

CONSERVATION COMMISSION MEETING
Monday, June 13, 2016 Town Hall, Room 101, 7:05 PM



Meeting Minutes

Chairman David Haines called the meeting to order at 7:05 PM. Present were Commissioners: Edward Knight, Jon Clements, Joseph Babineau and John Henry. LeeAnne Connolly, Conservation Administrator, was present for the meeting. Conservation Clerk, Michele Nowak recorded the minutes. Commissioners Mike Cavatorta and Linda Leduc were not present for the meeting. Associate member Nicholas Burns was present for the meeting.

- 7:05 Request for Determination, Cont. – 52 Brandywine Dr., garage construction, James Nagy, applicant, Map 232, Lot #24.00. The applicant was present for the meeting. An updated plan was presented to the Commission. The intent is to construct a 24 X 26 ft. garage, the limit of work is 30 ft. away from the wetlands, and it's on existing lawn. The Commission requested that the soil pile be placed away from the wetlands, on the street side. The silt fence will go in front of the woodpile which is 25 ft. from the work and 10 ft. from the wetland boundary and it will be a double row with straw wattles or silt fence. J. Clements motioned to issue a Negative Determination with conditions, J. Babineau seconded. The motion passed unanimously, (5:0)
- 7:15 Request for Determination – Bardwell St., commercial flower production, Arthur Della Torre, applicant, Map 268, Lot #29.09 (9). The applicant was present for the meeting. J. Clements conducted the site visit. The applicant would like to have a commercial peony farm on a lot. It is in the Riverfront Area of Broad Brook. An updated plan was presented to the Commission. The Commission had concerns that this plan might not fall under existing agriculture or that it could be considered new agriculture. The Commission needs to conduct a follow up site visit and consult with DEP to find out what is allowable within the Riverfront Area, and to get guidance on the setback limits for new agriculture activities. The Commission suggested the applicant should obtain a NRSCS Farm Plan. The Commission also suggested that a Notice of Intent might have to be filed for the proposed work but will continue this hearing, with the applicant's permission, until the site visit has been completed and the information about work within the Riverfront Area is determined. Judy Gillan, from NSFI, and Sue Gay, were present in the audience on behalf of the AG Commission due to the agricultural aspect of this hearing. J. Clements motioned to continue this hearing until the June 27th's meeting, with the applicant's permission, J. Babineau seconded. The motion passed unanimously, (5:0).
- 7:55 Abbreviated Notice of Resource Area Delineation – State St., old Belchertown State School, Belchertown Economics Development Corp., applicant. Amy from Fuss & O'Neill engineers was present on behalf of the applicant, as well as Claire O'Neill from Mass Development. D. Haines disclosed that has worked for Fuss & O'Neill in the past. The Commission determined that it was not a conflict of interest. D. Haines conducted the site visit and informed the Commission that he concentrated on the flagged areas - central campus/power plant, railroad spur, kitchen and cottages. D. Haines confirmed the wetland boundaries with the exception of two new flags that were added. No Perennial Streams noted, no River Front resource areas were noted. He did note some missing wetland flags on the plan. The Commission requested a revised plan showing the missing flags. D. Haines also noted an Isolated Wetland but it's under the 5,000 sq. ft. threshold and in non-jurisdictional. D. Haines recommended approving the delineation upon receipt of a revised plan. J. Clements motioned to issue an ORAD with approval of the revised plan, J. Babineau seconded. The motion passed unanimously, (5:0).
- 8:00 Request for Determination – 5 George Hannum Rd., commercial auto wash, Richard Lemelin, applicant, Map 238, Lot #188.00. The applicant was present for the hearing. E. Knight conducted the site visit. All work and material is in the existing footprint. It's a renovation to an existing car wash. The building has already been demolished; the silt fence is already installed. The Commission had concerns regarding the drainage. They were informed that all drainage is going into the Town Sewer and they felt that it was an improvement over the previous car wash facility. Additional silt fence needs to be installed in the back of the property. L. Connolly will conduct a site visit to verify that erosion controls were added in the back. J. Henry motioned to issue a Negative Determination, J. Babineau seconded. The motion passed unanimously, (5:0).

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- 8:22 Amend Order of Conditions – Hickory Hill Subdivision, George Hannum Rd., DEP #104-863, stream crossing, Scott Nielsen, applicant. The applicant was present for the meeting. He requested that the hearing be continued. There was no discussion on this matter. J. Babineau motioned to continue this hearing, with the applicant's permission, to the June 27th's meeting, J. Henry seconded. The motion passed unanimously, (5:0).
- 8:25 Notice of Intent – South Washington St., house construction, DEP #104-991, Michael & Diane McDonald, applicants, Map 268, Lot #28.04 (3). The applicant was present for the hearing. Don Frydryk was present representing the applicant. J. Henry conducted the site visit. The proposed work is for the construction of a single-family house, with its associated grading, rain garden, lawn and well located within the 100ft Buffer Zone of a Bordering Vegetative Wetland. Permanent Markers must be installed along the limit of lawn area, as shown on the approved plan, as identified as the silt fence and limit of work line. Blueberry bushes were suggested as permanent markers. The Delineation for this project has been confirmed and no work is allowed closer than 50ft. from the Bordering Vegetated Wetland. The existing hayfield can be mowed twice per year but cannot be mowed until after July 30th of each year to protect grass land bird habitat. The applicant was advised to mow from the middle, outwards because it will allow the fledglings to get out of the way. J. Clements motioned to issue an Order of Conditions, J. Babineau seconded. The motion passed unanimously, (5:0).
- 8:30 Notice of Intent, Cont. – North Liberty St., house construction, DEP #104-969, Jeff Almeida, applicant, Map 268, Lot #52.00 (C). The applicant was present for the meeting. Don Frydryk was present representing the applicant. D. Haines conducted the site visit. The area between the wetlands and 50 ft. Buffer Zone was tree cleared. The septic has been redesigned and is located at the 100 ft. In the long term, there will not be any work in the 50 ft. The Commission requested that a Restoration Plan will be submitted to repair all work that was done in the 50 ft. No Disturb Zone. Kevin Brooks is the wetland consultant. The Commission is requiring a Planting and Restoration Plan as a condition before the permit will be issued. The Commission recommended continuing this hearing pending receipt of a revised plan, and a restoration plan indicating the use of wildlife seed mix, mulched planting, and other measures. J. Clements motioned to continue this hearing until June 27th, with the applicant's permission, E. Knight seconded. The motion passed unanimously, (5:0).
- 8:45 Request for Determination – 371 Bay Rd., shed installation, Dale Starr, Jr., applicant, Map 105, Lot #87.00. The applicant was present for the meeting. J. Babineau conducted the site visit. The Commission had some concerns about the wetlands delineation and its proximity to the proposed work. J. Babineau does believe that the shed construction can be done, it is just a matter of knowing where the limit of work should be. D. Haines and J. Babineau will conduct another site visit to do soils testing and will delineate the wetland. The Commission agreed to recommend issuing a Negative Determination based upon completion of the delineation. If the applicant is not home at the time of the site visit, a stake will be placed at the location to indicate that the applicant should build on the house side of the stake. J. Henry motioned to issue a Negative Determination, J. Babineau seconded. The motion passed unanimously, (5:0).
- 9:00 Notice of Intent, Cont. – Bay Rd., house construction, DEP #104-990, Jeffrey & Virginia Oldenberg, applicants, Map 106, Lot #4.00. The applicants were not present for the meeting and they have requested a continuation. There was no discussion on this matter. J. Babineau motioned to continue this hearing until June 27th, with the applicant's permission, J. Henry seconded. The motion passed unanimously, (5:0).
- Certificate of Compliance – 9 Dogwood Dr., house construction, DEP #104-863, Map 238, Lot #3.52, Atty. Johnson, Sclafani & Moriarty, applicant. L. Connolly conducted the site visit. The lot is stable. All work is 90 ft. from the wetlands. L. Connolly recommended to release this lot from subdivision Order of Conditions. J. Henry motioned to issue a Certificate of Compliance, J. Babineau 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 – The Commission voted unanimously, (5:0) to approve the 5/23/16 draft meeting minutes as amended.
- ✦ Miscellaneous Matters – There were no miscellaneous matters.
- ✦ New Business – Scarborough nature walk – The Commission was notified about the walk that will be held on 6/19/16 at 2PM. The Commission is encouraged to attend.
- ✦ Holland Pond Herbicide Treatment- The Commission was sent an email with updates. The treatment was applied.
- ✦ LAND Grant, Holland Glen III – L. Connolly informed the Commission that she will be applying for another grant. Its goal is the connectivity from Quabbin to the Mt. Holyoke State Range, which includes waterfalls and vernal pools. It's contingent upon Town meeting vote. The location is off of Allen St.
- ✦ Extension Request, Fire Pond Maintenance, DEP #104-764, Belchertown Fire Dept., applicant. Chief Bock was present for the meeting. He confirmed that there is a list of current fire ponds. L. Connolly brought up the possibility that Stream Crossings and culvert crossings need to be added to the permit. The Commission would like to refresh their understanding of the current conditions to see where and if any revisions would be needed to be recommended. The current permit expires 5/11/17. Chief Bock said the Fire Ponds will be reviewed. This discussion will be continued until the June 27th's meeting.
- ✦ Chapter 61B Removal – 6 acres, Rural Rd. & Boardman Rd., Map #241, Lots #23.00 & 23.40, Donald & Francine Freeman, applicants. L. Connolly informed the Commission that the people buying the new lot want the land but it's not a new house lot. There will not be any building upon it, it's a landlocked parcel. The Commission voted unanimously, (5:0), to recommend to the Board of Selectmen not to exercise their right of first refusal and let the purchase and sale agreement transaction proceed.

9:15PM J. Clements motion adjourned, E. Knight seconded. The motion passed unanimously, (5:0).

NEXT MEETING Monday, June 27, 2016