

CONSERVATION COMMISSION MEETING
Monday October 16, 2017 Town Hall, Room 101, 7:00 PM

Meeting Minutes

Vice-Chairman Jon Clements called the meeting to order at 7:05 PM. Present were Commissioners: John Henry, Nicholas Burns, Eric Wojtowicz and Mike Cavatorta. Chairman David Haines was not present for the meeting. Commissioner Edward Knight was also not present for the meeting. LeeAnne Connolly, Conservation Administrator, was present for the meeting and conservation clerk, Michele Nowak was also present for the meeting.

- 7:15 Notice of Intent – Old Enfield Rd., house construction, DEP #104-1021, Map 232, Lots #122.00 & #131.01, Susan & Daniel Stebbins, applicants. The applicants were not present for the meeting. D. Haines conducted the site visit and confirmed the wetland. Keith Terry of Sherman & Frydryk was present representing the applicants. The wetland is flagged and confirmed by David Haines. An Alternatives Analysis was provided to the Commission. The limit of work for the driveway is 2 ft. from the wetland by the roadway. There is a small amount of fill due to the swale for the driveway. The site is currently wooded. Permanent markers at the 50 ft. offset for the house and clearing are noted on the plan. Limit of work is 50 ft. except for one point which is 2 ft. from the wetlands. No culvert is proposed as the intended work is less disruptive than putting in a culvert. Erosion controls consisting of both a silt fence and hay bales are located on both sides of the proposed work. The Commission would like the permanent markers to follow the 100 ft. where possible. The North and South sides have markers for the limit of work and the Commission suggested extending the North side a bit longer and add 2 more permanent makers. J. Henry motioned to issue an Order of Conditions, Eric seconded. The motion passed unanimously, (5:0).
- 7:30 Notice of Intent, Cont. – 67 Metacomet St., dock installation, DEP #104-1020, Map 103, Lot #51.00, Jung Lee, applicant. The applicant was not present for the meeting and had asked for a continuance. The applicant has not decided on what type of dock to install and requested a continuance until Dec 11, 2017 Commission meeting. M. Cavatorta motioned to continue until Dec 11th, at applicant's request, N. Burns seconded. The motion passed unanimously, (5:0).
- 7:45 Request for Determination – Allen St., house construction, Map 231, Lot #19.03 (4), James Hayward, applicant. The applicant was present for the meeting. J. Clements conducted the site visit. The proposed work is for a single family house. The septic plan was prepared by Alan Weiss, registered sanitarian. The foundation is there for a house and garage. The 3 wetland flags were confirmed. The limit of work is 95 ft. from the wetland. The lot used to be a gravel pit and the growth in the Buffer Zone is all new forest. Once the well is installed, the area will be loamed and seeded and the grade will be leveled off. Some of the work has already been done. J. Clements notice an old silt sock present; it will be left untouched. The Commission had no major concerns as long as work is done according to the plan. J. Clements motioned to issue a Negative Determination for the work proposed, N. Burns seconded. The motion passed unanimously, (5:0).
- 8:00 Notice of Intent – 298 Cold Springs Rd., pole barn, DEP #104-1022, Map 259, Lot #28.10, Corey Lajoie, applicant. The applicant was present for the meeting. Keith Terry from Sherman & Frydryk was present representing the applicant. J. Henry conducted the site visit. The proposed work is near an existing residential home and the intention is to install a Pole Barn and a fenced-in pasture for horses. The applicant will maintain work 50 ft. off of wetland offset that will be delineated by fencing for the pasture. The fencing will start at the barn and will go until the end of the clearing then back to the pole barn. The wetlands were initially flagged by D. Haines and the Commission confirmed the wetland delineation. The pole barn will have a level pad.

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Notice of Intent – 298 Cold Springs Rd., pole barn, DEP #104-1022, Map 259, Lot #28.10, Corey Lajoie, applicant. CONT.

Some additional clearing is proposed but it's already clear where the Pole barn will be. The Commission requested that the applicant submit a fence design to the Commission before installation. The applicant intends to compost the manure within three cement walls which will be roofed and will be located the farthest away it can be from water which has been identified as an Intermittent Stream. The applicant will practice rotational turnout and will follow best management practices. J. Henry motioned to issue an Order of Conditions with one of the conditions being that the 50 ft. will be demarked before any tree clearing can commence, M. Cavatorta seconded. The motion passed unanimously, (5:0).

8:15 Request for Determination – 644 Federal St., tree cutting & junk removal, Map 101, Lot #25.00, Edward & Marcy Megarry, applicants. The applicants were present for the meeting. M. Cavatorta recused himself as he is an abutter. E. Knight conducted the site visit; he had no issues. L. Connolly also conducted a site visit and noticed 2 trees cut at the 47 ft. She also met with the property owners and the proposed work was discussed. The junk and debris is at the 45 – 47 ft. Lot #26 is the vacant lot, #25 is the lot the applicants live on. Environmental Police were also consulted; however this work is out of State jurisdiction. The proposal is to remove debris and clean the dead/diseased trees from the vacant lot. The applicants would like to cut a few trees to eventually put in a garage and will replant after all the work is done. The applicant marked the trees. Mr. Megarry e-mailed photos to L. Connolly to be presented to the Commission. The proposed work is within 100 ft. from an Ephemeral Pool which is under the Belchertown Wetland Bylaw jurisdiction only. A narrative was presented to the Commission. The details of the proposed work include cutting trees to remove the trash (old car, tires, trash/debris and trailer), no earth removal, no stumping, no work within 45 - 47 feet of the Ephemeral Pool, removal of bittersweet and other invasive species by hand. The Ephemeral Pool has fencing all around it. The Commission informed the applicants that an RDA or NOI will need to be filed for any future work for a garage and driveway. Cheryl Truehart, an abutter, was in the audience and shared with the Commission concerns and also had a petition of concerns signed by other abutters as well as photos to present. Commission requested a plan of narrative of the proposed cutting and work which includes 2-3 pines and 10 small trees outside the 50 ft. from the wetland. The plan would also include the types of trees being cut and their location on the property as they relate to the Ephemeral Pool. The Commission would like to do a site visit to delineate the 50 ft. Buffer Zone. The back end of the rotting trailer is at 47 ft. J. Clements motioned to issue a Negative Determination with the condition that the proposed work will have as minimal impact as possible, N. Burns seconded. Discussion on the motion had J. Henry adding a condition that a site visit be conducted prior to any cutting being done to view the trees in question. A site visit was scheduled for October 17th at 4:30 PM. The motion passed, with conditions as referenced above, to the RDA, unanimously, (4:0) with M. Cavatorta recusing himself as an abutter.

Partial Certificate of Compliance – Kenneth Maryea, applicant, Lot #4.01(4B), 690 South Washington St., DEP #104-996, Map 280. L. Connolly conducted the site visit. The split rail fence is in, the lot is stable and the deed restriction language is now recorded on the deed. M. Cavatorta motioned to issue a Partial Certificate of Completion, J. Henry seconded. The motion passed unanimously, (5:0).

Partial Certificate of Compliance - 75 North Washington St., DEP #104-961, Map 249, Lot #93.01, Atty. Richard Maynard, applicant. L. Connolly conducted the site visit. L. Connolly recommended not to issue as the sewer not hooked up and the lawn is not in. M. Cavatorta motioned to take no action, N. Burns seconded. The motion passed unanimously, (5:0).

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Discussion Items: Bills - The Commission voted unanimously, (5:0) to pay the bills.

- ✚ Minutes – Commission voted unanimously, (5:0) to accept the 9/25/17 draft minutes as amended.
- ✚ Miscellaneous Matters –New Business – The Commission voted unanimously to hold one meeting during the month of December and agreed, on the 11th.
- ✚ Chapter 61B Removal – Pine St., .92 acres, Boshko Belchertown Realty Trust, owner. P&S is for \$42,500.00 and this is regarding the ANR off of Franklin and Pine. M. Cavatorta motioned to send a letter to the Board of Selectman to not exercise their right of first refusal, J. Henry seconded. The motion passed unanimously, (5:0).
- ✚ ANR Plan – South Gulf Rd., Mark, Neil & Marcella, Jackson, owners. The Commission reviewed the ANR plan and a standard letter will be sent to the applicant.
- ✚ ANR Plan - Amherst Rd., Arthur & Diane Lemire, owners. They are revising lot lines. The Commission reviewed the ANR plan and a standard letter will be sent to the applicant.
- ✚ ANR Plan - Rockrimmon St. & Green Ave, Jennifer & Xingheng Hua, owners. The Commission reviewed the ANR plan and a standard letter will be sent to the applicant.
- ✚ Open meeting Laws Update - L. Connolly discussed with the Commission the changes and indicated that they were minor. Some referred to remote attendance, minutes done in a timely manner and agendas appearing on the Town website. The revisions were passed around to the Commission.
- ✚ National Grid- Vegetation Management Plan, Electric Transmission ROW- National Grid – This is a notice about vegetation maintenance work, sideline maintenance and removal of dangerous trees in their right of way.
- ✚ MACC Fall Conference – 10/28/17 – E. Wojtowicz and M. Cavatorta will be attending.

9:10 PM J. Henry motioned to adjourn, N. Burns seconded. The motion passed unanimously, (5:0).

NEXT MEETING Monday, November 13, 2017