minutes

STERLING CONSERVATION COMMISSION

REGULAR MEETING- December 5, 2017

BUTTERICK BUILDING- ROOM 207 7:30 PM

In attendance: Chair Roberti, Vice chair Pineo ( 8:30 PM) , Mr. Michalak, Mr. Curtin, Mr Mosley.

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. New Business

4. Old Business

5. Enforcement –

5.1 Princeton Road- Demoranville - updates

6. Certificate of Compliance –

7. Agents report to the Commission:

***Continued Public hearings***

7: 45 PM Pursuant to MGL ch 131 s 40 as amended, the Sterling Conservation Commission will have public meeting on a request for a determination of applicability by Edward and Patricia Thomas / Andre and Maureen Brouillard. The Land owner intends to cut trees on the property for the purpose of fire wood for personal use. The land consists of Lots 1, 2 and 3 per a previous ANR plan. Per the Town of Sterling assessor’s office, the parcel ID for Lot 1 (3.64ac) is 129/41. Lot 2 (7.27ac) is 129/25 and Lot 3 (2.84ac) is 129/42. The owner intends to cut trees on Lot 1 in 2017, Lot 2 in 2018, and Lot 3 in 2019. Access to Lot 1 is provided through an access easement on Swett Hill Road where a BVW crossing will be required. Access to Lot 2 will be provided from an existing driveway and no buffer zone or BVW crossings will be required, , however portions of the lot are within the 100’ Buffer zone to a BVW. Access to Lot 3 will be provided from the lots frontage on North Cove Road. No BVW crossing will be required, however portions of the lot are within the 100’ Buffer zone to a BVW. Per 310 CMR 10.04(b)15.

Pursuant to MGL ch 131 s 40 as amended, the Sterling Conservation Commission will have a public meeting on a request for a determination of applicability by Jean McNally for the upgrade/repair of a septic system at 15 Hall Ave.

Steve Sears from David Ross and Associates appeared before the conservation commission and explained the upgrade and oriented the commission as to the location of the wetland. The Chair reviewed the procedures with Mr. Sears for filling the old tank. Tim Corbett of 75 Lakeshore inquired as to the size of the tank. He noted that the home has town water. He also noted the tightness of the site and lack of options. Mr. Michalak agreed with the assessment. Mr Curtin moved for a negative determination Mr. Michalak seconded and the commission voted unanimously to approve.

Pursuant to MGL ch 131 s 40 as amended, the Sterling Conservation Commission will have public meeting on a request for a Notice of Intent by Cloverdale Development and Investments for the reconstruction of a single family home within the buffer zone and river front. The original structure being previously damaged by fire.

Steve Sears represented the applicant. He oriented the commission to the project versus the wetland resource areas. Mr. Michalak examined the wetlands and waterways within the general vicinity and examined the status of the streams. Mr. Sears noted that the house will be essentially within the same foot print with the exception it might have a minor shape difference. Mr. Michalak moved for standard Order of Conditions based on submitted plans. Mr Curtin seconded and the commission voted unanimously.

***Public Hearings***

8:10 PM Pursuant to MGL ch 131 s 40 as amended, the Sterling Conservation Commission will have public meeting on a request for a determination of applicability by Andrea Dickhaut for 65 lakeshore Drive for grading and removal of a tree within the 100 foot buffer zone.

Andrea Dickhaut was present to represent herself. Chair Roberti spoke to the commission about the issues on the property and that the cut out for the new basement went into the buffer zone. The dirt was removed from the site and erosion protection was placed. The site was cleaned and the tree that needs removal is justified in her opinion. Mr Michalak moved for a negative determination. Mr. Curtin seconded and the commission voted unanimously.

8:20 PM Pursuant to MGL ch 131 s 40 as amended, the Sterling Conservation Commission will have public meeting on a request for a determination of applicability by Erik Jewett for tree removal for conversion of land to agriculture at 132 Chace Road. Work is within the buffer zone and the agriculture is for Bee Hives and Fruit trees.

Mr Jewett is proposing an agricultural conversion of a one half acre lot and agreed to plant Maple trees (6) within the 25 foot zone from the water’s edge.MR. Curtin moved to issue a negative based on the agreement. Mr. Mosley seconded and the commission voted unanimously.

8:30 PM Pursuant to MGL ch 131 s 40 as amended, the Sterling Conservation Commission will have public meeting on a Notice of Intent by James Innamorarti for the installation of a section of fence in the high water mark at 59 Lake Shore Drive.

NOTE CHAIR ROBERTI RECUSED from the meeting VICE CHAIR PINEO IS PRESIDING

Due to travel considerations, Mr. Innamorarti, was not present. The Commission had heard from the abutters Beauregard and Corbett. The concern was that the identified high water mark was in error. Mr Curtin after consideration made a motion to continue the meeting to have Mr. Marro research the high water mark. Mr Mosley seconded and the commission voted unanimously.

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