

Attending : Chair Roberti, Mr. Curtin, Mr. Pavlowich, Mr. Michalak, Ms. Valentine

MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING- January 15, 2013
BUTTERICK BUILDING- ROOM 209 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. New Business

3.1 presentation of minor change to plan for Wiles Road Solar Field

Jamie Rheault from Whitman and Bingham Associates was present on behalf of the owner and presented the commission with a small change in landscape design and fencing on the original plans. Mr. Marro gave the opinion that the plan change was too small to require an amended OOC.

Mr. Michalak moved to approve at as a filed change with a show on the as built. Mr. Curtin seconded and the commission voted unanimously.

4. Old Business

4.1 Follow up on all warrant articles from town meeting

5. Enforcement

5.1 Chad Lane – Jamie Rheault showed a revised plan showing a stone swale now piping to a 12 inch line. The Clean outs were recommended by the engineer to be approved by the commission. The current issue is if DPW was going to work in Lesley Lane.

Mr. Curtin noted DPW concerns with the plans. The DPW requested calculations to show the drain can handle the flow. Mr. Pavlowich noted that the design current should place no further stress on the Lesley Lane system.

The Commission requested the note on the original plan be removed and resubmitted to the DPW. The Commission is also awaiting on Mr. Santoro's permission. Mr. Pavlowich is going to review the original drainage calcs in working with the DPW on implementation details.

The Commission approved the plans with the 12 inch with the condition of obtaining the necessary abutter easements and DPW approval and Mr. Pavlowich's cursory review of the Lesley Lane original Drainage Calcs by motion from MR. Curtin and a second by Mr. Michalak and a unanimous vote by the commission

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Storm water updates – Mr. Marro noted he is preparing springtime reports with DPW

7.2 Budget update - Mr. Marro noted the budget was timely submitted and he is working on it with the accounting office

7.3 Appeal Status 59 Lakeshore Drive - Mr. Marro noted the superseding OOC was not appealed and is now final

The meeting adjourned at 8:15 PM

MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING- March 5, 2013
BUTTERICK BUILDING- ROOM 209 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. New Business

3.1 Budget Meeting Update – Mr. Marro reported all went well at last Saturdays FIN COM meeting. He presented a level funded budget and explained that the receipts account and the trust fund cannot be used as a total substitute but we use it to keep general fund expenses to a minimum and noted uses benefiting the town like the common copy center expenses, the file cabinets and the land purchase on Chace Road.

3.2 Presentation by Gary Howland - Mr Howland presented to the commission an opportunity to participate in breakfast style meetings for the purposes of networking and outlining the advantages of such. He outlined that the events would take place in different towns and the town volunteering would get to pick the topic.

4. Old Business

4.1 Follow up on all warrant articles from town meeting . Chair Roberti noted a report by Lycott environmental for testing of the east lake for watershed/storm water impacts. The report has been entered into the file. Ms. Valentine motioned to approve the latest report and formally enact the plans using the 5000 dollars in reserve approved prior at town meeting with Lycott invoicing the Commission. Mr. Michalak seconded and the commission voted unanimously.

5. Enforcement

5.1 Chad Lane- there has been no easement updates by either party.

6. Certificate of Compliance

7. Agents report to the Commission:

2

7.1 Storm water updates –Mr. Marro reported that he will be attending the multi town meeting for the CIC grant and is working with DPW and BOS for regional storm water approaches.

7.2 Mr. Marro noted on Monday March 4, 2013 he submitted the annual report that is due Friday March 8, 2013.

MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING- March 19, 2013
BUTTERICK BUILDING- Selectmen's Meeting Room- 6:30 PM

1 Old Business

2 New Business :

Presentation/joint regional meeting with the Weekepeeke Task regarding the Weekepeeke initiative – progress.

The Conservation Commission attended the meeting headed by Joe Rodgers. He presented a grant opportunity that would do some restorative work on the Weekepeeke stream on Heywood Road,

The Commission voted unanimously to be a coapplicant and help with a Notice of Intent Filing as co applicant by a motion by Mr. Mosley and a Second by Chair Roberti

minutes
STERLING CONSERVATION COMMISSION
REGULAR MEETING- April 16, 2013
BUTTERICK BUILDING- ROOM 209 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. New Business

4. Old Business

4.1 Follow up on all warrant articles from town meeting. Mr. Marro reported that he intends to speak at the town meeting to present explanations of commission articles at town meeting he reviewed the copper sulfate treatment with the commission.

4.2 Weekepeke Grant Follow up- emails from the email chain Mr. Marro noted that it appears that the college students are officially line up for the planning that needs to be done.

5. Enforcement

6. Certificate of Compliance

7. Agents report to the Commission: Mr. Marro noted that the CIC contract is going to be finalized and explained the benefits and databasing available as well as the equipmernt that the Town will be receiving to help us with the up coming NPDES storm water permit requiring on site testing and mapping of outfalls.

Attending: Chair Roberti, Ms. Valentine, Mr. Mosley, Mr Curtin, Vice Chair Pineo

In attendance : Chair Roberti, Mr. Mosley , Mr Curtin, Mr. Pavlowich, Mr. Michalak

MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING- May 7, 2013
BUTTERICK BUILDING- ROOM 209 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. New Business

3.1 Emergency Cert for Pandolph Perkins Jewett Road (allowed on agenda as add on due to emergency situation declared by)

4. Old Business

4.1 Follow up on all warrant articles from town meeting – the article for allowing the flexibility of the use of copper sulfate as an alternative to alum. Mr. Marro has had his name added to the list of speakers.

4.2 Weekepeke Grant Follow up – Mr. Marro has requested information on the next work session by Joe Rogers

5. Enforcement

5.1 Continuation , Chad Lane – the Conservation Commission due to a no show by the parties requested Mr. Marro speak with Town Counsel about pursuing action in court and to issue an enforcement letter by vote of the Commission moved by Mr. Curtin, seconded by Mr Mosley and voted unanimously.

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Annual Storm water report to EPA

Mr. Marro reported that the DPW had submitted the annual EPA storm water report on time. It was well done with one clarification that it was Conservation that had authored and had approved the Storm water by law and regulations and not the planning board. Progress will continue over the course of the next year with the CIC project implementation commencing the first of July.

MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING- June 4, 2013
BUTTERICK BUILDING- ROOM 209 7:30 PM

1. Meeting Notices and communications.

1.1 Public Communications - Mr. Marro distributed

1.2 Interdepartmental Communications – Mr. Marro Distributed.

2. Minutes from the previous meeting

3. New Business

4. Old Business

4.1 Follow up on all warrant articles from town meeting

4.2 Weekepeke Grant Follow-up The Committee will be meeting in Clinton on June 25 at 6:3 PM

5. Enforcement

5.1 Continuation , Chad Lane... Chariman Roberti explained the commissions postion. Mr. Curtin noted he went to a DPW Board meeting and as a result Commissioner Pavlowich performed a drainage calculation. There was still confusion as to the plan proposed. Mr. Rheault noted the issue is that the DPW proposed Mr. Corrinee not put a 12 inch line into a six inch line and wanted him to replace the entire 12 inch line in Lesley Lane. Chair Roberti read the letter from the DPW . The Commission requested that they be placed on the June 25, 2013 agenda. Mr. Marro emailed Mr Tuttle the request during the meeting.

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Agents Determination, Steve Hoffmann 113 Flannagan Hill Road, Shed...

Mr. Marro explained the project to the Commission. The Commission approved the agent's determination by motion of Mr. Curtin, a second by Mr. Michalak and a unanimous vote to approve.

7.2 Computer use policy update- Mr Marro distributed to the Commission

7.3 Personnel By-Law/policies – Mr Marro distributed to the commission

THE MEETING ADJOURNED AT 8:30 PM

In attendance: Chair Roberti, Mr. Curtin, Mr. Michalak, Mr. Mosley, Ms. Valentine, Mr. Marro (agent)

minutes
STERLING CONSERVATION COMMISSION
REGULAR MEETING- July 16, 2013
BUTTERICK BUILDING- ROOM 207 7:30 PM

1. Meeting Notices and communications.

1.1 Public Communications

1.2 Interdepartmental Communications

2. Minutes from the previous meeting

3. New Business

4. Old Business

4.1 Follow up on all warrant articles from town meeting

4.2 Weekepeke Grant Follow-up – Joe Rogers was present to show the commission progress prints and to ask about filing the Notice of Intent. Mr. Marro indicated he would generate an abutters list and a public notification form for an abutters notice. This would complete the information required and then the NOI could be filed

5. Enforcement

5.1 Continuation , Chad Lane – Mr Corrinee did not show to this meeting as he was out of town. The Commission moved to email Mr,. Corinne under a warning of further enforcement if he did not show to the next meeting

6. Certificate of Compliance

6.1 295-239 lot 6 Tara Lane Mr. Marro recommended that the Certificate be issued as there was an as-built filed. Mr. Pineo moved to issue Mr. Michalak seconded and the Commission voted unanimously

6.2 solar field wiles road - Mr. Marro recommended that the Certificate be issued as there was an as-built filed. Mr. Michalak moved to issue Mr. Curtin seconded and the Commission voted unanimously

7. Agents report to the Commission:

7.1 Agents Determination, Tim Bodine 24 Squareshire Road Tree removal – Mr Marro

noted that there were five dead trees in the buffer zone that needed removal that he considered non impacting. The Commission approved the Determination unanimously by a motion by Mr. Pineo and a second by Mr. Mosely.

Public Hearings/Meetings

7:35 PM : Request for a Determination 150 Clinton Road for the certification of a wetland line. Mr. Marro noted that he had reviewed the wetland line by the rail lines at the property in question. The Conservation Commission voted to approved the wetland boundary by a unanimous vote on a motion by Mr. Pineo and a second by Mr Michalak

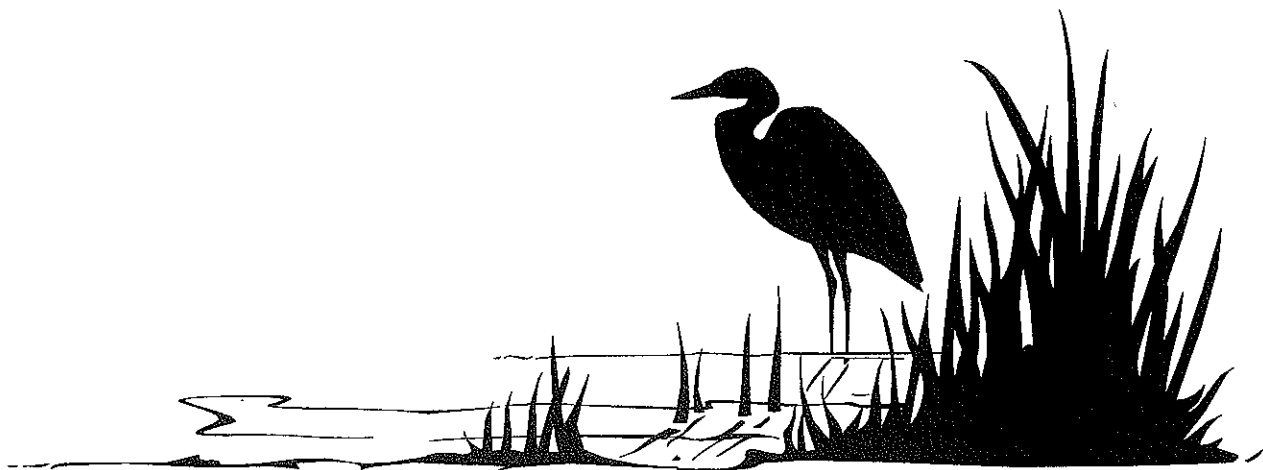
7:45 PM ; Notice of Intent for the Installation of a Natural Gas line by EH Perkins at Jewett Road Mr. Curtin recused Himself. Margaret Washburn Consultant for the applicant presented the project which involved the installation of a gas line within the road outline of a culvert. There would be some minor work within the adjacent wetland crossing under it but the wetland would be replaced on top. Mr. Marro noted that the applicant needs to file with DCR to formalize the exemption. The applicant agreed.

The Commission approved an Order of Conditions with Mr Michalak making the motion with Mr. Pineo seconding.

8:00 PM : Notice of Intent for a septic system upgrade by Matthew Drealus at 21 Newall Hill Road.

Green hill engineering was present and showed the Commission a septic system with some piping and grading in the buffer Zone. There was no potion of the Leach field within the buffer zone. Mr. Marro recommend that the Commission approved with the added Condition that the Board of Health approval be entered into the file.

Mr. Pineo moved to approve with Mr. Mosley seconding and the Commission voted unanimously



Minutes august 6, 2013
STERLING CONSERVATION COMMISSION
REGULAR MEETING- August 6, 2013
BUTTERICK BUILDING- ROOM 207 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. New Business

3.1 Osgood road..open space issue – Mr. Marro reported that he had a phone call of a resident that was concerned about open space her father donated and there appears to be intrusion into the border of the land by abutters. He noted the caller did not identify the parcel or who the identity was.

4. Old Business

4.1 Follow up on all warrant articles from town meeting

5. Enforcement

5.1 Chad Lane- Mr. Marro read the email from Mr. Corrinee's representative. Mr Pineo feels the system should be closed off as it is in total failure. Mr. Michalak and Chair Roberti recounted history of the actions with DPW. The Conservation Commission is requesting to send a letter ordering that the connection be done by September 30, 2013 with the oversight of DPW during construction. Failure to respond will result in further legal action.

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Agents determination 55 Lakeshore Drive – Mr Marro noted that based on a site visit the owner is replacing small stone in a patio area with slate and as it is greater than 50 feet from the lake it is considered exempt under the act. The Commission requested that Mr. Marro send out a letter to owner concerning the swale and that the swale is not to be blocked at the berm.

7.2 105 Princeton Road – Mr. Marro noted that the owner hand removed a collapsed culvert for access to the priority and needs to reinstall a new one.

7.3 Off Upper North Row Vincent Campobasso . Mr Marro noted two trees that need to be removed.

Hearings

7: 40 PM : Pursuant to MGL ch 131 s 40 as amended there will be a public hearing on a Notice of Intent filed by the Sterling Conservation Commission and trout unlimited for the restoration of a cold water fishery off 49 Heywood Road.

Joe Rodgers represented the applicant and outlined the stream restoration project that has been in the works with the town this past year. The Commission had no questions.

Joe Curtin moved to Issue Order of Conditions. Mr. Michalak seconded and the Commission voted unanimously.

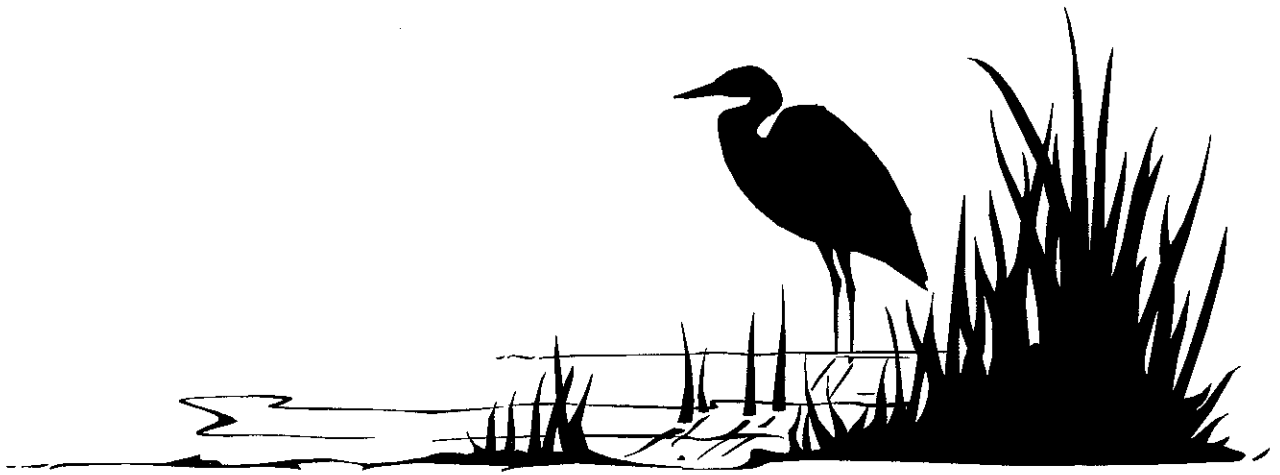
7:50 PM : Pursuant to MGL ch 131 s 40 as amended there will be a public meeting on a request for a determination of applicability for **87 Newell Hill Road, Map 127 Lot 4, Project is to construct and add a garage, utility room and enclosed porch.**

Gary Griffin represented himself and outlined the request he filed with the Commission and the past history of the lot. The Commission had no questions and did not see and issue with giving a negative determination with a condition that erosion protection be added. Mr Curtin moved to issue a negative determination with the erosion protection condition. MS. Valentine seconded. The Commission voted unanimously.

8:00 PM : Pursuant to MGL ch 131 s 40 as amended there will be a public meeting on a request for a determination of applicability for **11 Runaway Brook Road, Map 132 Lot 14 and 15, Project is to construct a driveway and UG utilities, with all work downgrade from the delineated and mapped wetlands, (at a distance of 30'-80')**

Gary Griffin appeared before the Commission and explained the past history of the lot and the entire subdivision on the construction. Chairman Roberti examined the grading and elevation of the abutting areas. Mr. Curtin asked why the applicant couldn't come in with the Notice of Intent for the house and the driveway. Mr. Griffin explained that he desires to construct the driveway now and that the lot will be built by someone else. He is not sure if he would be able to sell a lot within a time period for an Order of Conditions. Ms. Valentine wanted to know if the activity occurred on both lots. Mr Griffin clarified the access areas allotted the two adjoining lots. Ms. Roberti noted the driveway was reduced from 400 to 150 feet long.

Mr. Curtin moved to issue a negative determination based on submitted supporting documents. Mr. Michalak seconded and the Commission voted unanimously.



minutes
STERLING CONSERVATION COMMISSION
REGULAR MEETING- August 20, 2013
BUTTERICK BUILDING- ROOM 207 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. New Business

3.1 Osgood road..open space issue Mr. Marro noted that a concerned resident called about a 35 acre of open space that her mother had donated and was concerned that there was intrusion as of minor vegetation clearing and some yard waste dumping on the outskirts.

The Commission asked Mr. Marro to investigate to determine who the culprit was and send out the appropriate cease and desist documentation.

4. Old Business

4.1 Follow up on all warrant articles from town meeting

4.2 Signatures on forms from previous meeting- The Conservation Commission signed the forms that they had approved from, the last meeting for issuance.

5. Enforcement

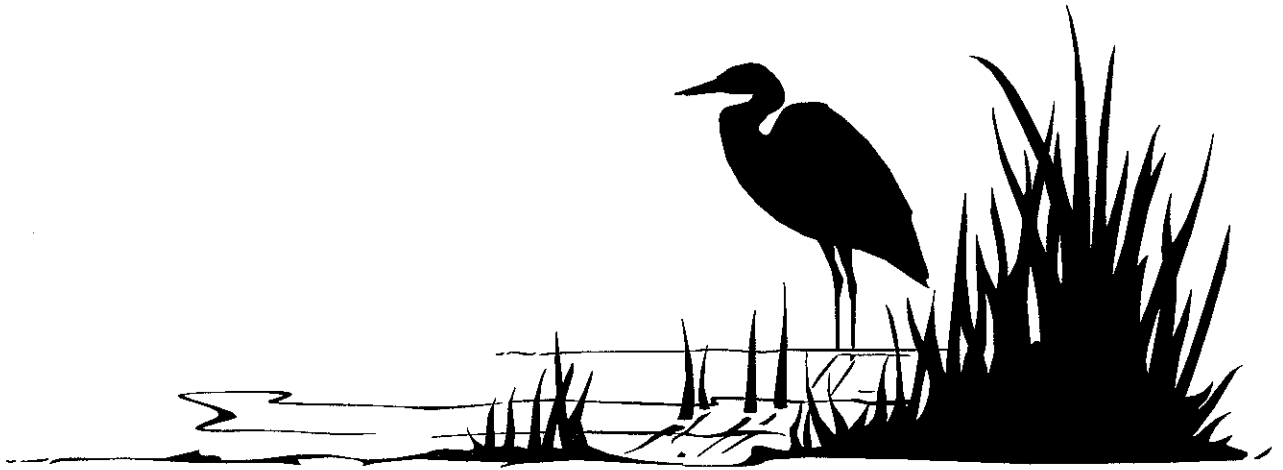
5.1 Chad Lane Carl Corrine appeared to the Commission and recapped the events of the DPW meeting and he met with Mr. Aubin on Saturday and determined any country drainage would not work. Mr. Aubin (who is with the DPW board) made a suggestion of creating an open swale behind some of the existing homes as there is almost a natural swale there to redirect the flow and Carl Corrine is looking into who owns the property.

It was also noted that there was a six inch drain behind the Dolan house that he may be able to connect into. They requested that Mr. Marro email DPW to have a joint meeting with Town Counsel attend to aid in discussion of any liability issues.

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Agents determination 150 Clinton Road- Mr. Marro noted that the Owners of Clinton Road will be performing tree clearing activities in the buffer zone to the right of the building in order to facilitate the filing of the Notice of Intent that should be happening imminently. The purpose is to help delineate country drainage that is currently on site that will be eventually modified to handle storm water management. The area is separated physically by the train tracks and will not be touched.



MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING-Sept 17, 2013
BUTTERICK BUILDING- ROOM 207 7:30 PM

1. Meeting Notices and communications.
2. Minutes from the previous meeting
3. New Business
4. Old Business
 - 4.1 Follow up on all warrant articles from town meeting
5. Enforcement
 - 5.1 Chad Lane Joint meeting with members of Sterling DPW Board

Mr. Curtin reviewed the situation with Stanley Weinberg (Town Counsel). Mr. Marro reviewed why the Commission has jurisdiction based on it's by-law. Mr. Curtin noted that the original designer was Bill Hannigan and did the modification although Whitman and Bingham Associates is now representing Carl Corrinee. Mr. Curtin reviewed what could be done to remediate the problem however they needed DPW approval as well as Conservation. Chair Roberti wanted to ask Town Counsel what authority the Conservation Commission has to enforce this issue.

Mr. Pineo noted that there is still construction ongoing and wanted to condemn the drainage system. However there is still room although there is two lots available that could allow an additional basin to alleviate the drainage system. Town Counsel examined with the Commission what the costs to the subdivision would be if any. It was estimated by the Commission that there was enough houses sold that would offset costs. Mr. Pavolwich stated that we simply need a direction in order to give permission properly to what he needs to do. Town Counsel agreed that he would need a performance bond if he was to open Lesley Lane.

Mr. Marro noted the memo by DPW stating that a 12 inch line previously reviewed by Mr Pavlowich would be allowed with a road opening permit If Mr. Corrinee performed the work. It was also noted that a member of the DPW Board has toured the area.

Bill Tuttle noted that the DPW will not agree to spend any taxpayer dollars and it is the developers costs. The DPW agrees that the 12 inch line will be acceptable. It was noted by the Commission there may be a bond on Chad Lane but it does not include the actual storm water detention system. Town Counsel is of the opinion the planning board bond cannot be applied to this issue. Mr. Pineo inquired what authority the commission has to enforce to stop any further permits for houses to be issued.

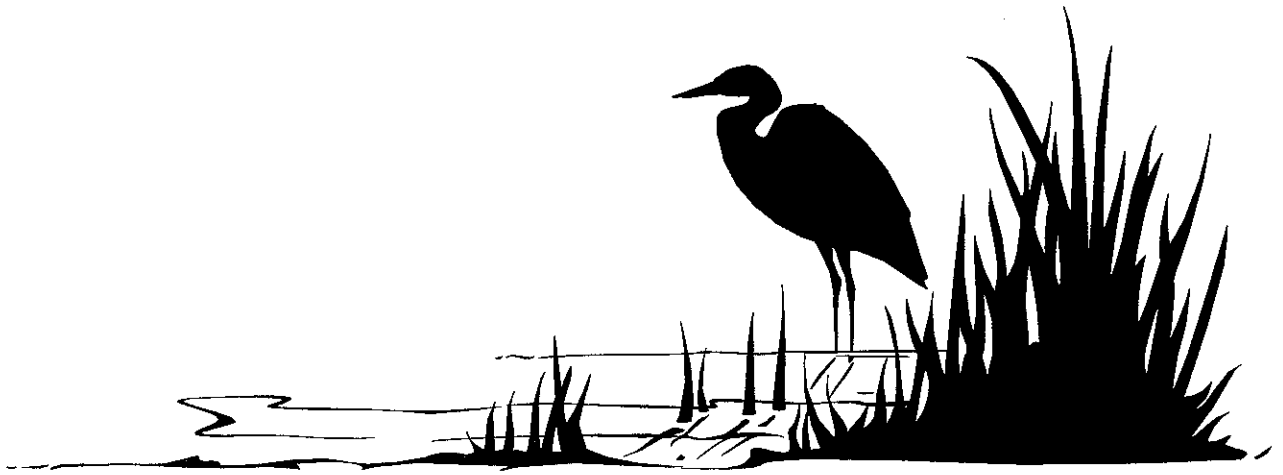
Town Counsel is going to determine what venues of enforcement the Commission can pursue including, but not limited to, the halting of building permits on the remaining lots.

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Progress on updates to the Wetland Protection Act Regulations Mr. Marro noted that revised regulations are due to come out anytime now through spring.

7.2 Upcoming items for next meeting. Mr. Marro noted that there are two Notices and a request for next meeting.



MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING-October 1, 2013
BUTTERICK BUILDING- ROOM 207 7:30 PM

1. Meeting Notices and communications.
2. Minutes from the previous meeting
3. New Business
4. Old Business
 - 4.1 Follow up on all warrant articles from town meeting
5. Enforcement

5.1 Chad Lane - Mr Corrinee was represented by Mr. Brian Foley, ESQ. He noted the amounts of time that has been spent on the projects and noted that there appears to be discrepancies and desired to abide by the cease and desist order and wants to bring clarity into the meeting. He noted the response from the DPW Board and noted its not specific on where to tie it in.

Mr. Foley offered to offer some solutions. One was to run a line down to the detention basin in Lesley Lane. It would require a release from the Con Com, a release from Mr. Santoro and the DPW allowing the tie in. The other idea was to attempt to place a forebay in the detention basin and it would allow for greater control and a more controlled exit.

Mr. Corrinee clarified that the basin in Lesley Lane was actually the country Swale which was reviewed when he toured with Greg Aubin. Chair Pineo inquired what would be the best process to Mr Rheault. Mr. Rheault suggested submitting concurrently. Mr. Rheault noted that the liability issue was with the fact Lesley Lane was riddled with issues.

Mr. Curtin noted that at the last meeting, Bill Tuttle from DPW noted that only a road opening permit was needed. Mr. Rheault noted that there are still issues and the road appears to be failing and Mr. Corrinee could be exposed to fixing issues he did not create.

Mr. Foley noted that going into the shoulder and not the road would be called for.

The Commission examined a plan that was presented showing Lesley Lane exactly where the work was being proposed. Mr. Pavlowich noted the calculations showed the basins will be fine. Mr. Corrinee expressed a concern that if the basin, which has standing water in it shows that it is short circuiting, overflows then he doesn't want to be held liable.

Mr Rheault noted that in concept, connecting a 12 inch into the catch basin has been approved by both boards. It should be memorialized. Mr. Mosley moved to approve the running of a 12 inch line from the spreader bar to the catch basin in Lesley Lane pending the solution be memorialized on a plan to be presented by the Commission's next meeting in two weeks. Mr. Curtin seconded and the Commission voted unanimously.

Mr Michalak noted that he was against the idea of allowing further work as that parcel may be the only land left to contain the remainder of water on the site.

Mr. Foley noted the commission could life the cease and desist for that one lot and allow it to continue. Mr. Pineo inquired if the board allowed work to continue on the foundation then it could be allowed to continue. Mr Curtin noted that he is not opposed as the project should be approved.

John Santoro expressed opposition to allowing lot 6 to be released as he feels it is the Commission's only release.

Mr Foley noted that there will be a third party performing the remedial work on the storm water and there should be no delays.

Mr Pavlowich asked if he starts the foundation would there be any further progress other than the foundation. Mr. Foley noted that building inspector would be looking for guidance on the building permit. Mr. Rheault noted the Building Inspector would not allow any further permits issues. Mr. Corrine stated he wants to finish the foundation and close the hole.

Chair Pineo noted that the building inspector originally was not going to issue any permits but changed positions and allowed the foundation. He noted that worst case a foundation could be ripped out.

Mr Foley noted that the concrete walls should be done and it would be done at the builders risk. He noted both a safety issue and a potential erosion hazard. Mr. Curtin asked where was the progress on the easement. Mr. Santoro noted that he has not been told anything on an easement.

Mr Curtin noted that the plan that's been examined repeatedly as to where it was going and it was not changed. Mr. Foley has been approved by his client to write an easement.. Mr Corrine noted that the easement he is allowed by right if DPW grants permission and that there is just one triangle that he needs the easement on from Mr. Santoro needs. Mr. Santoro noted he needed the areas marked because he does not know where the easement is and who is responsible when he signs off.

Mr. Rheault noted that the line can be staked out and it can be reviewed and walked and come out to some sort of agreement and that he proposed that the line be drawn and staked within the two week period. Mr. Foley noted he would draft the easement to the town as well and he would also send it to town Counsel for review. Mr Santoro noted again he wants to see it staked as the visual would allow him to make an informed decision. Mr Rheault asked all Mr. Corrine wants is to be able to finish the foundation and framing on the other house. Mr. Michalak wanted certification that the stone used is certified by an engineer as

double washed with no fine. Ms. Valentine wanted clarification that it was Mr. Foley was drafting all the documents. Mr. Foley clarified that yes he would and he would also send to town counsel. Ms. Valentine inquired as to who would be overseeing is and who would certify the as built. It was noted that Whitman and Bingham will check it and certify it for an as-built. Mr. Rheault also clarified that the pipe would be hard pipe. Mr Curtin moved to lift the cease and desist on the existing house and foundation permit for a two week window on the condition that the plan is submitted to the Conservation Commission and DPW and an easement submitted and the easement is staked out. Failure to meet these conditions would result in reinstatement of the Cease and Desist. Mr. Santoro requested the name of the contractor doing the work and to reconsider not allowing any work on lot 6. Mr. Michalak does not want the cease and desist lifted on lot 6 and proposed such as an amendment to the motion. Mr. Curtin was of the opinion he wanted the safety issues addressed. Mr. Santoro expressed the opinion there was no difference between the foundation hole and the detention basin. Mr. Michalak's amendment was not seconded. The original motion passed by a vote of 5-1 with Mr. Michalak dissenting (Chair Roberti was absent) Chair Pineo requested that Mr. Marro exclude any unnecessary items from the next agenda.

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Progress on updates to storm water regulations regarding fee structure – Mr. Marro is performing a study to update the fees for storm water permits as the existing structure needs refinement. He will present to the Commission at a November meeting.

7.2 Upcoming items for next meeting. Mr. Marro noted Chad Lane will be the only item on the agenda

HEARINGS:

7:35 PM : Pursuant to MGL ch 131 s 40 as amended there will be a public hearing on a notice of intent for the rebuilding and new septic of a single family home on 6 James Patten Road as filed by Steve LeBlanc- Mr. Michalak had to abstain as he is an abutter.

Rose Mary Richard represented the applicant. Mr. Marro explained the filing was for a rebuilding of an existing single family home within the buffer zone. He inspected the wetland resource area and noted that the project would not be within 50 feet of the wetland resource area.

Mr Curtin moved to issue the Order of Conditions as per submitted plan. Ms Valentine Seconded and the Commission voted unanimously.

7:45 PM : Pursuant to MGL ch 131 s 40 as amended there will be a public hearing on a request for determination of applicability by FISHCO for work within the riverfront resource area at 228 Leominster Road Mr. Michalak took over as acting chair as Mr. Pineo had to excuse himself from the meeting.

Anthony Cleaves oriented the Commission to the site and wetlands surrounding the area. Mr Cleaves was long to install a fire service and utilize the existing utilities. The fire service will be within the buffer zone and there will be a function hall not within any resource areas. Mr Cleaves noted the facility proposed would be actually smaller than what was existing. Mr. Pineo returned to the meeting and was apprised of the above items. Ms. Valentine inquired about the pond and the dam. Mr Cleaves noted that DCR office of dam safety had it inspected and vegetation management was called for. NHESP issued approval for the project to proceed as it had no impacts. It was noted the outfall was previously approved to be slipped lined. Mr Curtin moved to issue a negative determination as per presented plan to be revised only to clarify designations on parking. Ms Valentine Seconded

and the Commission voted unanimously.

7:55 PM : Pursuant to MGL ch 131 s 40 as amended there will be a public hearing on a Notice of Intent for the construction of a single family home by Curt Plante at lot 14 Sandy Hill Road.

Anthony Cleaves represented the applicant who filed a notice of intent for an order of conditions previously issued by the Commission. It was noted by Mr. Mosley that he is a resident of the subdivision and is going to recuse himself.

Mr. Cleaves explained the site and the orientation of the work to the wetland resource area. Mr. Plante explained that he is only clearing pine. The vote was 40 with Mr. Mosley recusing

Mr. Curtin moved to issue an Order of Conditions per plans with the addition of a permanent 25 foot no touch zone to the outlined vernal pool area. Mr. Pavlowich seconded and the Commission voted unanimously.

Conservation Committee minutes 10/17/2013

Cons comm attendees: Mike, Steve, Sue, Joe, David

Audience attendees: John santoro, carl Corrine, Jamie Rheault , attorney Brian Foley

Mr pineo opened the meeting at approximately 7:35

Jamie: DPW approved the drainage fix plan for chad lane in concept

Mike: we received email to that effect

Attorney: brought committee up to date on work done since last meeting

- Plan was drafted and approved
- Working with town counsel to draft releases, 99% there. Releases for liability of leslie lane retention pond for carl..town counsel would like to hear from dpw and cons comm
- 3 easements prepared, from dpw for leslie lane, santoro to carl and dpw to santoro; town counsel is reviewing
- Commented that there was an email circulating from teri ackerman to planning board regarding an outstanding invoice from Haley and Ward regarding chad lane. Wanted to have payment of the invoice rolled into this issue, Mike commented that this is a separate issue and is not germane to fixing the drainage issue and should be part of getting this done, Sue commented that Matt should tell Teri the invoice resolution is not part of this effort

John S : commented that he had not seen final versions and would have his counsel review. If everyone is good he is good

Steve: Review of agreement

- Paragraph 2, concerned that wording indicates that chad lane subdivision has been approved and accepted rather than the plans were approved by the planning board, attorney made wording changes that steve reviewed and seemed to be ok with
- Paragaraph 1, asked wording be cleaned up to show that it is approved and permitted by planning board, not accepted
- Paragraph 3, should read "not limited to"
- Paragraph 3, add that pipe goes through existing easement

John S: asked if we want to make a site visit, members of the committee stated they had seen the area with the proposed route of the pipe staked out

Sue. Asked if Jamie will oversee the project and approve, Jamie and attorney stated that hannigan will provide final certified as-built

David, asked about section 1.b, wanted to make sure this section did not impact the decision of the town as to acceptance or non-acceptance of chad lane, attorney stated it did not

David, asked attorney to lay out next steps, attorney stated:

- Cons comm approves the plan subject to releases being approved
- Final documents to john for review
- Get signatures
- Complete easements and get signatures and file
- Carl coordinate getting work done, mike stated he would like work done within 30 days, carl was a little hesitant given documents are not final and he cannot control weather, he stated getting this done was at the top of his list

Joe, noted there was no trench detail on the plan and it needed to indicate the use of washed stone per scott's comment at previous meeting

Attorney, updated general agreement and release with revisions per our meeting will be designated at version 3, also asked that our approval indicate the invoice issue is not included

Joe, moved we approve the agreement and release, version 3, exclude invoice issue

Steve, second

Motion passed unanimously

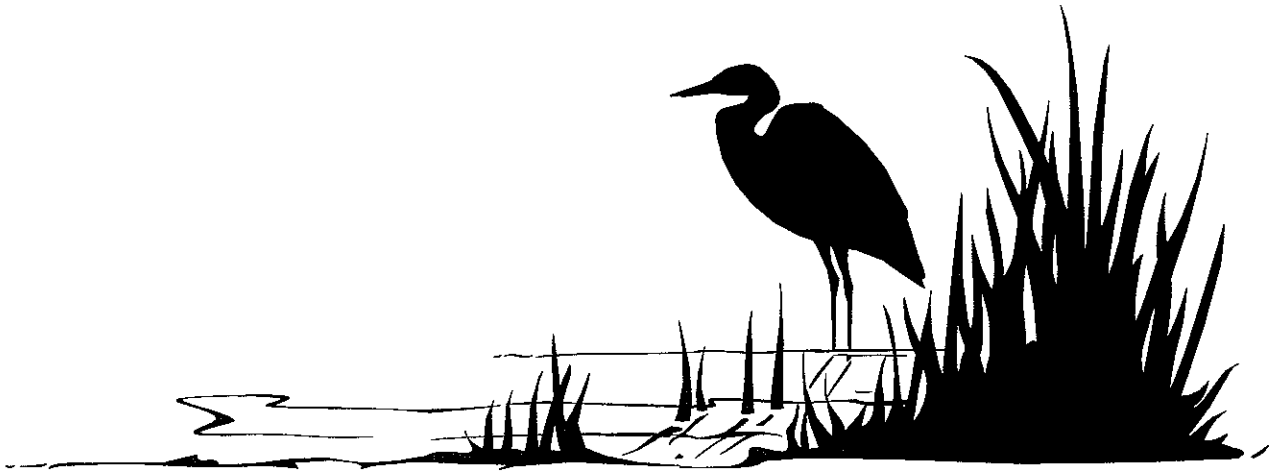
Carl, noted that the building inspector would not issue building permit for lot 8, asked that someone notify him that it was ok to issue

Joe, moved to release our request not to issue any new building permits for chad lane

David, second

Motion passed unanimously

Meeting adjourned



MINUTES
STERLING CONSERVATION COMMISSION
REGULAR MEETING- November 5, 2013
BUTTERICK BUILDING- ROOM 207 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. New Business

3.1 The Commission voted to approve the application for this years trail grant with assistance of the OSIC

4. Old Business

4.1 Follow up on all warrant articles from town meeting

4.2 Chase Road- The Commission voted to have Mr. Marro ask for reimbursement of our 10,000 dollar loan for the open space acquisition by a motion of Mr. Mosley and a second by Mr. Pineo.

4.3 Hardscrabble Road – Mr. Marro presented the plan previously done by this commission and noted that the purchase is complete and the BOS would like the commissions views as to how much of the land to sell and where the access easement should be located. Mr. Pineo suggested that we request the land be kept in agricultural and a fifty foot right of way with five parking spaces the agricultural operation could consist of harvesting a substantial deposit of gravel that could generate income to the town and create an agricultural area as well as the town not tearing down the home and allow the buyer to have an option. The Commission would want the lot squared off with that land going to the commission connecting it's open space. The Commission wants it's expenses reimbursed and to note that it wa part of Mr Gaylord's will that this be an agricultural area. It was also noted we can get extra commonwealth capital points for adding agriculture.

5. Enforcement

5.1 Chad Lane- Brian Foley was present representing Mr. Corrine. It was noted that the agreement was signed by the Commission and DPW, however the parties are awaiting for Mr. Santoro to sign his document. The Commission did note that they asked Mr. Santoro if he was going to sing the document at the last meeting and gave him an advanced copy of the document to review. Mr. Foley indicated a concern about the upcoming winter. He indicated

that he did attempt multiple contacts with Mr. Santoro.

Mr. Pavlowich noted that it would appear that our portion of the involvement is done as we have signed the agreement. Ms. Valentine noted that this was our final position. Chair Roberti noted that Mr. Santoro should be told that we are not going to revisit this issue at this point as we have proposed a final acceptable solution. The Chair noted that we should issue a letter to Mr. Santoro that we were expecting some kind of response from Mr. Santoro or his attorney and at this point we will not be re-visiting this issue as the final solution is approved by the commission and would note that there is no time limit on the agreement so please let the commission know if he achieves a final resolution. Mr. Curtin moved under the advice of town counsel we accept the agreement as is and move to tell Mr. Santoro that the issue will not be revisited at this point, the remainder of the agreement between Mr. Santoro and Mr. Corrinee will be between the two parties. Mr Pineo seconded and the Commission voted unanimously. ~~It was also noted we can get extra commonwealth capital points for adding agriculture.~~

6. Certificate of Compliance

7. Agents report to the Commission:

7.1 Storm water fee revision proposal : Note proposal is to change fee structure to 15 cents per sq foot of alteration... 10 cents for subdivisions.

The Commission after discussion voted to accept Mr. Marro's recommendation with limits of 3000 dollars for industrial/commercial development and 2500 dollars for subdivisions. By motion of Mr. Pineo an second by Ms valentine and a vote of five to one with MR Curtin voting No.