

**TOWN OF STURBRIDGE, MA  
CONSERVATION COMMISSION**

**Thursday, February 5, 2015  
Sturbridge Center Office Building, 2<sup>nd</sup> 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:** 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: Leslie Duthie, Howard Fife, Ed Hood, Lenny Jalbert,  
Beverly Litchfield, Bruce Gran, Debbie Gran, Scott Morrison, Chris Bouchard, Mike Toohill, Brian  
Eisold, Marita Tasse, Joel Casanbon, Dave Mitchell and Cheryl Wood Creeden

**Committee Updates:**

- **CPA – (EG)** No meeting held due to snow
- **Trails Committee – (DB)** No meeting held due to snow.
- **Lakes Advisory Committee – (DG)** SLAC is coming in tonight to discuss working together with ConCom.

**Approval of Minutes:** Jan 8, 2015: Motion: DB 2<sup>nd</sup>: CM Vote: 5-0  
Jan 22, 2015: Motion: CM 2<sup>nd</sup>: DB Vote: 5-0

**Public Hearings:**  
**7:00 Notice of Intent, DEP #300-923, 8 Hall Rd, Hanford & Karen Clay. Construction of SFH in the buffer zone.**

**Agent Briefing:** DEP has no comments.

**Documents Submitted:** Certified Abutters Notifications, the Legal Ad tear sheet and (2) hard copies of the plan.  
Lenny Jalbert, Jalbert Engineering is representing owner.

**Scope:**

- Previously an OOC for SF home was granted but it had expired. Recently a Certificate of Compliance was issued for the expired OOC. Work was never started.
- A new DEP number was assigned and new owners are moving forward with construction of a SF home.
- Almost all work is outside the 100' BZ. A 12" culvert (marked as a swale on plan) was installed but will be replaced with a 15" culvert; due to the town engineer recommendation.
- Between the 100' and 200' buffer will be the construction of the SF home, a garage and a driveway.
- The lot is serviced by public sewer and water.
- Roof run off will be directed to the leach pit at the northeast corner of the house. Overflow will be directed to the vegetated grade, then into culvert which flows into Hobbs Brook. This is located about 400' east from Whittemore Road.
- Most of the contouring will be outside of the 200' buffer but there will be some within this buffer. Grading is required for the driveway also.

**Commission comments, questions:**

JK: Is this plan different from last plan? LJ: The house is double in size. EG: Are there any wetlands on this property? LJ: No Lot 2 & 3 have wetlands, this lot (1) doesn't.

**Agent comments:** Wetlands are shown on this lot per the town GIS map, outside the 100' buffer. Will the culvert be blocked off? LJ: Yes with temporary hay bales until the culvert is replaced, then we break hay bales. Approximately it will be blocked for about 3-4 hours. Anti-tracking pad will be put in this area. GC: How will you stabilize the 2:1 slope? LJ: It will be seeded and believe it will be mowed, although it is steep. GC: Will they be clearing all the trees? LJ: Somewhat, up to the old road in the back. GC: The other lots have wetlands. If this is the only sale of all 3 lots, then the land owner should be aware that this sale has created a self-imposed hardship for access of the other two remaining lots. LJ: Yes, understood.

**Audience comments:** None DB: Concerned that we can't check wetlands on this property now due to snow. GC: Who did the original plan? LJ: We did. **Motion: To close the public hearing and accept the plan as submitted with special conditions to be**

included in the OOC.: JK 2<sup>nd</sup>: DB Discussion: EG: To note in the OOC that Commission approved the delineation previously performed and since the house location is mostly upland from wetlands, the Commission doesn't need to view the delineation. Vote: 5-0

**7:15 Notice of Intent, DEP #300-922, 136 Lake Rd, Bruce and Deborah Gran. Raze and replace two single family homes, replacement of retaining wall, driveway re-configuration, removal of two sheds, grading and associated site work.** Scott Morrison, EcoTec is representing the owner. He is here along with Beverly Litchfield, Bruce and Deborah Gran.

**Documents Submitted previously:** Certified Abutters Notifications and the Legal Ad tear sheet

**Scope:**

- Demo two existing homes and raze two SF homes. The size of the new homes will be the same as existing. Reduce the existing parking area. Replace a retaining wall. Remove sheds. Install a storm water management system due to current drainage issues.
- Wetland resource areas are Big Alum. It's forested along the site.
- Order of Progress (starting at the lake and working way back): demolish homes, pour concrete slab and install the storm water management structures, then raze 2 homes and demo the sheds.
- At lake draw down, we will remove the existing concrete retaining wall and install new retaining wall of blocks. At the end of the project, there will be no loss of flood storage or LUW.
- Due to water coming down from Lake Road, we are proposing a 4 bay. Currently sheet flows through the site and discharges to the lake. With the 4 bay, water flows into a grass swale and a rain garden. With regards to roof run off, the proposed infiltration system will help with water flow.
- The existing trees hanging over water will remain.
- Propose to install a silt curtain at the top of the slope, and use a hydraulic boom while construction takes place.
- Timeline: Start next fall when the water level is dropped about 3" starting on Nov 1<sup>st</sup>.

**Commissioners' comments, questions:**

CM: What is the net loss on impervious surface? SM: Believe it's balanced. GC: How will you manage the road run off during construction? SM: Install a permanent or a temporary swale, then restore and stabilize it once completed. We don't want sheet flow going through the site. GC: I'm concerned that water will go through the site. SM: Yes, we are too and want to avoid, so we designed this proposed system to avoid that. DB: I'm concerned with the drop. How will it get from bay to a swale 75' long with 1' elevation change? Is that enough to keep water flowing? Lenny Jalbert: It will flow slowly but you have the capacity in the 4 bay (2 ½'). Run off from buildings it is independent. An Abutter allowed the swale to be built to handle for run off. EG: Building sizes must be restricted to the exact existing footprint which doesn't appear from the plan. Have you presented to ZBA yet? SM: No. The square footage will remain the same. EG: Wants a site visit. DB: House 1 is raised up with 3 car garage under. Could you think about gravel under the garage instead of concrete? SM: There is a roof over the garage already so there would be no difference of gravel vs. concrete. House 2 will have a crawl space basement. GC: Can we move house 2 out of 25' BZ? SM: Then it will be closer to the swale. DB: Can we twist the location? Lenny Jalbert: No, due to ZBA regulations. SM: The 25' line will change if we fill that one area so the existing location of the house will no longer be in the 25'. GC: Concern if the boulders aren't put in the wall and versa lock walls are used, they don't allow for habitat. SM: We can look into that. EG: Wants a site visit once the snow melts somewhat. GC: One tree is slated for removal, and have a concern of cutting the roots of this tree. **Requested a continuation to the March 5<sup>th</sup> meeting. Request granted.**

**7:30 pm Request for Determination of Applicability, 4 Scotch Pine Circle, Chris Bouchard. In-ground pool in the buffer zone.**  
(cont from 11/20/14)

**Agent Briefing:** Commission was concern with details of the presented plan at the last meeting.

CB: Per the pool contractor, a silt fence and hay bale will be installed. Currently there are 20-25 hemlocks; I will add 25 more on the back side. At the current grass area, we will add flowering trees (maples, dogwoods) in this area. I can install a drainage system between trees and hemlocks near the 50' bz if the commission requires. A revised plan was presented showing a patio, which will contain perforated tubing around the deck area to help with water. The old plan shows the incorrect shed location. The pool is about 75' away from wetlands. DB: hay bale line is good revision. It's flat area so no need to disturb soils. Most of property is going to be pervious surface; therefore I see no need for the additional water drainage needed near the house since you have other plantings. **Motion: To close the public hearing, to approve the project and issue a positive determination #5 for the area is subject to the Sturbridge Town Bylaws and a negative determination #3 for work in the buffer zone and this work won't alter the resource area so an NOI is not required. The applicant must provide a revised plan. No silt fence to be used as a special condition: DB 2<sup>nd</sup>: CM Discussion: EG wants the agent to confirm the shed is 75' from wetland as part of the approval. Vote: 5-0**

**New Business:**

Sturbridge Lakes Advisory Committee (SLAC): Discussion of lakes issues.

- David Mitchell – An advisor to the BOS on lake issues. SLAC Members work with all the 5 Great Ponds: Big Alum, South Pond, Cedar Lake, Walker Pond and Leadmine. We want to form a better partnership with ConCom and the Lake Associations, a way to guide the residents. Other SLAC issues:
  - We also promote safety classes. stormwater management and ice/water safety,
  - TRHS interns put together training videos for lakes monitoring. Created/ran a logo contest and database.
  - SLAC look for grants for the lake associations.
  - We want to communicate resources to protect the lakes. Perhaps coming from SLAC it can be an informal way to communicate. We want good environmental practices and advocate for them. We want to keep invasive out while maintaining the quality of the lakes. Wanted to intro ourselves and want a better partnership b/w concom and lake assoc.
- Marita Tasse – Want to simplify information for lake residents. Educate realtors as to lake guidelines Can SLAC get an outline from concom on a few items of most concern.
- Joel Casanbon – We get feedback from residents on our lakes, and want to make people understand what they need to. It’s hard to understand the lengthy Bylaws. Can we get a cliff note version? What can residents expect? Residents feel they are blindsided at times when they come to the Conservation meetings. Would like to see more about the quality of frozen lakes and the debris that gets left behind, freezes and then sinks into the lake upon the spring thaw.
- Cheryl Wood Creeden – Can we set up a forum between ConCom and SLAC to discuss ideas as how lakes are maintained as a positive aspect for the environment? This may make ConCom’s job easier too.

**Commission comments and questions:**

- EG: My concern is the lake roads and the run off. It’s a serious issue as residents live in urban density on the lakes. Lots of people don’t want to prune limbs. Would rather cut down whole tree. Overhanging trees keep lakes cooler. The residents of Mt. Brook Road did a great job on their dirt road to correct the run off. D Mitchell - Maybe a 319 grant can help change that issue with roads.
- DB: My concerns are tree cutting and tree health. We require a 2:1 replacement. Residents don’t understand why we have a 25’ no touch along the lake. Try to plant natural plantings but they can still access their boat, docks etc. Perhaps we give the rationale of the main issues/by laws.

**Next Steps:** ConCom will provide the following to SLAC:

- Each Commissioner will note the most important issues in laymen terms.
  - Top 10 “regulatory” issues and the “why”
  - Top 10 “recommended” issues and the “why”
  - Email to DG. DG will provide a summary to the commission at the next meeting.
- ConCom to include a case study on a fact sheet (like Mt. Brook Road to help wetlands and improving the road).
- ConCom to include some design elements (replace a concrete/concrete block retaining wall with boulders etc).
- Include a disclaimer at the bottom of each of these 10 items ... “every site is unique and to refer to Bylaws”.
- D Mitchell will see if TRHS students can produce the final brochure.
- D Grehl is the Conservation liaison to SLAC.
- M Tasse is the SLAC liaison to Conservation.

**Enforcement:**

- **29 Main Street, Brian Eisold/Clearview Landscaping. Fill in a wetland. Work in the buffer zone without a permit. Documents Submitted:** Ariel photos of the past and the present conditions of the site and a revised plan. GC: In the past trees were cut and activity occurred in wetlands. Can we establish a new work limit line and parking area? BE: The plan shows a proposed fence. Rip rap will hold down erosion or we can seed that area. Unfortunately, plantings won’t last in this area due to the amount of invasives. EG: Requesting to see the site in order to make a determination once snow is off the ground. **Requested a continuation to the March 5 meeting.**
- **DEP #300-451, 63 Beach Ave, Dave Aho. Work not in compliance with Order of Conditions.** Jalbert Engineering is working on a plan and will be at the Feb 19th meeting.

**Minor Amendments to Orders of Conditions:**

**DEP #300-906 Mass Electric clerical corrections for recording purposes.** Mike Tohill, BSC Group representing MA Electric. The Hare Rd pole project to connect to the solar farm. Requesting an amended OOC. The OOC needs to change the name from National Grid to MA Electric not National Grid in order to record the OOC. NGrid, The Turnpike Authority and MA Electric have easements for which they want to record. Looking for amended to the amended OOC. There is no change to project, it’s just a formality. **Request granted.**

**Forest Cutting Plans**

- **201 Main Street, Thomas More, relocation of landing to Main Street** Landing was on Farquhar, which is now been moved to Main street. Commission agreed that we tell BOS that the forest cutting plan meets the requirement of the wetland projection act and that we suggested approval of the plan based on changing the location of the landing site. GC will draft the communication to the BOS.
- **334 New Boston Road, Holly Tremblay.** 33 acres parcel. Due to the snow, we have not yet seen the site. Michael Bartlett, Forester, said this parcel was forested about 10 yrs. ago. Entrance #1 has a temporary bridge; location #2 is a pole crossing, GC: I feel Michael Bartlett has done good work before and has paid close attention to wetlands. JK: Since I'm an abutter I can't vote, however I feel there is no issue especially since he has logged it before. EG: We need to see it first prior to any further decisions.

**Order of Conditions:**

- **307B Main Street, replacement of a septic system.** Two trees will need to be removed. 2:1 replacement with Black Tupelo. Signatures received.

**Meeting Adjourned: 9:14 pm Motion: CM 2<sup>nd</sup>: DG Vote: Unanimous**

**Next Meeting:** Thursday, February 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.*