



Town of Sterling

Conservation Commission

Barbara Roberti, Chair

Matthew S. Marro, Field Agent

1 Park St, Butterick Municipal Bldg- Room 207.

Sterling Massachusetts 01564

Tel 978 422 8111 ext 2321

Email mmarro@stering-ma.gov

In attendance: Chair Roberti, Vice Chair Pineo, Mr Mosley, Mr Michalak, Ms. Valentine, Mr. Pavlowich.

minutes

STERLING CONSERVATION COMMISSION

REGULAR MEETING- November 27 2018

BUTTERICK BUILDING- Basement Level (B03) 7:30 PM

1. Meeting Notices and communications.

2. Minutes from the previous meeting

3. Old business- Follow-up Items from Warrant articles (If any)- Pertaining the an new upcoming grant application for the trail at Hall Ave, Ms. Valentine noted that the plans completed by the surveyor were a critical component. The survey, reviewed by the commission show some obstructions and a minor intrusion along the right of way (Jenkins Ave) and noted that Counsel for the Town of Sterling is currently working to address it.

4. New Business-

4.1 Fitch Pond CR- Consideration of a request for use of CR land on Fitch Pond- Marion Larson of the Sterling Land Trust appeared before the commission with a petition from a resident abutting Fitch Pond Conservation Area requesting the placement of a roadway and use of storage abutting his property. Ms. Larson noted the commission also holds the CR. She reviewed the CR and noted it was not compatible with the existing restriction. Mr Pineo reviewed the construct of the parcel with Jim French of the Sterling Land Trust. Chair Roberti noted it was her opinion that the CR did not allow for it. MS. Valentine expressed concern that an undesirable precedent would be set. Mr. Mosley moved to deny the request that was emailed in as it is not allowed under the CR. Mr Pineo Seconded and the commission voted unanimously.

4.2 Sterling Land Trust- permitting requirement discussion for stream crossing work on land trust open space.- Mr. Peder Pederson reviewed an handout with the commission showing a proposed crossing of the Weekepeeke brook on land trust land. After reviewing the scope it was decided by a motion of Mr. Mosley and a second by Mr. Pineo that a request for a determination can be filed with the condition that the crossing span the wetland and be pinned down with no foundational work.

4.3 Yearly Employee evaluation and goal discussion. The Commission completed the yearly review of Mr. Marro along with goals for the next year.

5. Enforcement- Investigation of overflow at Flanagan Hill Road – update – Mr. Marro updated the commission during the public hearing portion of 39 Flanagan Hill Road that obstructions found to be causing the flooding were removed

6. Certificates of Compliance/Extension permits – COC for 4 Jennifer Lane and 21 Sandy Ridge



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RD- The Certificates were signed and issued.

7 Agents Report

7.1 Erosion Control on Hall Ave- update- Mr. Marro noted that he is monitoring the erosion control the commission had set up and it is working well.

7.2 Forest Stewardship grant and Forest cutting scope of work (proposed) – Mr. Marro noted that he is expecting funding to come through for the stewardship planning for the town Hall open space lot. He and Gary Gouldrup are attending the Board of Selectmen meeting on December 12th to review all forestry activities.

7.3 Treasury Report – update- Mr. Marro will give the commission the pages from Fred Aponte's pdf reports showing expense tracking.

8. Adjourn

The meeting adjourned at 10:00 PM with a motion from Mr Pineo and a second by Mr. Michalak

PUBLIC HEARINGS

Documents for consideration were a Notice of Intent by Howard Hall with a storm water report and a plan by Land Tech entitled" Sterling Storage Solutions" Singed by Matthew Waterman with a final revision date of November 19, 2018.

7:40 PM : Pursuant to MGL ch 131 s 40 as amended, the Sterling Conservation Commission will have CONTINUED public meeting on a Notice of Intent by Howard Hall for a proposed Self Storage Facility with Parking and associated utilities. **This hearing also is held under local storm water by law for a storm water permit** at 150 Clinton Road

Mr Waterman updated the Conservation Commission on the progress and updates to the plans regarding the Planning Board, DEP and abutter concerns. He reviewed the site updates with the conservation commission. Mr. Pavlowich noted that there should be stone at the end of phase one to control erosion. Mr. Waterman noted drainage configuration alternatives that were considered.

Mr. Mosley moved to issue an Order of Conditions based on plans dated



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11/19/18 with the addition to the plans of stone at the end of phase one and a vegetation invasive plans added to the storm water manual. Mr Michalak seconded and the commission voted unanimously.

Documents for Consideration was a Notice of Intent by James Simpson, a Storm water report and a plan entitled “ Proposed Site Development Plan” signed by Brian Milisci with a final revision date of November 5, 2018.

7:50 PM : Pursuant to **Local Storm Water By-Law**, the Sterling Conservation Commission will have a CONTINUED public meeting on a **storm water permit** and a Notice of Intent request by James Simpson for the Construction of 18 Condominium Units at 39 Flanagan Hill Road

Chair Roberti cautioned that this meeting would not have the tone and tenor of the previous meeting or she would stop the hearing.

Wes Flis handed out report from Eco Tech. He reviewed the reports conclusions on the plan. He outlined the changes in the 100 versus 200 foot riparian zones based on the changes to the Riparian zones, modified by Eco Tech. Mr. Flis also handed out the revised riverfront impact numbers and reviewed them. He noted that the only impacts added were related to storm water control. The difference in river front impacts went from 6.5 to 6.7 percent. Ms. Valentine requested clarification on the flagging. Mr. Flis reviewed the October 29th report. It was noted that the only area that was demarcated was a survey shot of the high water mark. Mr. Flis noted the original shooting came between June 2017 and April 2018. Mr. Pavlowich noted that with the new flagging of the brook and the DPW letter the basins cant be moved out.

Jim Heinrich asked about changes in scope. Mr Marro noted that in a conversation with Mr. Curtin noted that the change in riverfront didn't need a revisit to the planning board.

Alton Stone reviewed the dates of the top of the bank and original line. He and Mr. Flis discussed the need for a revised alternatives analysis. The impacts to the total riverfront on the site and the impacts to the MESA area. Karen noted the heavy rain and does it impact wetland boundaries or the buffer zone. The flood plain was examined and noted that it was Mr. Pulda requested if impacts were listed on the river from the heat. It was noted that the 50 year storm is retained mitigating the heated water issue. Is the basin going to have a loom layer? Mr Simpson noted the CR on the property addresses any pesticide or insecticide issues. Mr. Flis noted that a loom and seed layer is called for in the specifications.



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Ms. Valentine expressed a concern that the area is sensitive and that the monitoring is being left up to the condo association. She wondered if the association performing self monitoring is appropriate and asked Mr. Simpson if there is a mechanism to ensure proper monitoring. Mr. Simpson noted that there was an association that assumes a fiduciary responsibility. Mr. Henrich expressed agreement with Ms. Valentine. Mr. Pavlowich also outline maintenance requirements of the storm water system.

Mr. Mosely moved for an Order of Conditions and storm water permit for 39 Flanagan hill Road plans revised 11/5/18 with NHESP standards included and an annual report for storm water. The Commission voted 5 to 1 with Ms. Valentine abstaining.

Note : all documents referred to during the course of this meeting are on file in the conservation commission office