

TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION

Thursday, December 1, 2016

Approved January 12, 2017

Sturbridge Center Office Building, 2nd Floor

Meeting Called to Order: 6:00 Chairman Ed Goodwin
The Commissioners' working session for a continuation of review of the Bylaws. Reviewed Chapter 4, and minor changes to Chapters 1, 2 and 3.
Present: Ed Goodwin, David Barnicle, Steve Chidester, GColburn (staff), ARenaud-Jones (staff)
Finish Bylaw work: 6:55

Regular Business Called to Order; 7:00 pm

Quorum Check: Confirmed

Members Present:	Ed Goodwin (EG), Chairman	Absent:
	David Barnicle (DB), Vice Chair	Steve Halterman
	Steve Chidester (SC)	Paul Zapun

Others Present: Glenn Colburn (GC), Conservation Agent
Anne Renaud-Jones, Conservation Clerk
Applicants and/or Audience Members: Matt Watsky, Fran O'Connell, Ed St. John, Guy Barnes, Kellie Barnes, Ronald Ledoux, Pat Wondolowski, Joe Wondolowski, Raoul Ricard, Leigh Darrin, Ralph Nichols, Jason DuBois, Denise LaChapelle, Kyle St. Lauren, Richard Paradise

Committee Updates: No reports given

Walk-ins **Guy & Kellie Barnes, 86 McGargle Road, Sturbridge:** asked to come in for unpermitted tree removal: Ed Goodwin had rec'd a phonecall Saturday, November 26 and went to site; 3 trees had been removed along the shoreline and were in the process of being chipped. 1 Hemlock was in serious decline: 2 oak trees were assessed by EG to have been healthy; GBarnes: The oaks had several dead branches at the top; the tree contractor assessed that the tree would continue to decline, so why not resolve by removing full tree now... Contractor was Henry's Tree Service... Commission advised Barnes' of regulations, advised them not to dig out or grind stumps because they are right on the bank, but can cut flush to ground level; Commission requested replanting of 3 oaks. Planting should be in the spring; Barnes should contact Agent with plot plan for approval before planting.

Matt Watsky, 114 Leadmine Ln: 1 tree removal; Mr. Watsky has built a deck surrounding a large oak tree adjacent to his house. The Building Inspector has refused to approve this build because he assesses the tree as unsafe due to some falling branches. Mr. Watsky stated that he did some tree cutting several years ago, and at that time planted a significant number of new

trees and bushes on the site. Commission approved this tree removal, and waived any requirement for replanting. **APPROVED: Vote: AIF (3:0)**

Public Hearings

- 7:15 Notice of Intent: 8 Birch Street:** Otis Land Mgmt, Ralph Nichols. Replacement of mobile homes, shoreline wall repairs, paving driveway and parking lot, and installation of storm drains. Property owner Ralph Nichols (RN) and Jason DuBois (JD), DC Engineering presenting; Abutter letter certifications and legal ad tearsheet were submitted to agent.
- DEP has not yet issued a number; Hearing cannot be closed tonight:
 - A revised plan was submitted today so that neither the Agent nor Commission has had sufficient time to review in detail.
 - RN: apology for late revised plans; has been discussing these plans with both Planning and DPW and has been trying to appease each set of regulations, resulting in some confusion. Site is licensed for 8 trailers; currently 7 trailers on site; 4 are occupied, so cannot make changes now; Proposal will address removal and replacement of 3 existing trailers, and improvements to overall property site.
 - JD; this current proposal shows demolition and replacement of 3 trailers; driveway is currently gravel; proposal shows asphalt paving and installation of 2 catchbasins and 2 drywells. Will cleanup and repair existing patio and create walkway with pervious pavers. Have removed 3 old broken down docks, will replace with new removable docks; Will point existing stonewall at shoreline to repair.

Agent comments: Agent expressed frustration at lack of time to review newest plan; is concerned with lack of details regarding the following

- work on shoreline: existing shoreline is a stable natural rocky shoreline on a pristine pond; we need detailed plan for your intentions with the stonewall repair, including exactly where the repairs will be, how it will be done and what materials you intend to use:
- Docks: we need detail of what you intend to install, sizes, how and where they will be installed- and have you been to HarborMaster for their standards? (BOS)
- You mention docks and patio, but don't mention any beach - Do you have an intention of creating a beach? If so we need it on the plan and full details.
- Lot coverage: we need a firm plan of trailer sizes and positions, with all setbacks clearly indicated
- paver walkway: we need construction details
- **Notice of Intent filing:**
 - this should be corrected to be a "commercial" property, and as such, it will need to meet stormwater management standards- need details for drywell- regarding infiltration, discharge etc
 - need to review fee structure for this filing

Commission comments: all expressed support of the change in ownership and the intent displayed for cleaning up and improving the site, which has been neglected for some time. Concern expressed for increased footprints for any trailers, near the water; concern for any increased impervious surface on site; want careful consideration of stonewall repair; do not want vertical wall; concern about adequacy of stormwater management currently proposed; Would like to see new plan done in a way to show existing details overlaid with new proposed work for easy view of changes.

Public Comments:

- Raoul Ricard of SLAC and Cedar Lake Assoc: expressed support of intent to cleanup and improve the site; concern that plans for docks meet regulations; is property defined as 1 lot or 8 lots? RN

Town records show it as 1 lot; grandfathered with 8 trailer sites RR wants to confirm dock plan meets all regulations... RR also asked about the status of recent Enforcement Action at 8 Birch; Agent explained that the sona tubes were the only remaining issue and Mr Nichols has offered to take care of them; RR summarized that any improvements and further "greening" of this site would be most welcome:

- Pat Wondolowski shared a message from neighbors Wiseman at 12 Birch expressing concerns about the lot's ability to support the proposed improvements; is it "overdevelopment" for the site?
- Pat Wondolowski (16 Birch) also spoke for her husband and herself regarding great concern about road water flow being affected by any changes to driveway access at 8 Birch: road has long problematic history of water issues affecting lots further down the road;
- Fran O'Connell and husband Ed St. John of Westwood Drive; looking forwarding to seeing finished detailed plan- thinking the plan may be too ambitious for the lot; concern about history as a "party place" on the beach; concerned about increased boat traffic; Concern about asphalt driveway/parking and runoff.... Mr. Nichols requested continuation to December 15th Meeting:

GRANTED AIF (3:0)

- 7:30 Request for Determination of Applicability: 5 Cedar Pond Road; Davis and Leigh Darrin; Replace 8x26ft asphalt driveway with pavers; install 20ft channel drain to prevent flooding. Leigh Darrin present: Commission visited site on Tuesday; LD: original plan was to use pavers, but the landscaper said it would not work; channel drain goes between the garage and the pavers; width of drain not yet determined; Commission asked that it be as small as possible and gravity fed. Motion: DB; 2nd SC: To close the public hearing and approve this project with no special conditions. **VOTE: AIF 3:0; Determination:** Positive determination #5 confirming that the project is subject to the Sturbridge Wetland Bylaws, and a negative determination #3, confirming that this project is within the buffer zone, but will not alter the area subject to protection. No Notice of Intent is required.
- 7:45 Notice of Intent: DEP#300-971; 2 Cedar Lake Dr; Cliff & Donna Curboy: addition to an existing single family house, in the buffer zone. Representative Jalbert Engineering. *Continued from November 17th.* DB: This hearing was continued only because we did not have a DEP number.... Motion DB, 2nd SC: to close public hearing, approve this project as submitted, and issue an Order of Conditions. **Vote: AIF (3:0)**
- 8:00 Notice of Intent, DEP#300-972: 3 Ladd Road: Robert Briggs, represented by Chris Predella of Babe's Lawn Care: Landscaping in the buffer zone. *Continued from November 3, 2016.* -- Briggs has asked for a continuance to December 15th meeting. **GRANTED.**

Letter Permits

118 Paradise Ln, Kyle St. Laurent. 30+ trees: Mr St Laurent is building a new house and is asking to remove some dead and damaged trees in order to better visualize how the house will be situated on the lot. Commission has visited the site and approved all flagged trees for removal. Commission also cautioned (for future work) against taking trees along the lake, and to not assume that all dead trees should be removed, because they provide valuable habitat. A planting plan will be part of the filing for house construction. The area at the southeast of the lot shall not be converted to lawn.

APPROVED 3:0

New business

-- **Forest Cutting Plan Review:** Conservation has received a Forest Cutting Plan for project from 2 Walker Pond Corporation, a 76 acre parcel. Commission reviewed and will recommend approval to BOS.

-- **Dog policies on our conservation land:** DB asked for discussion regarding the dog policies on our conservation land: Reports of some disagreements on Leadmine Mtn between dog owners and parents of young children: an unleashed dog reportedly approached and knocked over a small child while being “friendly”. Dave pointed out the town bylaw requires a dog to be under restraint by his owners. Also, signs in the trails’ kiosks do say dogs are required to be on a leash. Suggestion was made that the Trails Committee discuss and make a recommendation to ConsComm. Also suggested consideration of a specified area where dogs could run unleashed.

-- **Notice of Sale and Right of First Refusal for Chapter 61 lands.** Barrett Farm, Douty Road. Resident Denise Lachapelle spoke, and shared her concerns about the possible new uses of the farm; has heard of plans for a Horse Farm; is concerned about the current state of the house – is concerned about maintenance, etc. The Commission clarified that the current house and barn are not part of Chapter 61 property; therefore town would not own them if this transfer takes place..

- Agent Glenn Colburn spoke of the advantageous connection between Heins and River Lands; Discussion was had about how to possible share or minimize the cost to the town: possible to seek land grants, or seek easements with the new owners. EG stated his support for the preservation of the land, but pointed out that the town does not necessarily need to own the property. Commission voted to state support for exercising our right for refusal. Agent will write up letter to Select Board for their December 5th Meeting. **AIF (3:0).**

MACC Letter - (Mass Assoc of Conservation Commissioners) has requested the support of this Commission in signing their letter to the Mass Governor’s office requesting an end to Gov. Baker’s support for new interstate gas pipelines, and investing in renewable energy instead.

APPROVED (3:0).

SIGNATURES

SIGNED Order of Conditions: 22 Cedar Lake: Dobson project

SIGNED Order of Conditions: 55-56 Bennetts Road; Gayle Smith project

APPROVAL of MINUTES: November 17, 2016

Motion DB, 2nd SC to accept minutes of November 17th as presented: **VOTE: AIF (3:0)**

Agent Report

Plimpton Community Forest: We have no document regarding this property to guide us forward with its management. GC has contacted Pete Westover of Conservation Works in North Hatfield, and requested a cost estimate for developing a Stewardship Plan. Expect maximum cost of \$1800; we do have a baseline document. GC is meeting with him next week. Commission approved moving forward with this project.

9:30 pm Motion to Adjourn (SC) 2nd (DB) AIF

Next Meetings: Thursday, December 15, 2016, starting at 6:00 pm;
Commission will resume work on Bylaws review starting at 6:00 pm.
Public Hearings begin 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