be responsible for \$650K. \$400K is available but not for a month after the purchase. Committee is looking to the Finance Committee for assistance with this bridge loan.
- **Trails Committee – (DB)** Will be meeting next week.
- **Lakes Advisory Committee – (DG/EG)** Did not meet.

Approval of Minutes: **Feb 5, 2015** – Approved with a clarification change: DB 2nd: CM Vote: 4-0
Feb 19, 2015 – Approved: DB 2nd: JK Vote: 3-0, CM abstain

Public Hearings:

7:00 Mass DOT, William Clougherty, Request for Determination of Applicability. Mill and resurface 1.6 miles of Rte 20 from mile marker 95.4 to 97.0, with associated work to include adjusting and rebuilding drainage structures, curbing, guardrail repair and installation, clearing and grubbing to re-establish clear zones, and other incidental work in the buffer zone.

Agent Briefing: From split rt20 to Charlton line. MassDOT is exempt from local Bylaws and abutter notification. Not subject to regulations for pavement/repair or resurfacing in a BZ. However related work for drainage & repair structures within a roadway, outside the road is not exempt. Cleaning and grubbing up to 6' from the back of the guard rail of diseased trees. Will be chipped on site and deposited of properly. Resource areas: Hobbs Brook is a perennial stream with Riverfront Resource Area. The stream at Gifford Road is also perennial. Two other wetland areas near the Charlton line will qualify under Minor Project (310 CMR 10.02) as per my understanding of the regulations. Work within a buffer zone will qualify under the minor project sections. Activity in a Riverfront Area is not considered as minor activity in 310 CMR 10.02 (b) 1.

William Clougherty, District 3 Worcester MADOT. There have been recent changes to the regulations as of October 24, 2014. Milling and resurfacing are now are exempt. The Riverfront Area is now a grandfathered clause. I will provide this documentation to GC. There are more exemptions for the BZ, which has also just occurred.

Scope:

- This is a milling and paving project.
- Some clearing and grubbing will occur at the engineer's discretion, about 2 acres, but that will be determined in the field.
- Some work in shoulders, paved waterways, and outward structures, but it's primarily milling and repaving project.
- Boundaries: Westerly limit is near exit 3 on Rt. 84 to the Charlton line.
- Rt. 84 has a separate project for drainage improvements. MassDOT will submit an NOI in the next few months.
- Drainage structures will raise/lower of existing grates to accommodate new pavement.

Commissioner's comments and questions: DB: Timing of project and the duration? BM: Start advertising in next few months, Boston has to authorize the plans. If there are no changes to the plan, we will start construction this season. Duration will be a few weeks without complications, but should be no longer than a month. CM: Some areas were done? BM: Yes, in sections. Near the shopping plaza and Rt. 49. DB: At the South side of Rt. 20, near Ed Neal's office out to Charlton, exists a very deep swale. Is there any opportunity to make it less deep? Tough on bike riders, cars will bottom out. It's about 2 ½-3' deep. BM: We would have to look at this in the field. Development will occur on the northern side, not southern side. BM: Suggest the Commission provide a memo regarding their concern with safety concern and to see if MassDOT can help alter it without affecting the drainage.

Motion: To close the Public Hearing and issue a negative determination #2 as work is within the Riverfront and won't alter or dredge. To issue a negative #3 for work within a buffer zone and work will not alter the area with the addition of special comments: DB 2nd: CM Vote: 4-0

7:15 Notice of Intent DEP #300-908, 69 Route 84, (DPW fields), Parks & Recreation. Construction of recreational fields in Riverfront Area and Flood Zone A. (cont. from 8/21/14, request to continue to 4/16/15)

Lynne Girouard, Recreation Coordinator, Town of Sturbridge. Status update: At the Town Meeting, last Monday the funding was approved and got the ok to proceed. Contacted NHESP. We are now waiting for the thaw to begin in order to get a final assessment. Once that is completed, we will come back with a final design. We are on a tight budget so would like to address any conservation concerns prior to the next meeting. EG: Approve of project. No concerns from Commission.

7:30 Notice of Intent, DEP #300-922, 136 Lake Rd, Bruce Gran. Raze and replace two single family homes, replacement of retaining wall, driveway re-configuration, removal of two sheds, grading and associated site work. (cont from 2/5 for favorable snow conditions and site visit).

Agent brief: Due to snow conditions, unable to conduct a site visit. Cont. meeting until a site visit is possible.

Enforcement:

29 Main Street, Brian Eisold. Restoration work in BVW and buffer zone, establish work limit line. Meeting was continued due to the current snow conditions in order to conduct a site visit.

Request for Certificate of Compliance:

DEP #300-451, 63 Beach Ave, Dave Aho. Work not in compliance with Order of Conditions. Jalbert Eng. preparing restoration plan. Unable to get a plan provided by Jalbert due to current snow levels.

Forest Cutting Plans:

Shepard Road & Main Street, Ariana, Inc, 50 acres. John Clarke forester. Cont from 2/19/15. Identify vernal pools and establish buffer zones. John Clarke was asked to show 2 potential vernal pools on the plan and will take up at the 3/19 meeting.

New Business:

Complete Forest Stewardship Plan "goals" and sign. I have sent the document to F&G and waiting to hear if they have any comments. Cutting plan has also gone to them for comment.

GC: Although we rated the importance, we didn't describe goals for property. Suggesting: goals for property to maintain in a manner with conservation values. **Motion: DB move to accept: 2nd: CM vote: 4-0. EG signed document.**

Old business:

SLAC: Agent brief: per DG, No input from SLAC. We will continue to the next meeting.

Hammet Brook Dam Removal Project: DB: is requesting the agent to follow up with the status of the 60% review. GC: I will contact Todd Richards, Fish and Wildlife for a status. The Commission requested a meeting be scheduled to discuss and review in the next 30 days: DB 2nd: EG Vote: 4-0

Correspondence: EG spoke with Linda Cocalis, BOH Chair, regarding a reduction of setbacks for septic systems. Mark Farrell is proposing reducing from 50' to 25' from a wetland, the leach from 100' to 50' from a wetland. Commission recommends to keep the current guidelines as they are similar to ConCom. CM: Why? DB: To align more with the State regulation is 25' – 50'. LC suggested Commission send a note regarding our request to keep the current setbacks. Motion: DB: 2nd: EG Vote: 4-0

Meeting Adjourned: 7:44 pm Motion: DB 2nd: CM Vote: Unanimous

Next Meeting: Thursday, March 19, 2015 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.