

Hubbardston Conservation Commission Minutes

September 2, 2015

Library Basement

Meeting called to order at 7:00 p.m. in the Hubbardston Library Conference Room located in the Library Basement.

Present: Steve Mossey, Tom Larson, Tony Coppola, Rick Green, Larry Therrien
Guests: Jennifer Howald, Richard & Jan Michaud, Lisa Ferro, Larry Miller,
Charles Puccelli, Julian Votruba, Bob Beauregard, William Murray,
Larry & Jean Nelson, Tom Robinson, Peter Carmosino, MaryAnn DiPinto,
Vincent Ritchie

First Order of Business:

Tom Larson, member of the Conservation Commission, abstained from any discussion with Country Hen as Mr. Larson has done work for them. Mr. Larson excused himself from the table. Julian Votruba, from New England Environmental Design, began his presentation on behalf of the Country Hen. Mr. Votruba stated that he has done a lot of work on the site plan since he was last here to address concerns brought up at last meeting. Mr. Votruba also got the plan and the drainage calculations to Places and Places did respond. Mr. Votruba stated that he did attach the wrong plan to the file sent to Places and brought in the correct plan for Mr. Murray. Mr. Murray did send a comment letter to Mr. Votruba regarding what they saw with the plan and the drainage calculations. Mr. Votruba would like to address some issues in the comment letter tonight. There are some comments regarding the drainage calculations which Mr. Votruba would like to address with Mr. Murray directly. The Board stated that they hired Mr. Murray to act on behalf of the Conservation Commission and would like Mr. Murray to address the drainage calculations directly with Mr. Votruba. Chairman Mossey agreed that Mr. Votruba and Mr. Murray should iron out the drainage plan and bring their agreed upon plan to the next meeting. Mr. Coppola, member of the Conservation Commission, then stated that he wanted the neighbors of the Country Hen who were present to know that the Conservation Commission did in fact hire Places, and Mr. Murray, to represent them since he has the knowledge and experience to deal with these issues. The main concern at the last meeting was to conform with storm water management. It's an agricultural project and it is required to follow DEP regulations. All the rain water that falls on the property today has to be dealt with after we develop the site. No adverse effects can be shown to any adjacent properties or wetlands. Mr. Votruba stated that they have put a swail system completely around the

property but controlling it with swails, retention/detention storage pipes, detention ponds, etc. There will be erosion control around the whole site.

Mr. Votruba would like to address the letter received from Places. Mr. Votruba stated that at the last meeting that there has been mention about making the ponds on the property into fire ponds. Mr. Votruba stated that he plans on meeting with the fire chief and they will do whatever the fire chief wants them to do. This way all requirements will be met. It was stated that if there is nothing on the site plan that shows the fire ponds exactly as they are to be built, then another NOI would be required at a later date. Mr. Votruba would like to include verbage stating that the ponds will be built to the specifications of the fire chief and as long as they are built they will not have to open another NOI. Mr. Votruba will respond to the rest of the questions directly with Places since some issues don't deal directly with Conservation. One question Mr. Votruba asked if they could use the hay bales that the Country Hen has already stored up for this project. Chairman Mossey as well and Mr. Coppola stated that they have no problem with them using those hay bales. Mr. Votruba stated that their intent is to meet the Storm Water Management requirements. The one thing that the plan has changed is that they plan on using asphalt for the first 100 feet off the road then the rest will be gravel.

Jennifer Howald, DCR, asked if DEP had gotten a copy of the Storm Water Management Plans and Mr. Votruba stated that no, they hadn't but they will be getting a copy as they had just gotten done yesterday. Mr. Votruba wanted to clarify the question of the Zone A and DCR jurisdiction. There is no DCR jurisdiction being touched on this property. Mr. Murray stated that Storm Water Quality Standards have a lot of information and you have to prove it and document it. This is where a lot of Mr. Murray's comments are based. Mr. Murray stated that he will be having this report reviewed with the new site plan. Chairman Mossey asked if we need to have the fire hydrant on the plan or will we need to open the NOI up again? Mr. Murray stated that he suggests that they simply show the fire hydrant details and they how the specifically build it are between the applicant and the fire chief. They could always not build the hydrant if it impacts wetlands.

Lisa Farro asked about the air quality. Ms. Farro stated that there was a big cloud over the property today and wanted to know what the air quality impact would be. Chairman Mossey stated that would be another board like the Board of Health and Mr. Votruba stated that the it would be the FDA.

Mr. Vin Ritchey from the Planning Board came to the meeting with other members of the Planning Board to listen to the details of the project at which time Mr. Ritchey interjected that he was there primarily because the Planning Board hasn't seen anything. Mr. Votruba stated

that he hasn't been in to the Planning Board because this site plan has to do with the Conservation Commission and that is who the Country Hen needs approval from right now. Mr. Ritchey stated a lot of people have called the Building Department and the Planning Board to discuss what is going on. Mr. Ritchey stated that he would like to try to get some sense of what is going on. Mr. Beauregard stated that this plan has nothing to do with zoning. Mr. Ritchey stated he came here for informational purposes only. Mr. Votruba stated that he went through the zoning bylaws to see if they needed to submit a sit plan for this type of project. And in the Town of Hubbardston it does not require a site plan review for building barns in an agricultural zone. If the Country Hen wasn't within 100 feet of wetlands they would have gone straight to the Building Department for permits. Mr. Votruba stated he is not familiar with anything else that is needed besides what he is doing currently with the Conservation Commission.

Mr. Mossey stated that he would like to continue this NOI two weeks out so that Mr. Murray and Mr. Votruba can address the issues in the Storm Water Management Report. There will be a continuation on September 16th at 7:00p.m.

Motion: Tony Coppola

Second: Larry Therrien

Motion made to continue the NOI until September 16, 2015 at 7:00p.m. All in favor. Motion carries.

Mr. Larson rejoined the meeting.

Lowell Road:

There was a Request for Determination of Applicability for Keven Jackson of 8 Lowell Rd. Mary Ann Dipinto of Three Oaks Environmental submitted the application. Tony Coppola stated that this application is presented because in the future they may want to put an addition on the house. Mr. Coppola took some photos to show what is going on. Jennifer Howald from DCR stated that she too had walked the property. This street is off of Route 68. There is a raised up septic system, then you see a vernal pool. The next thing you see is a depression which is dry now and if you go a little further into this packet you will see what it looks like now. Mr. Coppola walked the property and met with Mary Ann DiPinto. There is no intake for any water at either end of this depression. It's not a brook or anything and it is not a vernal pool. The water table is about 27-28 inches and sometimes that depression holds as much as 18 inches of water. With no aquatic life we would need to do water samples to determine if it's wetlands. Mary Ann DiPinto doesn't think it's wetlands. Mr. Coppola stated that he has a subpump going in the house all the time. Jennifer Howald from DCR stated that she went out with Ms. DiPinto to look at it and at the time it was bone dry. Ms. Howald stated it looks too small to be an isolated wetland. Chairman Mossey asked what they were planning to do for an addition. Mr.

Coppola stated he did not have those answers. Chairman Mossey asked where the septic is, where the trenches are and if this is a bedroom addition then there will need to be alterations to the septic and there are concerns about this. Ms. Howald stated that if Mr. Jackson was going to build anything then there would be other boards such as Building and Board of Health which would need to be involved at that time. Chairman Mossey stated he understands that but where she's trying to get a determination it is hard to do without plans, markers, etc is hard to do. Chairman Mossey stated that the could give a Negative Determination with the following conditions: Mr. Jackson will need to come before the Conservation Commission when he does have plans to build an addition. The negative determination is dependent upon work proposed at a later date and all requirements being met.

Motion: Tony Coppola

Second: Tom Larson

Motion made to grant a negative determination with the conditions stated above. All in favor. Motion carries.

20 West Comet Pond Access:

Tony Coppola went to the above address and walked the property. Mr. Coppola stated that it's a lot of fuss about nothing. The owner did remove one big tree but did not remove stumps. Chairman Mossey did walk this last year and spoke to Jeff Lacey from DCR before he went. Chairman Mossey stated he did speak with the owner last year about what could and couldn't be done. Mr. Coppola stated that they did chip some branches off the big tree they took down and used them around the driveway. They did not do chipping near water's edge. Mr. Coppola felt that they were within their rights and have not done anything wrong.

Files:

The Conservation Commission office would like to file all the NOI's as well as Determinations, etc by street address instead of year and NOI number. Toni will call the MACC (Massachusetts Association of Conservation Commissions) in order to see if that is acceptable and if there are any regulations we need to be aware of. The board agreed that would be a better way of filing them. If the MACC says okay, then Toni will begin the process of refileing the folders.

Motion: Larry Therrien

Second: Rick Green

Motion made to adjourn at 7:58 pm with no further discussion. All in favor.

Approved:  Date: 10/7/15