

TOWN OF STURBRIDGE, MA -- CONSERVATION COMMISSION

Thursday, August 11, 2016
Approved September 15, 2016

Sturbridge Center Office Building, 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
 Steve Chidester (SC)
 Steve Halterman (SH)

Others Present: Glenn Colburn (GC), Conservation Agent
 Anne Renaud-Jones, Conservation Clerk
 Applicants and/or Audience Members: AJ Comerford, Mark Farrell, Mike Andrade, Scott Morrison, Kristopher Surette, Bill Metz, Charles Quinby, Paul Meuller, Josh Roy, William Clougherty, Len Jalbert, Buddy Soper, Eric Morse, Dale Morse, Andy St. Laurent, Brandon St. Laurent, Craig Moran, Gary Staab.

Committee Updates:

CPA: no meeting has been held;

Trails Committee: no meeting has been held;

Lakes Advisory Committee: no meeting has been held;

Walk-in **None**

Public Hearings

6:15 **Request for Determination of Applicability, Brookfield Road, MassDOT.** Sidewalk construction and improvements, shoulder improvements, and travel lane marking in the buffer zone and Riverfront Resource Area. William Clougherty, MassDOT, Kristopher Surette, WorldTech presenting: work is primarily addressing 3 locations 1) intersection Brookfield Road and Glendale Road; 2) intersection Brookfield Road and Warren Road; and 3) areas of Brookfield Road at Tantasqua High School and Junior High.

Glendale Road: area will be re-graded to address the problematic watersheeting that occurs in that area- very dangerous in freezing weather: **Warren Road:** work will change the angle of this intersection to improve the sight line as people access Brookfield Road from Warren Road; **Tantasqua School sites:** installation of sidewalks and crosswalks with flashing lights at 2 locations – 1) where 2 schools' driveways access Brookfield Road, and 2) where upper "student parking lot" is opposite the small bridge that accesses the junior high playing fields. This area is within both buffer zone and Riverfront area erosion controls will include sedimentation fences, compost filter tubes, silt socks...

Agent comments: is there any work planned at The Trail? KS: we are repainting markings and removing rocks at that location, but no major work at that intersection; Our study concluded that the existing speed limit there (45mph) was adequate to maintain safety. **MOTION (DB) 2nd (SC): to close the public hearing, approve the plan as presented, and make a determination as follows: Negative Determination #2: work is within an area subject to protection under WPA, but work will not alter the area; No Notice of Intent is required.**

6:30 **Notice of Intent DEP#300-965, 124 Leadmine Lane, Thomas & Carol Cerny.** Replacement septic system in the buffer zone. Represented by Greenhill Engineering: Mark Farrell presenting: project is installation of a new septic system to replace failed cesspool and meet Title V specs. System is a Bottomless Sand Filter System: site chosen will have very few trees taken, will require very little excavation, no stockpiling; System has a bi-annual maintenance schedule for inspection, which will be noted on the property deed; the "box" will be plywood, not

concrete, with a permanent liner: when plywood disintegrates, the system is (physically) self supporting; the system goes 2 feet into the ground, and extends 2.5 feet above the ground which provides the required 4 ft separation from ground water; total dimension is 12 x 24ft; **MOTION (DB) 2nd (SC): to close the public hearing, approve the plan as presented, and issue an Order of Condition with a requirement that the system be maintained on a 2 year schedule, and that this required maintenance plan be noted on the property deed. Please note that this approval includes the installation of a drilled well in the location indicated on this plan as of this date, even though that work is not expected to be done in this phase of work on the property.**

- 6:45 **Notice of Intent DEP#300-964, 226 Roy Road, Joshua Roy.** Raze and re-build a single family home in the buffer zone to Big Alum Lake. Represented by Green Hill Engineering. Property owner Josh Roy present; Mark Farrell presenting: This house is an older home: has mold issues, has had multiple additions done, and the owners would like to build a new SF year-round home. This plan shows a house and a separate garage, but the garage will be built at a later date. Property currently shares a shallow well with abutter (#222); There are 3 large trees in the back we would like removed – Owner willing to replant and accommodate commission’s requests; very back corner of the proposed house location just hits the 50ft buffer from the vegetated bordering wetlands in the back..... **Agent comments:** site visit brought up questions of wetland delineation due to presence of indicator plants... feel strongly we need to take auger sampling to reassess that boundary - ALSO, there was substantial yard waste found in the site: these will need to be removed as part of our conditions.... Commission will revisit the site to review wetland line. **Applicant requests continuation to 9/1/16. Granted by consensus AIF.**
- 7:00 **Notice of Intent, DEP#300-960, 244 Big Alum Road, Ken Tietgen.** Represented by Green Boys Landscaping. Repairs and improvements to shoreline retaining wall. AJ Comerford of Green Boys Landscaping presenting. Project is replacement of a deteriorating stone patio and stairs at the shoreline of the property. AJC shared photos of the patio; plan is to maintain the exact footprint (approx. 30 ft wide) and rebuild a similar patio, retaining wall and stairs: no poured concrete, drainage system underneath patio, work to be done at drawdown, shrubs will be maintained; large rocks shown in photos will remain in place; rebuilt wall will be similar field stone build.... Commission comments: we’ll need to see a more detailed plan showing erosion controls, and more specifics regarding planned materials. **Applicant requests continuation to 9/15/16. Granted by consensus AIF.**
- 7:15 **Notice of Intent, DEP#300-961, 67 Bennetts Road, Charles Quinby,** represented by Green Boys Landscaping; . AJ Comerford of Green Boys Landscaping presenting; installation of patio and landscaping in the buffer zone. This project consists of construction of a semi-circular retaining wall – approx. 4 feet high – surrounding a stone patio sitting area. Stone will be dry-laid irregular bluestone; Project also includes installing a “gazebo” structure at the top of the driveway on a pervious bed. -- Commission expressed concern about drainage from the patio; AJC agreed to use pea stone or similar fill to accommodate infiltration needs; Commission requested a revised plan showing distances from the lake and dimensions for project areas as well as location of planned erosion controls; AJC agreed to re-submit more detailed plan providing missing information. **Applicant requests continuation to 9/1/16. Granted by consensus AIF.**
- 7:30 **Request for Determination of Applicability: 72 Farquhar Rd, Craig Iozzo,** represented by Soper Construction; replacement of 1500 gallon septic tank. This is a replacement of a failing 1000 gallon tank: we are replacing to bring up to Title V code. . **MOTION (DB) 2nd (SC): to close the public hearing, approve the plan as presented, and make a determination as follows:** Positive #5 confirming that the project is subject to the Sturbridge Town Bylaws, and a negative #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 #300-962, 6 Cedar Lake Drive, Dale Morse;** represented by Morse Engineering: 12 x 26ft addition to an existing single family home in the buffer zone. Plan presented by Eric Morse of Morse Engineering; Two components of this project: 1) Removing an existing 12x16 deck on the backside of the home (facing east), and replacing with a 12x26 sunroom; 2) On SW side of home (away from the lake)

addition of a new 12x16 deck with a landing and staircase. Project also includes removal of concrete pads leftover from previous mobile home. Property was previous occupied by a mobile home: there are some remaining old concrete pads around the property that will be removed and vegetated. Erosion controls will consist of hay bales and silt fence, placed as close to work area at the top of the rise. Loam and seed will stabilize the slope. Overall, this work will cut impervious area by 50% at this site. Commission requests replacing haybales and silt fence with "compost wattles", and request adding a "drip strip" to the roof on the lakeside of the home. **MOTION (DB) 2nd (SH): to close the public hearing, approve the plan as amended, and issue an Order of Conditions incorporating recommendations for compost wattles and a drip strip as discussed this evening; Vote: AIF**

- 8:15 **Notice of Intent, DEP #300-956, 152 and 158 Main Street, NMB Realty, LLC, Five Leaves at Sturbridge:** construction of a 97-unit residential development with associated site work in the buffer zone. *Continued from July 21, 2016:* Mike Andrade, project mgr, and Scott Morrison, EcoTech presenting: Presentation based on issues addressed by Commission at July 11 meeting:
- 1) Suggestion of a nature trail on the property to enhance the living environment: Developers highly support this suggestion: Plan has been amended to show a nature trail along the wetland line; one portion will be ADA-compliant; 2 small "spurs" will include informational (environmentally-focused) signage, as well as seating areas; no trees need to be taken.
 - 2) Wetland enhancements: Wetlands will be cleaned of all road litter, old construction debris and other trash. Appropriate wetland plantings will be done in degraded areas, as per plan.
 - 3) Biannual inspections and cleanup of the wetland areas will be part of routine property maintenance
 - 4) We have submitted to SCC the specifications for the materials that's being used on the firelanes; questions were raised concerning it's permeability; they are spec'd to be able to handle a 5-6 inch rainstorm
 - 5) As requested, we have added a heavy line to the plan to clearly mark the limit of work.
- We are also in discussion about installation of an irrigation system as part of the landscaping plan; the landscape plan is still under development.
- Motion (DB) to close the Public Hearing 2nd (SH); Vote: 3:1 (DB abstains)**
Motion (DB) 2nd SH): to approve the plan as presented, and issue an Order of Conditions. Vote: AIF
Commission requests review and discussion of Orders of Conditions before issuance.
- 8:45 **Notice of Intent, DEP#300-959, 9 Holland Road,** Culvert repair in the riverfront area. Richard DiBonaventura, represented by Paquette Builders. *Continued from July 21 because no DEP # had been received:* DEP# has now been received but we still have not heard from Natural Heritage. Enforcement Letter to Paquette Builders did not go out as planned: Paquette Builders has not been in touch with agent; no plans have been received; Commission was not happy with this delay. Commission wants our communication to Paquette to clearly state "if we do not receive proof of submission to NHESP at the next meeting, we will close the Public Hearing and require him to re-file. **Glenn will contact Paquette to move this repair forward.**
Consensus: Continued to 9/1/16
- 9:00 **Notice of Intent, DEP #300-957, 6 Birch Street, James Rowe;** replacement of lakefront retaining wall; *Continued from July 21, 2016;* **Continue to 9/1/16**
- 9:15 **Notice of Intent, DEP#300-963, 45 Seneca Lane, Craig Moran.** Landscaping in the buffer zone. *Continued from July 21, 2016;* Babe's Landscaping representing. Revised plan was shown, with the retaining wall moved back to the 20-ft line: erosion controls were discussed: **Motion (SC) 2nd (SC) to close the Public Hearing, approve the project as presented tonight, and issue an Order of Conditions. Vote: 3:1 (DB)**
- 9:30 **Notice of Intent, DEP#300-958, 197 Leadmine Road, Trail Committee:** Trail work, bridge repair, and new bridge installation in the buffer zone. *Continued from July 21 mtg, waiting for a DEP project number.* Gary Staab was present. The project was discussed briefly to confirm bridge materials being used. **Motion (DB) to close the Public Hearing, approve the project, and issue an Order of Conditions. Vote: AIF**

Minor Amendments to Orders of Conditions

DEP #300-922, 136 Lake Road, Bruce Gran & Beverly Litchfield. Enlarge proposed house and add deck to proposed residence #1. **Commission determined this is not a “minor change”; applicant will need to request an Amended Order of Conditions. Consensus AIF** - This project will be added to agenda for September 1st meeting.

Letter Permits

Tree Removal Application, 51 Bennetts Road, Shaun Fitzpatrick. 2 trees
- Commission delayed a decision pending an Arborist Report to assess the hemlock tree next to the house.

Tree Removal Application, 12 Stoneybrook Drive, Ronda Lariviere; 4 trees
- Commission delayed a decision pending an Arborist Report

Tree Removal Application, 13 Evergreen Lane, Michael Benjamin. 9 trees
- Applicant has withdrawn his Tree Removal Request, and asked instead for permission to **trim all trees** in question. **APPROVED: AIF**

Old business

Trails Committee: has been offered the use of 50 volunteers of the GeoFest rep Chris Thompson: Trails would like to construct a new trail to be named Paugus Trail to link Arbutus Park Trail with Raven Rookery Trail.

Commission approved this trail. AIF

New business

Little Free Library project on Pond Loop Trail - Avery Adams has requested permission to install a “Little Free Library” on the Loop Trail at Heins Farm. (which is used by the Sturbridge Library as the “Story Book Trail”). A Little Free Library is a small structure, sometimes built shaped like a house, which is posted and filled with free books for free borrowing. Avery will build the “library” with her grandfather, provide the books, and be responsible for its maintenance and (eventual) removal. Location is not decided, but suggested an existing post which is out-of-sight from the road. **APPROVED: AIF**

Enforcement

460 Leadmine Road, John Stevens. Progress report due. Completion of restoration work by August 11th.

Letter of enforcement detailing fines has been sent via Certified Mail and was shared with Commission. Agent has visited site; no work has been started. Department has not had any response from Mr. Stevens.

8 Birch Street, Richard DiBonaventura. Work in the buffer zone without permits. Agent: concrete piers are still in the ground and have not been leveled yet, and the neighbors fence has not yet been replaced. – Commission asked about the proper avenue of enforcement now that ownership of the property has transfer to the town. Most felt that even if property owner is the town, the violation belongs to the person who was responsible for the violating actions. Agent was asked to confirm with Town Administrator.

SIGNATURES

SIGNED - Request for Certificate of Compliance, DEP #300-466, 14 Meadow View Lane, Jeff & Colleen Bonja.

SIGNED - Request for Certificate of Compliance, DEP #300-687, 126 Podunk Road

SIGNED - Order of Conditions Extension, DEP #300-751, 76 S. Shore, P Mimeault

SIGNED - Amended Order of Conditions, DEP #300-914, 187-189 Lake Road, Charles Roy,

SIGNED - Order of Conditions, DEP #300-955, 217 Brookfield Road, George Van Fleet

Correspondence:

Tennessee Gas Pipeline - Received Vegetation Management Plan 2016-2017