

**CONSERVATION COMMISSION MEETING**  
**Monday August 21, 2017 Town Hall, Room 101, 7:00 PM**

**Meeting Minutes**



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

- 7:05 Notice of Intent, Cont. – River Rd., Bondsville Dam Repair, Swift River, DEP #104-1000, Lot #27.00, Belchertown Land Trust, applicant. The applicant requested for a continuance to September 25<sup>th</sup> at 7:15. There was no discussion on this matter. M. Cavatorta motioned to continue the hearing until 9/25 meeting, J. Clements seconded. The motion passed unanimously, (6:0).
- 7:15 Notice of Intent – Old Amherst Rd., house construction, DEP #104-1018, Map 204, Lot #9.00, Keith McCormick, applicant. The applicant was present for the meeting. M. Cavatorta conducted the site visit. This is for a single family home. There was a wetland delineation and M. Cavatorta confirmed all the flags. The limit of work is 65ft. from the wetland flags. There was discussion about the location of the permanent markers versus the location of the silt fence. The applicant will be on Town water. L. Connolly will contact Alan Weis about Natural Heritage. The meeting is continued with the applicant's permission due to still waiting for comments from Natural Heritage. J. Clements motioned to continue the meeting until 9/11, M. Cavatorta seconded. The motion passed unanimously, (6:0).
- 7:35 Notice of Intent – Boardman St., house construction, DEP #104-100, Map 252, Lot #3.02(1), Derek Vigneault, applicant. The applicant was not present for the meeting. E. Knight conducted the site visit. The applicant still needs to sign the application. L. Connolly will contact the applicant. E. Knight had concerns about the position of a catch basin and the water that daylight on the other side of the street and dumps into the stream. It needs to be shown on the plan so the Commission will request an updated plan showing permanent markers at 50 ft. and a split rail fence. E. Knight would like to meet with Alan Weiss to discuss the catch basin. M. Cavatorta motioned to continue until the 9/11 meeting, E. Knight seconded. The motion passed unanimously, (6:0).
- 7:45 Notice of Intent – 29 Ware Rd., garage construction, DEP #104-1016, Map 237, Lot #51.00, Kyle Moran, applicant. The applicant was present for the meeting. D. Haines conducted the site visit. The house has existed since 1979 and pre-dates our revised Wetland By-laws. The proposed garage is 30' X 28' and is 12.5 ft. off of the top of the Bank of the Intermittent Stream. There is all lawn right up to the edge. There is an Intermittent Stream/ditch and there is wetland vegetation present. All work is on existing lawn and some on existing driveway. An Alternatives Analysis was submitted to the Commission. The Commission discussed infiltration trenching by the dripline of the house to mitigate stormwater runoff, use of a dry well, a gravel trench along the driveway, and as well as plantings. The applicant agreed to move 5 ft. more away from the Intermittent Stream where he can to increase the distance from the 25 ft. Buffer Zone and will stop mowing the area and let it grow with wildflowers and shrubs or bushes. E. Knight motioned to issue an Order of Conditions, M. Cavatorta seconded. The motion passed by majority, (6:1). (J. Clements voted against)

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- 8:15 Notice of Intent – South Washington St., house construction, DEP #104-1017, Map 268, Lot #28.03, Gary Decoteau, applicant. The applicant was present for the meeting. J. Henry conducted the site visit. This was not part of the initial ANRAD for the lots across the street. The wetland delineation for this lot was done by Keith Morris. A silt fence was present along the back but it's not toed in and the Commission recommended the applicant bury it at least 6 inches under. No work is closer than 50 ft. from the wetland. The applicant can mow only up to the permanent markers as shown on the plan. The plan does show a double row staked hay bales in addition to the silt fence but wattles are acceptable as well. There is 50 ft. of field before the silt fence. The applicant needs to notify L. Connolly before the commencement of work. J. Henry motioned to issue an Order of Conditions, J. Clements seconded. The motion passed unanimously, (6:0).
- 8:25 Notice of Intent, Cont. – 11 Emily Lane, lawn in Riverfront Area, DEP #104-1014, Map 240, Lot #55.00, JP Builders, Inc., applicant. Dan Neitchze from GZA Environmental was present representing the applicant. Andrea Piercey was present as the landowner. The applicant provided the aerial photograph overlaid onto a revised stamped plan and adjustments were identified from original approved plan. The applicant moved the lawn area back an additional 18 ft. An adjusted narrative was presented to the Commission which shows they are now about 146 ft. away from the Bank of the Brook. The last plan showed the limit of work at the 127 ft. area. The limit of work was moved towards the house which created a reduction of about 700 sq. ft. less lawn. The applicant agreed to move it a few more feet to meet 150 ft. away from the Bank of the Brook. The limit of work is now 150 ft. from the Bank of the Brook. E. Knight motioned to issue an Order of Conditions, J. Henry seconded. The motion passed unanimously, (6:0).
- 8:30 Request for Determination – 590 Federal St., shed construction, Map 102, Lot #29.00, Leandra Thompson, applicant. The hearing was withdrawn at the request of the applicant. M. Cavatorta motioned to accept the withdrawal, J. Henry seconded. The motion passed unanimously, (6:0).
- 8:45 Request for Determination – 51 Lake Dr., driveway repair, Map 102, Lot #96.00, Frank & Lisa Byrne, applicants. The applicants were present for the meeting. There were also 2 neighbors present for the meeting. E. Wojtowicz conducted the site visit. The applicant is proposing to fill in the grooves in their gravel driveway, to regrade and resurface with asphalt millings. The work is 12 ft. from the Wetland. There are wetland markers and its existing dirt/gravel driveway. There will not be any binding agent with the millings to generate extra runoff and it will be permeable. The Commission recommended straw wattles or haybales for erosion control measures along the existing footprint of the driveway until the driveway is done and it's stable, about 2 weeks or 2 rain events. J. Clements motioned to issue a Negative Determination, J. Clements seconded. The motion passed unanimously, (6:0).
- Partial Certificate of Compliance – 25 Hickory Hill, DEP #104-863, Map 238, Lot #3.43 (Q), Jean Duquette, applicant. L. Connolly conducted the site visit. The lawn was filled in, seeded and the lot is stable. L. Connolly recommended release from the subdivision Order of Conditions. M. Cavatorta motioned to issue a Certificate of Compliance, J. Clements seconded. The motion passed unanimously, (6:0).
- Partial Certificate of Compliance – 111 Daniel Shays Highway, Summerhill Development, DEP #104-0747, Units #69 & #70, #35 & #36, #37 & #38; #39 & #40; Neil Jackson, applicant. L. Connolly conducted the site visit and recommended release of #35, #36, #37, #38, # 69 and #70 as they are vegetated and out of our jurisdiction. Does not recommend release for #39 and #40 as they are not vegetated. E. Knight motioned to issue a Partial Certificate of Compliance for units, #35, 36, 37, 38, 39, 69 and 70. J. Clements seconded. The motion passed unanimously, (6:0).

Partial Certificates of Compliance – Trillium Way, DEP #104-850, Meadow View Subdivision, Map 207, Lot #18.02 (10), Paul Lussier, applicant. L. Connolly conducted the site visit. The lot is stable and it's not in our jurisdiction. This is the last lot left on Trillium Way and recommended release from the subdivision Order of Conditions. J. Clements motioned to issue a Partial Certificate of Completion, M. Cavatorta seconded. The Motion passed unanimously, (6:0).

Discussion Items: Bills – The Commission Voted unanimously, (6:0) to pay the bills.

- ✦ Minutes - The Commission voted unanimously, (6:0) to approve the draft minutes for the 7/10/17 meeting as amended. The Commission voted unanimously, (6:0) to approve the draft minutes for the 7/24/17 minutes as written.
- ✦ Miscellaneous Matters – There were no miscellaneous matters.
- ✦ New Business – There was no new business.
- ✦ Chapter 61B removal – Munsell St., 1 acre, Map 214, Lot #26.00, Kurt Jindela, owner. The Commission discussed the proposal. The applicant is taking it out to add to his current lot to make it bigger; it's not for resale. J. Clements motioned to recommend to the Board of Selectmen that they do not exercise their right for first refusal, M. Cavatorta seconded. The motion passed unanimously, (6:0).
- ✦ ANR Plan – Alden Avenue - The Commission reviewed the ANR plan and a standard letter will be sent to the applicant.
- ✦ ANR Plan – Barton Avenue - The Commission reviewed the ANR plan and a standard letter will be sent to the applicant.
- ✦ Emergency Certification – Dressel Ave., flow device installation, Belchertown DPW, applicant. The Commission voted unanimously, (6:0), to ratify the Emergency Certification.
- ✦ Emergency Certification – Route 181, flow device installation, Belchertown DPW, applicant. The Commission voted unanimously, (6:0), to ratify the Emergency Certification.
- ✦ Forest Cutting Plan – Sargent St., Town of Belchertown, owner. The Commission reviewed this forest cutting plan.
- ✦ Forest Cutting Plan – North Liberty St., Town of Belchertown, owner. The Commission reviewed this forest cutting plan.

9:05 PM J. Clements motioned to adjourn, M. Cavatorta seconded. The motion passed unanimously, (6:0).

**NEXT MEETING Monday, September 11, 2017**



CONSERVATION COMMISSION

Lawrence Memorial Hall  
 2 Jabish Street, Post Office Box 670  
 Belchertown, Massachusetts 01007-0670  
 (413) 323-0405

Folder A

Aug 21, 2017

Attendance Sign-In Sheet

Please print your full name, address, email address and time of hearing you are attending below.  
 Thank you.

Name	Address and Email Address	Agenda Time/Hearing
R. Keith McCormick	145 Old Amherst Rd, Belchertown keith@mccormickkdc.com	
GARY DECOTEAU	181 CHAPIN ST. garydecoteau@ Ludlow, MA 01056 yahoo.com	
Kyle Moran	29 Ware Rd <del>Belchertown</del> KMORAN@MjMORANIK.COM	
Michael McDonald	100 Bardwell ST B'kown 31 S. Washington ST B'kown mcdhmed@choke.net	
① Dan Nitzsche	1750 Mann St 5th Fl MA 01103 daniel.nitzsche@gis.com	
Andrea Pieroux	11 Emily Lane Belchertown	8:15
Joan + Frank Byrne	51 Lake Dr. Belchertown	8:45
Jay Holtzman	23 LAKE DR.	8:45
Rory Zahourek	23 LAKE DR	8:45