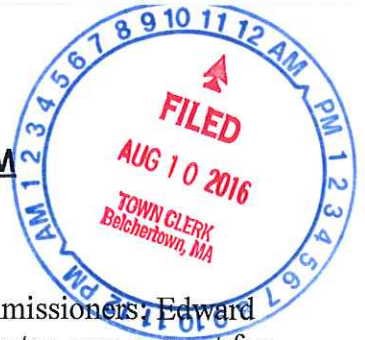


**CONSERVATION COMMISSION MEETING**  
**Monday, July 11, 2016 Town Hall, Room 101, 7:05 PM**



**Meeting Minutes**

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

- 7:05 Notice of Intent, Cont. – Bay Rd., house construction, DEP #104-990, Jeffrey & Virginia Oldenberg, applicants, Map 106, Lot #4.00. The applicants were present for the meeting. D. Haines conducted the site visit and reviewed the revisions. An Alternatives Analysis was presented to the Commission and reviewed. He agreed that the changes preserved most of the trees within the 50 ft. and now only one tree was being cut in the 25 - 50 ft. Buffer Zone. The rest of the trees needed to be cut are outside the 50 ft. Buffer Zone. The house was shifted in position; the limit of work is 25 ft. There will be replanting of trees in like kind (oaks & white pine – 7 altogether). The alterations and regrading are down to elevation 14 ft. and are in the beach area which is already a disturbed area. At this time there is no plan to alter the iron fence. J. Henry motioned to issue an Order of Conditions, J. Clements seconded. The motion passed unanimously, (4:0).
- 7:15 Request for Determination – 281 Chauncey Walker Rd., Pine Valley Plantation Pond, installation of a fountain, Richard Kelleher, applicant, Map 262, Lot #8.00. Dick Kelliher, Pine Valley's president was present for the meeting. J. Clements conducted the site visit. The fountain will be installed for aeration. There will be no excavation work. They are working with National Grid to bring power to the area. There was some discussion as to options for locating and housing the power junction box. The Commission had concerns on how the power would be supplied via National Grid. The applicant needs to present to the Commission what the power company requires to provide electrical service, some photographs of the area and an actual plan for the project. J. Clements motioned to continue until the July 25<sup>th</sup> meeting, J. Henry seconded. The motion passed unanimously, (4:0).
- 7:30 Request for Determination – 636 Bay Rd., garage & tree cutting, Barbara Fenn, applicant, Map 229, Lot #2. The applicant was not present for the meeting and requested a continuance to the July 25<sup>th</sup> meeting. There was no discussion on this matter. E. Knight motioned to continue, with the applicant's permission, until July 25<sup>th</sup>, J. Clements seconded. The motion passed unanimously, (4:0).
- 7:45 Request for Determination – 90 East St., silo construction, McLaughlin Fish Hatchery, MA Fish & Wildlife, applicant, Map 247, Lot #6.00. Ken Simmons was present for the hearing. The applicant informed the Commission that a 22 ton silo will be installed as part of a biomass system for their primary heating system. The construction will be placed on already existing lawn. There will be a 20 ft. X 20 ft. excavation for a new pad to be installed so it can support the weight of the silo. Straw wattles have already been put in and they will add a silt fence. J. Clements motioned to issue a Negative Determination, E. Knight seconded. The motion passed unanimously, (4:0).

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- 8:00 Request for Determination – State St., athletic field installation, Belchertown Recreation Dept., applicant, Map 250, Lot #57.00. E. Knight conducted the site visit. Kyle Thibeault from Rec Dept. and John Soja also from the Rec Dept. were both present for the meeting. The applicants informed the Commission that there's already an existing athletic field but it is uneven. They intend to bring in loam, about 6-12 inches, delivered by Garrow & Sons, to level off the field then it will be seeded to get grass growing. There will be no clearing of trees or vegetation. The limit of work is 50 ft. from the wetland and the Commission requested a silt fence be installed at the limit of work to protect Lake Wallace. J. Clements motioned to issue a Negative Determination, with the condition added about the silt fence, J. Henry seconded. The motion passed unanimously, (4:0).
- 8:15 Request for Determination – 260 Gulf Rd., shed installation, Patrick Wittbold, applicant, Map 206, Lot #20. D. Haines conducted the site visit. The applicant was present for the meeting. This lot predates the 2006 revisions to the Wetland Regulations. The wetland is fed by an Intermittent Stream. The applicant would like to remove 3-4 trees; a few are dead. The Commission had concerns about the placement of the shed in proximity to the wetland. D. Haines will meet with the applicant to discuss possible relocation of the shed. J. Henry motion to continue the hearing, with the applicant's permission until the July 25<sup>th</sup> meeting, E. Knight seconded. The motion passed unanimously, (4:0).
- 8:30 Request for Determination, Cont. – Bardwell St., commercial flower production, Arthur Della Torre, applicant, Map 268, Lot #29.09 (9). The applicant was present for the meeting. The Commission was provided with the information from NRSC and it was reviewed. The Commission had concerns about the 50 ft. Buffer Zone and requested it not only be flagged but a new plan be submitted showing the wetland flags, permanent markers marking the 50 ft. as well as erosion controls. The Commission had concerns whether the applicant's proposal can be determined with an RDA or should it be an NOI. L. Connolly will contact M. Stinson at DEP to find out. The Commission also stated that no pesticides or herbicides can be used within the Riverfront Area. The Commission also had concerns if this area was an ORW. J. Clements motioned to continue the hearing until 7/25, with the applicant's permission, until a revised plan showing the additions requested by the Commission are presented, J. Henry seconded. The motion passed unanimously, (4:0).
- 8:55 Notice of Intent – Bardwell St., house construction, DEP #104-992, Michael Roy, applicant, Map 268, Lot #29.01. The applicants were present for the meeting. D. Haines conducted the site visit. Don Frydryk was present representing the applicant. The Delineation for this project has been confirmed. Work in the 100 ft. to 200 ft. Riparian Area consists of 3,187 sq. ft. of alteration and the restoration work will be 3,196 Sq. ft. with the revegetation of the gravel farm road. Permanent Markers must be installed along the limit of lawn area, as shown on the approved plan with a final revised date of 7/11/16 and as identified as the silt fence, limit of lawn & mow area and limit of work line. No work is allowed closer than 50ft. from the Bordering Vegetated Wetland for the driveway. The applicant is allowed to mow up to the 100 ft. Inner Riparian Zone for Broad Brook but only once per year in the fall after October 1st of every year to protect grass land bird habitat and as shown with boulders on the final approved plan dated 7/11/16. J. Henry motioned to issue an Order of Conditions with the additional conditions stated in the meeting, J. Clements seconded. The motion passed unanimously, (4:0).

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- 9:10 Notice of Intent – 546 Federal St., house renovation, DEP #104-000, Mark & Diane Plante, applicants, Map 102, Lot #53.00. The applicants were present for the meeting. J. Henry conducted the site visit. There is no DEP # issued yet. The house was built in 1940s, right on Lake Acadia. The applicant is proposing to demolish the existing house, construct a new house with a new foundation in the same footprint but rotate the house just a little bit to increase setback to 1 ft. - 3 ft., and adding a deck, cantilevered off of the house. In front of house is a retaining wall and it's where they park their vehicles. The lawn goes all the way to the edge of the water. There will be no tree clearing. Jim Gresher, civil engineer, did the site plan/civil engineer. The applicants still have to appear before the Zoning Board. No decision can be made until comments from the ZBA. J. Clements motioned to continue this hearing until August 22<sup>nd</sup>, with the applicant's permission, E. Knight seconded. The motion passed unanimously, (4:0).
- 9:20 Notice of Intent, Cont. – North Liberty St., house construction, DEP #104-969, Jeff Almeida, applicant, Map 268, Lot #52.00. The applicant was present for the meeting. Don Frydryk was present representing the applicant. A revised restoration and planting plan was presented to the Commission and approved. Commission requested wild flower seed mix and/or top dressed with wildlife/conservation seed mix. J. Henry motion to issue and Order of Conditions with the additional conditions, E. Knight seconded. Motion passed unanimously, (4:0).
- 9:30 Amend Order of Conditions, Cont. – Hickory Hill Subdivision, George Hannum Rd., DEP #104-863, stream crossing, Scott Nielsen, applicant. The applicant was not present for the meeting. There was no discussion. J. Clements motioned to continue until the 7/25 meeting, E. Knight seconded. The motion passed unanimously, (4:0).
- 9:35 Notice of Intent – North Liberty St., house construction, DEP #104-994, Howard Weston, applicant, Map 268, Lot #52.00 (B). The applicant was present for the meeting. Don Frydryk, engineer, was present representing the applicant. D. Haines conducted the site visit. The limit of work is 47ft. The wetland is located across the street. The Commission discussed the proposed plan. J. Clements motioned to issue an Order of Conditions, J. Henry seconded. The motion passed unanimously, (4:0).

Discussion Items: Bills – The Commission voted unanimously, (4:0) to pay the bills.

- ✦ Minutes - The Commission voted unanimously, (4:0) to approve the 6/13/16 draft minutes as amended.
- ✦ Miscellaneous Matters – J. Clements will not be at the July 25<sup>th</sup> meeting.
- ✦ New Business - Request for Partial Certificate of Compliance. The Certificate is for 21 Brandywine Drive. L. Connolly conducted the site visit. The lot is stable and the house has been there for quite some time. L. Connolly recommended a release from the Briarwood Estate subdivision Order of Conditions. J. Clements motioned to issue a Partial Certificate of Compliance, J. Henry seconded. The motion passed unanimously, (4:0).
- ✦ LAND Grant, Don Mader Town Forest – The Commission was informed about the land the Grant is being applied for. J. Henry motioned to sign the application, J. Clements seconded. The motion passed unanimously, (4:0), and the Commission signed the application.
- ✦ Extension Request, Fire Pond Maintenance, DEP #104-764, Belchertown Fire Dept., applicant. With the applicant's permission, this item was continued to the 7/2516 meeting.

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Discussion Items, Cont:

- ✦ Extension Request – Order of Conditions, DEP #104-789, Orchard Villas Condominiums, The Commons Group, LLC, applicant. L. Connolly informed the commission about the request for a one year extension. J. Henry motioned to extend the Order of Conditions, J. Clements seconded. The motion passed unanimously, (4:0).
- ✦ Certificate of Compliance -125 Warner St., Map #237, Lot #73.00, DEP #104-314, Atty. Tsoumas, applicant. The site visit was not conducted. The item is continued to 7/25/16 meeting.
- ✦ August Meeting Date – The Commission agreed to the date of August 22<sup>nd</sup> as the date for the August meeting.
- ✦ Certificate of Compliance – Willow Lane, Map 245, Lot #93.00(6), DEP #104-759, Cathy Hayward, applicant – The site visit was not conducted. The item is continued to 7/25/16 meeting.
- ✦ ANR Plan – South Washington St., Kenneth Maryea, owner. The Commission reviewed the ANR plan and a standard letter will be sent to the applicant.
- ✦ ANR Plan - State St., Mary Ann Mitchell, owner. The Commission reviewed the ANR plan and a standard letter will be sent to the applicant.

9:36 PM - J. Clements motioned to adjourn, E. Knight seconded. The motion passed unanimously, (4:0).

**NEXT MEETING Monday, July 25, 2016**