

RECEIVED

MAY 28 2014

TOWN OF STERLING
TOWN CLERK

Present: Chair Roberti, Vice Chair Pineo, Mr Curtin, Mr. Mosley, Mr. Michalak, Mr. Pavlowich, Mr. Marro (Field Agent)

MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING- April 15, 2014
BUTTERICK BUILDING- ROOM 207 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. New Business

3.1 Hardscrabble Road..easement – Mr. Marro noted to the Commission that Whitman and Bingham Associates are currently drawing the easement to the open space on the plan with their recertification. Chairman Roberti outlined the meeting with Mr. Ritter she and Mr. Marro had and relayed the idea of the commission approving retaining some of the proceeds from the sales to place in an account to be used for trails maintenance. Mr. Pineo noted that there is an existing path through the property by existing barn that we should add for the purposes of a pass and re-pass for harvesting timber. The Commission noted that the path in the center should be included and surveyed on the plan.

4. Old Business

4.1 Follow up on all warrant articles from town meeting: prior CR from Grant for Overlook Property. Robert Sherburne, who is in charge of the Rittenhouse estate came to the Commission to inquire if the condemned barn subject to the CR was torn down if a house could be built on it. After reviewing the CR, it was determined that it was prohibited. He did note that the current tenant/operator of the Orchard wishes to purchase the Orchard Land. Mr. Marro and the Commission said it may be possible but the parties have to approach DCS to determine if any steps other than a simple assumption of the CR would be possible by a conventional purchase.

5. Enforcement

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Upcoming items/report – Flooding and erosion inspections.- Mr. Marro noted that

despite the flooding rains, there were no outstanding flooding issues that caused a problem within town limits.

Hearings

8:00 PM : Pursuant to MGL ch 131 s 40 as amended there will be a public hearing on a notice of intent for Clinton savings bank for the construction of a septic system on 29 East Park Road within the 100 foot buffer zone.

NOTE: Mr. Pineo recused from hearing for a potential conflict of interest.

Mark Farrell of Greenhill Engineering appeared and noted that the bank had foreclosed on the property and that there was a failed system. He outlined the proposed construction which would consist of new sand laid on the property and a new system. He noted the location of the wetland resource area and the relationship of the system to the wetland with respect to distance.

The Commission examined the plan to ensure there was no potential alternative location and did not find any. Mr. Marro informed and advised the applicant as to the particulars of the Sterling Board of Health By-Law and that the applicant should go to them to determine compliance with the by-laws regarding the replacement construction.

Mr. Michalak examined the proposed erosion protection and found it satisfactory. Mr. Michalak moved to issue an Order of Conditions according to the details listed on the notice of intent. No additional conditions. Mr. Curtin seconded and the Commission voted 5-0 with Mr. Pineo abstaining.

8:10 PM : Pursuant to MGL ch 131 s 40 as amended there will be a public meeting on a request for a determination by Aimee Jacques of 7 Ashton Lane for general landscape activities and a shed within the 100 foot buffer zone of an intermittent stream.

Aimee Jacques appeared to represent herself. She outlined the work in question. Mr. Curtin moved to issue a negative determination, Mr. Pineo seconded and the commission voted unanimously. Note: the garage on the list of work was not approved under this determination and would have a separate file. This was based on an amendment to the motion by Mr. Pavlowich and a second by Mr. Pineo