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TOWN OF STERLING
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MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING-February 4, 2014
BUTTERICK BUILDING- ROOM 207 7:30 PM

1. Meeting Notices and communications. Mr. Mosley moved to approve the remaining minutes from December 2013 and January 2014. Mr. Curtin seconded and the Commission voted unanimously.

2. Minutes from the previous meeting

3. New Business

3.1 Grant update – Mr. Marro noted that the Grant was submitted on time by Ms. Valentine to DCR.

4. Old Business

4.1 Follow up on all warrant articles from town meeting or presented articles for upcoming town meetings

4.2 Chocksett Crossing follow up – Gary Chamberlin appeared on behalf of the condo association. The Conservation Restriction is still sitting in Boston awaiting for an opinion if the area was protected under article 97. If it is under article 97 it may have to go to legislature. The Commission directed Mr. Marro to contact town counsel.

5. Enforcement

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Misc updates – Mr Marro noted that he handed out MACC forms for the annual conference and there was no meeting for February 18, 2013.

7.2 Upcoming items for next meeting.-

The next meeting is March 4, 2014 as the meeting on 2/18/14 was cancelled.

CONTIUED PUBLIC HEARINGS

8:00 PM : Pursuant to MGL ch 131 s 40 there will be a public meeting on a request for a determination and a permit hearing pursuant to Sterling local protective storm water by-law for the construction of a commercial/industrial facility at 140 Pratts Junction Road by JJCEV realty trust. (CONTINUATION)

Mr. Grazewicz appeared before the commission outlining the changes the commission required to meet the Zone 2 aquifer protection by-law. He also updated the drainage calculations.

Mr. Michalak moved to issue a Negative Determination under MGL ch 131. Mr. Curith seconded and the commission voted unanimously.

Mr. Michalak moved to issue a storm water permit under the final revision date of January 21, 2014 for the plans and operations and maintenance manual with the additional condition that the downstream defenders be inspected per manufacture's recommendations with reporting to the Commission every May and October

8:10 PM : Pursuant to MGL ch 131 s 40 as amended and protective Sterling Storm-water By-Law there will be a public hearing on a notice of Intent by Sterling Real Estate (James Simpson)for the construction of a 21 multi family unit subdivision with storm-water controls at 43 Redstone Hill Road. The meeting will also encompass a public hearing under storm-water protective by-law for storm-water best management practices in compliance with DEP/EPA regulation.

Due to the number of residents present the meeting was moved with all consenting to the Selectmen's Meeting room:

Mark Piermarini was present for the applicant. He outlined the nature of the work, the previous iteration of the design and the current design. He further outlined the relation to the wetlands and the measures taken under local storm water by law to balance the drainage pre and post development. He further noted that the three septic systems still require approval from the local Board of health. There are three units and drainage grading within the wetland buffer areas,

Mr. Pavlowich noted a post catchment that may be slightly off and identified it as the area by the south end of the proposal. He wondered if there could be a fence also as it is a residential area in close proximity to the proposed detention basins.

Mr. Simpson noted that regulation does not require it and he felt it would inhibit the maintenance area. Mr. Piermarini noted that the basins were averaged as 2 feet deep and 2.5 feet wide for any potential water retained.

Mr. Pavlowich inquired as to the breakout area. Mr. Piermarini noted the proposed barrier allows for a ten foot setback and those details have not yet been submitted to the Board of Health. Mr. Pavlowich also noted that the spillway details need to be cleaned up noting that the plan showed 1.5 feet and the detail showed 1.0. He noted that the storm water O&M plan was excellent.

Mr. Curtin requested that the erosion protection between flags A& to A 22 be doubled due to slope concerns.

Don Patton of 3 Hazelhurst Way noted the plan was different than the original 2004 plan and wanted to know if the Planning Board has examined it. The applicant noted that ZBA will hear the matter in March and the Planning Board on February 26, 2014. Mr Simpson outlined the zoning change approved at the last town meeting.

Lisa Call of 9 Aston Lane inquired why work was allowed within the 100 foot buffer zone. Mr Marro explained the legal definition of the buffer zone in terms of the wetland protection act (310 CMR 10.00, as amended). She also inquired if the land is disrupted could this cause flooding to her down stream basement. Mr Peirmarini noted that the detention basins will prevent flooding or an upsurge in down stream water. Mr Michalak noted that the applicant is allowed by law to work up to the edge of wetland. Mr Curtin explained that work in wetlands would require the construction of a compensatory wetland resource area.

Iriwin Jacques of 7 Ashton Lane inquired as to impacts to wetlands if flow was diverted. Mr Piermarini noted that the flows were diverted to the detention basins to prevent that issue from occurring. He noted that they wre designed to accommodate the 100 year flood event. Mr. Jacques asked who from the town polices the drainage system after construction to ensure that the area is maintained as agreed? Mr. Marro noted it was his responsibility as prescribed by the conservation commission under it's by-law and regulation.

Helen Busby of 41 Redstone Hill Road inquired if the third septic system by the basin would affect the basin. Mr. Curtin replied likely no but that would be taken up by the title V inspection and BOH hearing.

Dennis Kramer of 6 Ashton Lane Inquired how are septs built to protect wetlands. Mr. Marro explained the presumption following local BOH approval.

Mr. Mosley inquired about a planting plan. The applicant then reviewed the detail page showing the landscape plan.

Claire Fisher of 49 Redstone Hill inquired about planting trees along her border. Mr Simpson noted that address her issue and MRs Busby's previously expressed planting issues (how extensive or far do the plantings go) at the Planning Board meeting. Mr. Pineo noted that there was previous clearing on the site and a good portion is now field.

At this pont the hearing was closed at 9 PM and :

Mr. Curtin motioned for a standard Order of Conditions with the basin at the south end (3) be corrected on the pans with a drawn grading extension or swale addition.

Mr. Mosley Seconded and the Commission voted unanimously to approve the motion.

Meeting adjourned at 9:20 by motion of Mr Curtin and second by Mr. Michalak