

Sturbridge Conservation Commission
Meeting Agenda for Thursday, **November 19, 2015**

****Meeting will be held at the Sturbridge Center Office Building 301 Main Street, 2nd floor****

Meeting Called to Order: 6:00 pm.
Chairman Ed Goodwin

Quorum Check: Confirmed

Members Present: Ed Goodwin (EG), Chairman
David Barnicle (DB), Vice Chair
Joseph Kowalski (JK)
Steven Chidester (SC)

Members Absent: Calvin Montigny
Anne Renaud-Jones, Clerk

Others Present: Glenn Colburn (CG), Conservation Agent
Applicants and/or Audience Members: Leonard Jalbert, Kimberly & Roman Klimczuk, Seth LaJoie, Steve Halterman, Chuck & Jill Roy, Mary Wheeler, Tom Rievane, Susan Kean, Jennifer Noveline, Deborah Field, Mike Toohill

Committee Updates:

- **CPA**, has not met; we've rec'd 58% for matching funds
- **Trail Committee** did meet; voted unanimously that they would like three 15inch x 15 ft pipes installed at the Red Trail crossing; Site visit is scheduled for this coming Sunday, Nov 22; Saturday Nov 21 is our scheduled work day – working in Camp Robinson Crusoe area; Richard Paradise has 6 projects lined up;
- **Lakes Advisory Committee**- we currently do not have a liaison: GC: SLAC is meeting tonight; we've given them the draft brochure to review; what we allow, what we discourage; we're expecting comments.... Also Winter Tree Scavenger Hunt will be starting Thanksgiving Day; we invite families to join us- Cabin Loop, Pond Loop and Stafford Turnpike; Find decorated trees, take a couple pictures, send them in- Flyers are around town;

Walk-ins NONE

- **SIGNATURE: Order of Conditions #300-936** new SFH; 81 Paradise Lane: signed; special conditions included marking of wetland boundaries for wetland B (upper wetland)
“The work limit line adjacent to wetland “B” flagging shall be identified by boulders spaced 10'-20' apart as shown on the plan. Boulders shall be of a size unable to be moved without use of an excavator or heavy equipment. Boulders shall be marked with a suitable plaque to read “No dumping of yard wastes beyond this line. Permanent Buffer Zone - No disturbance beyond this line.”
Also:
“ In the event of failure of any part of the erosion controls all site work shall cease until repairs to erosion controls have been completed. The Conservation Commission shall be notified of any failure of the erosion controls. Failure to adhere to this condition will be cause to revoke this Order of Conditions.
Also
“In consideration of the length and steep slope of the driveway the Conservation Commission requires that once started work on the driveway shall continue without interruption or delay until the driveway grading has been completed and an asphalt binder coat has been installed.”
- **SIGNATURE: Certificate of Compliance 300-917** 17 Kelly Road, inspection is OK, vegetation is growing well;
- **SIGNATURE: Order of Conditions #300-937;** 43 Mt Brook Rd; adding 2nd story to SFH:
- **SIGNATURE: Order of Conditions #300-938** MassDOT Highway project for improvements to water quality along I-84:

Public Hearings

6:15 Notice of Intent DEP #300-940, 138 Podunk Road. Repairs to septic system (failed tight tank) within the buffer zone. Seth Lajoie (SJ) (Seth Lajoie & Associates) representing Linda Almeida;
 SJ: existing tight tank that we are converting to a leach field ; we have 3 wells in the vicinity, which will require a variance from BOH for setback; there's a wetland area in the back of the property; septic will be within 100 buffer zone; but outside 50ftBZ, we are maintaining 25ft no disturb. Agent: is that well to the north a variance also; SJ yes, variance is written into the Title 5 regulations; Comm: how close can you go? SJ: they like 100ft, can get variance for up to 50ft; Code is actually written to clarify priority of which codes you should break in what sequence This section suggests going closer to a wetlands before you go closer to a well.. So I kept this location at 100 feet from the wells in the front, the well in the back we couldn't really maneuver any other way... Agent; this looks like a straight forward project, I have few comments except about the two trees in the back (maybe apple trees); Looks like they will be removed SJ: yes, they will have to be removed.... GC: I recommended that we ask for replacement trees; maybe 2 more apples or other trees that would be beneficial to the wildlife.... SJ: no problem with you writing that into the OOC; Commissioners: on our site visit, we saw debris being put into the wetland there in the back: some wood and pieces of iron ; we need to get that pulled out, cleaned up and stopped... GC there are larger issues on adjacent lot: SJ: yes, but we need to take care of this one first- this is a BOH Order right now, so we're doing this first... COMM: Most soil appears mushy: why can you put leach in this soil in that type of soil SJ: it's another allowed variance; we can use an estimated percolation rate, provided you get a sieve analysis ; we based design on the highest loading rate for that type of soil; Soil is mostly till, fairly high silt and clay content but classified as Class 2; 30 minute per inch perc rate.... This is why previous system was tight tank..... Presby systems wasn't used because a Presby has a larger footprint Commissioners: Our OOC will include replacement trees and cleanup of trash in wetlands.

Motion (DB) 2nd (SC): to close the public hearing; Vote: AIF (4:0) Comments: None

Motion (DB); 2nd (SC): Vote: AIF (4:0): to approve plan as presented for DEP #300-940, for the replacement of the septic system at 138 Podunk Road; Orders of Condition to include discussed tree replacement, and cleanup of wetland area where some trash has been dumped.

6:30 Notice of Intent DEP# 300-tbd, 10 Willard Road, construction of a single family house with work in the buffer zone, Plan submitted by Jalbert Engineering, Inc for Kimberly A. Klimczuk ; Len Jalbert representing the Klimczuks.
 LJ: We have no DEP # yet; documentation presented: tear sheets; certified abutters documentation

Constructing a new single family home which will be serviced by town water and town sewer; Driveway and house are beyond the 50ft line; At closest point, house is 81 feet to wetland; there will be considerable excavation; there will be a walk-out on the house; no variances are necessary...

Agent: driveway is just brushing 50ft zone, but water line is 20 ft from wetland; sewer is 30 ft from wet; is there a way to move; can we get further away? LJ could change water; sewer change would require manholes and catch basins..... costly to implement We could move the waterline further away.... GC We do try to maintain that 25ft no disturb.... Also, a culvert ...what feeds this culvert? No wetlands indicated LJ: no wetlands, but some seasonal water; we won't touch it

GC: this must have been right under tornado; an abutter has come in to talk to me; said drainage has changed since tornado LJ: yes, ground zero for tornado..... upper canopy all gone, so drainage may change when canopy returns GC: Do you know what homeowner is planning for yard? KK: We plan to grade around the house, seeded lawn around; but no hard plans yet GC: we would like reassurance that the whole 8acre lot won't be seeded as lawn COMM looks like there's currently a driveway that leads up to the staked site.....looked like there was filling of drainage ditch; EG when the tornado cleanup was being done, they filled that swale; that "driveway wasn't really a driveway- just the working access to do the tornado cleanup work SC: will there be problems with drainage coming off the hill if there is no culvert there. DB Since your distance from the wetland is so close, can't you move back the add'l 20 feet to get beyond the 100 foot line LJ: yes, we'll move it back and get it out of the 100 ft Commissioners: we'd like the debris pulled out of the swale; and when putting the driveway in, put a pipe in to feed into that swale; LJ: Roof runoff will be handled by a leaching pit out from the corner of house to a discharge point; garage is under the house

Request for continuance to next meeting Dec 3rd; Commission granted continuance.

6:45 Notice of Intent DEP #300-939, 188 Lake Road. (Big Alum) Raze and rebuild SFH within the buffer zone. Charles & Jill Temple Roy. 65 (continued from Nov 5)
(CR) LJ presenting for Roys; LJ At the last meeting, we discussed a poured concrete wall to replace the existing deteriorating old stone and mortar wall; the Commission wanted to see more of a planting plan, and was not happy with a poured concrete replacement wall... -- We've made changes to the plan; the wall will now stay as is; we will repoint and repair stone and concrete, as the wall was originally built; it is no longer a replacement. We have added vegetated gardens, one near the oak tree, all mulched; a low profile juniper hedge to keep walkers away from that area, then bird-attracting plants like pepperbush and high bush blueberries, and a good size area of pachysandra where the boat will be stored; upper section near road we'll add 2 trees red maple and white pine to replace the lost oak tree, and a small fence with mountain laurel; walkways are pervious; there's a drip edge around the house... Deck will not impact the root system of existing oak; underground gas tanks are 10 feet off house, off stairs; any other position becomes a problem with proximity to the well.....

Commissioners: pleased with plan; Questions from audience?

Debbie Field (neighbor) Is well existing or new? CRoy: a new artesian LJ: wells are far enough apart that geothermal well will not be impacted. DF: what about diseased trees? CRoy: diseased hemlocks - they're a mess – not addressing right now

Dom Lombardi (neighbor); the plan only shows stonewall to edge of the property; Part of the wall that continues beyond and across to the small point – does that all belong to you? Will that be repaired as well??

Discussion was had about ownership of this small point and responsibility for its repair: Neighbors will address separately.

Motion (DB) to close public hearing, 2nd SC; Vote AIF (4:0) ; Discussion: None

Motion (DB); 2nd JK; to approve Notice of Intent DEP #300-939, 188 Lake Road to raze and rebuild single family home according to plan presented. Vote: AIF 4-0

7:00 Notice of Intent DEP #300-tbd, Mass Electric, dba National Grid: Utility Pole Removal and Replacement at Shepard and Wallace Roads: BCS Group, Mike Toohill.

Documents: Tear sheet, abutter notification proof, green cards.....

MT: no DEP number yet; EG: we can continue discussion but cannot close the hearing until we have a DEP number from the state. We also want audience to know that this is Nat'l Grid, working on Utility Pole Removal and Replacement at Shepard and Wallace Roads MT: this is actually an after-the-fact NOI, we thank you for the prior emergency authorization; we are addressing downed distribution line; line came off all poles and was laying across the wetland system; Nat'l Grid has removed and replaced a number of poles, then on either side of the wetland, single poles were replaced with 2-pole H-frame structure: a bigger, sturdier structure. These 2-pole structures are different individual heights due to their elevation, but align horizontally, and now carry the span of cable directly across the full span of water, with no poles in between them - all old poles that were directly in the water have been removed. Agent no comments Commission: Are you cutting poles and leaving them? MT yes, they leave the butt ends in the ground and cut about 1 foot above grade

Request for continuance to next meeting Dec 3rd; Commission Consensus to grant continuance: AIF :

Commission notes that there is no need for Mr. Toohill to be present for next meeting.

Letter Permits

98 + 100 Paradise Lane, Michael Deterando, (Robinson Tree, Ron Chernisky)

-- we had requested arborist report; have not received yet ; we'll continue to next mtg

214 Hemlock Path, Wes Gilbert, request for removal of 8 trees- several hemlock

w/ wooly adelgid, plus 1 dead oak, plus one decayed oak threatening a building

-- we had requested arborist report; have not received yet; we'll continue to next mtg

6 Birch Street, James Rowe, fence replacement with increased height. No one present at this meeting:

Commission did site visit, project is to take down, remove, and replace 111 feet of old wooden fence, replace with life-time guaranteed top-grade vinyl Height will sweep from 8 ft high to 5 ft in order to secure privacy and allow for lake view; on site, commission discussed requesting 6-8 inch gap from shore back 20 ft to rhododendrons; We'll put this request into the Letter Permit. **CONSENSUS to approve AIF**

Enforcement

45 Seneca Ln, Craig Moran. Restoration/replanting plan. (continued for plan)
Plan has been promised for the end of December

8 Birch Street, Gerry Paquin. Work in the buffer zone without permits. Demolition plan.
(GP not present, but plan submitted at last meeting is present for review by commission;
Summary of history: existing deck was built without any of the required permits, we have asked for its removal; 4 or 5 sono tubes were installed also fence to south, which GP removed without permission, needs to be replaced because it was owned by neighbor: New plan has reduced the size of the deck to 4 ft: GP is saying there was previously a deck, so he should be able to save a 4 foot deck instead of removing all... Since that claim, agent have seen a photo of the house before the deck was built, clearly showing NO deck, and the oak tree clearly visible right down to the foundation... Commission comments: Our original EO stated that because all was built and installed without any required permits, a plan for full removal of everything must be submitted to the Commission, including full removal of the concrete pillars. This submitted plan is not the plan for demolition as we requested. **We'll continue to next mtg- Agent will contact GPaquin, request a new plan, and come before the commission to discuss the footings.**

30 Camp Road – Richard Ellis – Work in BZ. Stabilization plan required. (No one present at tonight's meeting)
Draft plan received; this is a very steep slope, Jalbert is doing the plan, and EcoTech will be doing NOI; should have complete plan for Dec 3- Agent went to site after last storm; erosion controls had held, but needed repair, especially at very bottom of slope... one had captured a lot of silt, but had not been breached: there was some channelization on the slope.... That will need repair..... **Continued to December 3rd meeting.**

9 Holland Road, Gerry Paquin. Work in the Riverfront Resource Area without permits.
Agent has been monitoring weekly, it remains stable.

New Business

A Low Impact Development Committee is being formed in town; As agent, I am automatically on the committee...but they are also looking for ConsComm volunteer; sitting in probably 4 meetings during daytime business hours; Commissioners are considering their schedules, no decisions made.

Approval of minutes of Nov 5, 2015:

Motion (DB) 2nd (JK) to approve minutes from the November 5, 2015 meeting. Vote: AIF 4:0

7:26 Motion to Adjourn (DB) 2nd (JK) AIF (4:0)

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.