



MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING- June 3, 2014
BUTTERICK BUILDING- ROOM 207 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting -

3. New Business

3.1 Spraying for poison ivy on conservation land. Mr. Marro requested the commissions permission to allow spraying the trails for poison ivy as allowed by the management plan. The Commission had no issue as long as it was a licensed person.

4. Old Business

4.1 Follow up on all warrant articles from town meeting-

Chair Roberti presented the Commission with a proposed weed treatment for clasp weed. After consideration, the commission decided that the treatment was a part of the management plan currently approved.

4.2 Signatures on prior hearings

5. Enforcement

5.1 Heather Lane – Mr. Marro noted that there is no current issue on the property.

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Upcoming items/report – Items for the next meeting.

7.2 Agents Determination – Hautenimi for tree removal –Mr. Hautenimi explained that he will be removing three trees within the buffer zone. Mr. Marro noted that the amount of trees in the buffer zone will meet the requirements T1, T2 T3 D1 D2 and D3 has been ratified as noted on the plan.

7.2 Pine view Road Mr. Marro presented the commission with his findings and noted that the current by-law gives the commission no authority. He also noted that there is a drainage issue coming from the tow above lots on Osgood Road. It was decided Mr. Marro will take care of mailing the home owners to try to work a solution out cooperatively.

2
Hearings

7: 45 P.M.:

Pursuant to MGL ch 131 s 40 as amended there will be a public meeting on a Request for a Determination of Applicability by James F. Gettens to determine if an area at 43 Redstone and 41 Redstone Hill Road is an area subject to the wetlands protection act.

Mr. Gettens was present to represent himself. He had reviewed DEP criteria on DEP mapping activities of sensitive resource areas. He noted the watershed of this site goes to the Stillwater River and that is a cold water fishery. Mr. Gettens spoke about the presence of ephemeral streams and how they are protected under law. Mr. Gettens noted that the watershed runs off into the south branch of the weekepeeke brook. On May 14, the owner of 19 Redstone Hill Road that water runs down the entire visible channel and the upper portion of 41 Redstone Hill Road the area becomes mucky. He disputed the conclusion that the area was a dug ditch. He cited 310 CMR 10.00 making a legal distinction of a river and a stream. He felt that there was some intermittent flow. The drainage channel from 41 Redstone Hill was photographed and runs into a culvert into the woods. He feels the water cuts a bank.

The Commission wanted time to review the literature and with agreement of the applicant continued the meeting to June 17, 2014 at 7:45 PM Mr. Curtin moved to allow a maximum of an 800 dollar expense to allow a third party consultant to review the area and the file. Mr. Marro is to speak to town admin to see if the town would fund it.

8:00 PM : CONTINUED PUBLIC HEARING

Pursuant to MGL ch 131 s 40 as amended there will be a public hearing on a Notice of Intent by James Farnsworth for the demolition of an existing single family home at 79 Lakeshore Drive with a rebuilding of a new single family home and the construction of a retaining wall within the 100 year flood plain, the 100 foot buffer zone and land under water

Greg Roy from Ducharme and Dillis noted the issues identified in the site inspection and the areas identified for erosion control. Mr Mickalak moved to approve approval with the striking of the retaining wall and any land dated under water dated June 2 on the plans. Mr. Mosely seconded and the commission voted unanimously.