



Hubbardston Massachusetts

Conservation Commission Meeting Minutes

Date: March 7, 2023

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

Members Present: Rick Green, Tony Coppola, Rich Clapham, Tom Larson

Other Attendees: Julian Votruba, New England Environmental Design
James & Valerie Berthiaume
Chris Stoddard, Stoddard Engineering
Mark Elbag, M.A. Elbag Engineering
Mike Roman
Bryan LaRochelle
Mike Stoll

Call to Order – 7:00 pm

- 1) Minutes Approval – Motion to approve 2/7/2023 minutes as written, by Member Coppola, seconded by Member Clapham, unanimous approval.
- 2) Old Business
 - a. Continuation of public hearing for a Notice of Intent application filed by James & Valerie Berthiaume for new single-family home construction on Lombard Rd, Hubbardston. Portions of the proposed work lie within wetland buffer zones.

After the initial hearing on 2/7/23, a site walk was conducted by Member Clapham and Member Coppola on 2/10/23. They found no matters of concern during their inspection. Clerk Kresge distributes the list of standard conditions discussed at previous meeting for inclusion in an Order of Conditions. Upon a motion by Member Coppola, seconded by member Clapham, public hearing is closed by unanimous vote. Commission members discuss proposed erosion control measures and agree that straw wattles are an acceptable measure. Chair Green makes a motion to approve Order of Conditions as discussed, seconded by Member Coppola, the Order of Conditions is approved by unanimous vote.

3) New Business

- a. Request for Determination of Applicability: To determine applicability of the Wetlands Protection Act for a septic system replacement at 51 Old Boston Turnpike, Hubbardston.

Chris Stoddard of Stoddard Engineering presents for the applicant. He indicates that all the replacement septic system structures will be located within the existing yard area for the residence. He is proposing straw wattles and silt fence as erosion control measures. It was a challenging design

due to small parcel size. The septic design has been approved by Board of Health. No concerns were expressed by the Commission or members of the public. Chair Green makes a motion to issue a negative Determination of Applicability as discussed, subject to work being completed in accordance with plan presented and the Commission's list of standard conditions, seconded by Member Larson, the Determination is approved by unanimous vote.

- b. Request for Determination of Applicability: To determine applicability of the Wetlands Protection Act for a septic system replacement at 9 Barre Rd, Hubbardston.

Mark Elbag presents for the applicant. New septic system will be replacing an existing cesspool. The work area is currently a mowed field. The site is located in the Primary Protection area under the Watershed Protection Act; DCR has issued approval for construction of the system. Member Larson asks whether septic design approval should be completed prior to review of the RDA by the Conservation Commission. Mr. Elbag's opinion is that review by Board of Health, ConCom, and DCR are all independent processes, and the sequence is irrelevant or should be left up to the applicant.

No concerns were expressed by the Commission or members of the public. Member Coppola makes a motion to issue a negative Determination of Applicability as discussed, subject to work being completed in accordance with plan presented and the Commission's list of standard conditions, seconded by Member Clapham, the Determination is approved by unanimous vote.

- c. Request for Certificate of Compliance – 9-12 Pine Tree Lane

The property owner Mike Roman hired an engineering firm to prepare an as-built plan of the stormwater control features that were installed on this property in 1994 and evaluate the current operational status. Not all the originally designed features were installed since only one of the original five planned condo units was actually built. Clerk Kresge indicates that the engineering plan and narrative provided is of high quality and is a great help to the Commission in determining whether the site was originally constructed in accordance with the original Order of Conditions. Member Coppola makes a motion to issue a Certificate of Compliance, seconded by Member Larson, the Certificate is approved by unanimous vote.

- d. Forest Cutting Plan – Evergreen Rd, Seth & Ilse Flagg, 9.5-acre lot

Clerk Kresge distributes a forest cutting plan provided to the Commission for the property on Evergreen Rd. There is no action item for the ConCom, it is informational only.

4) Administrative Matters

- a. Chair Green introduces Bryan LaRochelle, a prospective new ConCom member. The Commission members are in favor of having Bryan join the ConCom.
- b. Member Coppola asks whether the ConCom should have an alternate member as well as filling the fifth voting member seat. Member Larson thinks that if someone expresses an interest, it would be fine to have an alternate member. Mike Stoll indicates that he might be interested in this role, and indicates that he has a background in civil engineering. Clerk Kresge will investigate the process for having an alternate member appointed.

- c. Member Larson returns to the previous discussion of whether there should be a standard sequence of approvals for septic system installations. He feels that septic design approvals by Board of Health with their review of setback distances and consideration of public health issues are in some ways more important than the wetland protection issues. The Commission does not reach a conclusion on whether applications should be sequenced in a particular order.
- d. Clerk Correspondence
Member Clapham is concerned that it was inappropriate for Clerk Kresge to forward materials from an NOI application to the Board of Health for use in their septic system review prior to the ConCom's review of those materials. Clerk Kresge explains that it was a simple transmittal of application materials, not an official correspondence from the ConCom stating any kind of opinion. He acknowledges that it was inadvisable to become involved with another Board's review process, and will refrain from such actions in the future.

The meeting was adjourned at 8:13 pm.

Respectfully submitted,

Mark Kresge
Land Use Clerk