



Hubbardston Massachusetts

Conservation Commission Meeting Minutes

Date: August 1, 2023

Location: 7 Main Street, Slade Building, Hubbardston, MA 01452

Members Present: Tony Coppola, Rich Clapham, Tom Larson, Bryan LaRochelle

Members Absent: Rick Green

Other Attendees: Seth Lajoie, Nick Calow, Mark Dymek, Mike Stoll, Donald Foster

Call to Order – 7:00 pm

In the absence of Chair Green, Tom Larson will fill in as acting Chair.

- 1) Minutes Approval – Motion to approve 7/11/2023 minutes as written, by Member Clapham, seconded by Member Coppola, unanimous approval.
- 2) Old Business
 - a. Member Coppola moves to continue the public hearing for two NOI applications at Parcel 3_1 (43 Birches Rd) and Parcel 3_43 (Lot A, Birches Road) to the September 5, 2023 meeting at 7:00 pm, at the applicant's request. Seconded by Member Clapham, unanimously approved.
 - b. Public Hearing Continued - The Hubbardston Conservation Commission continues a public hearing pursuant to M.G.L. Chapter 131, Section 40, the Wetlands Protection Act, reviewing a Notice of Intent for work to be performed in the buffer zone to a wetland resource area. The work involves construction of a driveway and new single-family home with septic system and well on Parcel 3_101 (7 Morgan Road).

Seth Lajoie presents for the applicant. Mr. Lajoie responds to concerns by Commission members about the location of wetlands at the rear of the lot, indicating that they are more than 100' away from the proposed area of disturbance. He suggests that erosion and sedimentation control in the form of straw wattles could be installed at the rear of the work area in order to address any concerns by the Commission. Member LaRochelle inquires where the extent of cutting would be at the rear of the lot. Mr. Lajoie indicates that the erosion control would be installed at the limit of disturbance, including any cutting. He has a laptop with him and volunteers to make the plan revisions on the spot.

On motion by Member Clapham, seconded by Member LaRochelle, the Commission votes unanimously to approve an Order of Conditions, including standard conditions applicable to new construction, in accordance with the revised plans submitted electronically by Mr. Lajoie.

3) New Business

- a. Public Hearing - The Hubbardston Conservation Commission will hold a public hearing pursuant to M.G.L. Chapter 131, Section 40, the Wetlands Protection Act, reviewing a Notice of Intent for fill and wetland replication work in a wetland resource area. The work involves construction of a new single-family home and driveway on Parcels 10_32 and 10_33, Worcester Road.

Member LaRochelle recuses himself from the hearing since his employer, Mass. DCR, is an abutting landowner.

Mark Dymek presents the application, but explains that the engineer, Mark Elbag, was unable to attend tonight's meeting. Acting Chair Larson inquires whether the locations of proposed house and septic system have been staked out yet. Mr. Dymek indicates that locations could be staked out by the following week if the Commission wishes to schedule a site visit, and he would like to continue the hearing to the September 5 meeting.

Clerk Kresge informs the Commission that DEP comments when issuing the file number for the NOI included reference to a requirement for a 401 water quality certification. There will be further discussions with Mr. Elbag before the next meeting to obtain any required submittals with regard to this certification.

Mike Stoll requests that the location of the parcel under discussion be pointed out. Mr. Dymek shows him the location of the two parcels on the Town assessor's maps.

The hearing is continued to the September 5 meeting at 7:00 p.m.

4) Matters not reasonably anticipated by the Chair

- a. Donald Foster presents a request for a Certificate of Compliance for work performed under DEP File #189-0315 at 142 New Westminster Rd. He provides the Commission with a stamped as-built plan from Mark Elbag, P.E. indicating that work was performed in accordance with the Order of Conditions issued by the Commission on 3/1/2022. Member Coppola recalls doing the original site walk at the property and is comfortable with the as-built plan. On a motion by Member Coppola, seconded by Member Clapham, the Certificate of Compliance is approved unanimously.

5) Administrative Matters

- a. Clerk Kresge provides an update on the proposal for a ConCom alternate member. Nate Boudreau asked for an opinion from Town Counsel, and received advice that an additional member would require an act of the State Legislature. Mike Stoll inquires whether the stringent requirement was due to the request for a voting member, versus a non-voting member. The Commission requests that the question be posed to Town Administrator again for a non-voting member.
- b. Clerk Kresge asks for opinions on the sample informational brochure that he had sent around for review. The Commission thinks it look useful and would like it posted to the Town website and hard copies provided to Town Clerk/Assessing department. Clerk Kresge will also mail a copy to the owners of Lot 72, off Selfridge Road.
- c. Member LaRochelle comments on the amount of useful information that is presented on the MACC website.

The meeting was adjourned at 7:35 pm.

Respectfully submitted,
Mark Kresge, Land Use Clerk