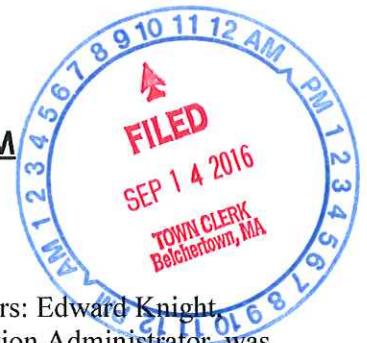


**CONSERVATION COMMISSION MEETING**  
**Monday August 22, 2016 Town Hall, Room 101, 7:00 PM**



**Meeting Minutes**

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

- 7:05 Notice of Intent, Cont. – 546 Federal St., house renovation, DEP #104-995, Mark & Diane Plante, applicants, Map 102, Lot #53.00. The applicant requested a continuation until Sept 26<sup>th</sup>. There was no discussion on this matter. M. Cavatorta motioned to continue with the applicant’s permission until September 26<sup>th</sup>, L. Leduc seconded. The motion passed unanimously, (6:0).
  
- 7:20 Notice of Intent – 35 Dressel Ave., septic repair & upgrade, DEP #104-997, Gary & Cynthia Arnhold, applicants, Map 252, Lot #46.00. The applicants were not present for the meeting. E. Knight conducted the site visit. Peter Levesque, wetland scientist, was present representing the applicants. The purpose of filing is to upgrade the septic system. The applicant is selling the home and failed the Title V inspection. The well is in the basement of the home. All work is being done over existing maintained lawn. The upgraded system will be raised and the mound will be 2-3 feet above grade. The septic system will be outside the 50 ft. Buffer Zone. Grading for the leach field will be 40 ft. from the wetland which is the limit of work. Erosion controls will be installed at the limit of work. Prospective buyers were present at the meeting and asked about planting plants to camouflage the septic vent pipe. The Commission advised the prospective buyers that planting is not allowed on the leach field. The rest of the leach field has to be maintained as lawn. J. Clements motioned to issue an Order of Conditions, J. Henry seconded. The motion passed unanimously, (6:0).
  
- 7:30 Amend Order of Conditions – Bank Stabilization, 803 Federal St., DEP #104-940, Stephen Garabedian, applicant, Map 218, Lot #1.10. The applicant was present for the meeting. This Amendment is for an extension of stabilization work that was already done on the property. D. Haines conducted the site visit. There’s an old stone culvert under the driveway which affects two properties. The work was done for the original proposal on the culvert by removing the stones washed out from one side of the stream bank and used them to build a stone wall to prevent further washout. This area was filled with additional stone, however the other side of the streambank, the easterly side, and culvert are now in danger of collapsing due to the scouring action of water. Some erosion is already causing some stones to have already fallen in the brook and the only thing stabilizing the bank at this time is some tree roots. The Commission had some concerns about the extent and placement of the new proposed stone wall and there was a lengthy discussion. There are two trees that need to be cut but there will not be any stumping. The equipment used will be a backhoe and the intent is to work from the top to minimize disturbance to the area. The proposed additional wall would be 20 feet in length. The removal of the already fallen stones as well as the stones on the opposite bank for use in the wall will be a condition with the approval of the wall. L. Leduc motioned to amend the Order of Conditions, J. Clements seconded. The motion passed unanimously (6:0).
  
- 8:10 Notice of Intent – South Washington St., 3 single-family houses, DEP #104-996, Whisperwood Realty Trust, applicant, Map 280, Lot #4.00. The applicant was not present for the meeting. Abutters were present for the meeting (see attached sign in sheet). Keith Terry, from Sherman & Frydryk, was present for the meeting representing the applicant. The proposed work is for 3 homes with septic systems along the street. The Commission was provided with revised plans in addition to the plans from the initial Notice of Intent submitted. There was a problem with a well placement on one of the lots with an abutter’s which had been installed since 1992. The new revised plan shows the neighbor’s well and septic to insure the new septic and well are 100 feet away. Neil Jackson is designing the septic system. L. Leduc noted that lot A has a problem with the leach field. In addition, work on all three lots has already begun in the 50 to 100ft. buffer zone and 3 wells have been drilled. The Commission issued an Enforcement Order for this work on 8/5/16.

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- ✦ New Business – L. Connolly informed the Commission that the part of the purchase of Topping Farm used CPA money; as such a Conservation Restriction needs to be held. There's a new format regarding baseline documentation; all it needs is the approval of the Commission and signature of the Commissioner. One of the changes is that it's now specified that horseback riding is allowed. Conservation Restrictions now have a new State form; there's no change in use. Kestrel Land Trust holds all of our CR's. M. Cavatorta motioned to sign the document, J. Clements seconded. The motion passed unanimously, (6:0).

### Discussion Items, Cont.:

- ✦ Partial Certificate of Compliance – Willow Lane, Map 245, Lot #94.00(7), DEP #104-759, Atty. Richard Maynard, applicant. The site visit was conducted by L. Connolly and she reported that the site is stable and recommended the Commission release this lot from subdivision Order of Conditions. L. Leduc motioned to issue a Partial Certificate of Compliance, J. Clements seconded. The motion passed unanimously (6:0).
- ✦ Certificate of Compliance -73 South Washington St., DEP #104-958, David Lafleur, applicant. The Commission has not received the As Built plan yet. There was no discussion and the Commission took no action on this matter.
- ✦ Certificate of Compliance – Blue Meadow Rd., DEP #104-967, DCR, applicant. L. Connolly conducted the site visit. An As-built plan and a letter from the Engineer stating that the work was completed as designed was provided. The culvert is done and Dave Foulis from DEP signed off on it. J. Clements motioned issue a Certificate of Compliance, M. Cavatorta seconded. The motion passed unanimously, (6:0).
- ✦ Enforcement Order Ratification – South Washington St., clearing and well drilling within Buffer Zone of Wetland, Whisperwood Realty Trust, owner, Map 280, Lot #4.00. L. Connolly conducted the site visit. Work was done in the Buffer Zone without an Order of Condition and the owner has 3 wells drilled. J. Clements motioned to ratify the Enforcement Order, L. Leduc seconded. The motion to ratify the Enforcement Order passed unanimously, (6:0).
- ✦ Extension Request – Sheffield Dr., house construction, DEP #104-942, Todd Cellura, applicant – The applicant was not able to start building yet and asked for a 3 year extension. L. Leduc motioned to issue an extension, E. Knight seconded. The motion passed unanimously, (6:0).
- ✦ Chapter 61A Removal – 270 Franklin St., 12.19 acres, Charles May, owner. The Commission discussed this matter. There was some discussion regarding this matter and this item will be re-visited at the next meeting.

10:10PM E. Knight motioned to adjourn, J. Clements seconded. The motion passed unanimously, (6:0).

**NEXT MEETING Monday, September 12, 2016**

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No additional work is allowed on this property until all permits are in place. The wetlands have been flagged and there is a 50 ft. offset. The site is stable, hayed, and soil mounds right up to the silt fence at the 50 ft. L. Leduc conducted the site visit and had concerns regarding the wetland delineation. There were no issues with wetland flags up to flag #7 but she had questions and concerns about the remaining flag locations for the rest of the delineation. Many flags were missing and the Commission was not provided soil data. A silt fence survey was requested by the Commission and they would like the edge of disturbance that is out there now, to be surveyed as well. The Commission also requested that the silt fence be staked and toed in properly. An abutter questioned activity east of the wetland line due to his horses and goats and potential impacts. No other abutters had any other questions. M. Cavatorta motioned to continue, with the applicant's permission, until the Sept. 12<sup>th</sup>'s meeting, J. Henry seconded. The motion passed unanimously, (6:0). Jim Kenney, the realtor, apologized for error to the Commission for the work starting before the OOC was issued.

- 8:38 Request for Determination – Maple St., old school house relocation, Stone House Museum, Belchertown Historical Association, applicant, Map 243, Lot #73.00. The applicants were not present for the meeting. D. Haines conducted the site visit. The relocation of the old school house will be on existing lawn/garden and will have a full foundation. The grading will be up to 50 ft. of the wetland line. There's a silt fence installed north of the proposed school house. L. Connolly worked with them for the best location for the site. The Commission requested the historical association to remove all the grass clippings located in the back of the property adjacent to the wetland area. J. Clements motioned to issue a Negative Determination, L. Leduc seconded. The motion passed unanimously, (6:0).
- 8:42 Request for Determination, Cont. – Bardwell St., commercial flower production, Arthur Della Torre, applicant, Map 268, Lot #29.09 (9). The applicant was present. J. Clements motioned to issue a Positive Determination. J. Henry seconded. The motion passed unanimously, (6:0).
- 8:43 Notice of Intent – 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. D. Haines also conducted a separate site visit. The Commission had concerns about the work in the riverfront Area of Broad Brook. The Commission was also not presented with an Alternatives Analysis. Why does this work need to be conducted within 50 ft. of the Bank? The Commission requested a revised plan and additional information. J. Clements motioned to continue this hearing until September 12<sup>th</sup> with the applicant's permission, M. Cavatorta seconded. J. Clements and D. Haines will conduct a site visit next Tuesday August 30<sup>th</sup>. The motion passed unanimously (6:0)
- 9:18 Request for Determination – Amherst Rd., Wentworth Conservation Area, hiking trail bridge replacement, Andrew Desjardins, applicant, Map 218, Lot #62.00. The applicant was present for the meeting. L. Connolly conducted the site visit. In addition, this collapsed bridge was visited by the trail sub-committee last fall. This application is for the applicant's Eagle Scout Project for Troop 57. The current bridge's main support is broken in half and fallen into the stream-bed. This is a hazardous situation and the caution tape along the bridge telling hikers not to cross, is constantly being removed. The proposal is to take out the old bridge, use some of the original wood to build a new one about 100 feet downstream. This crossing area is much narrower in stream width and is already being used by hikers to cross. All work will be done by hand. DPW will haul away the leftover wood. There is a carpenter with the troop that will assist. J. Clements motioned to issue a Negative Determination, 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 7/25/16 minutes as amended.
- ↓ Miscellaneous Matters – There were no miscellaneous matters.





CONSERVATION COMMISSION

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

Aug 22 2016

Attendance Sign-In Sheet

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

Name	Address & Email Address	Agenda Time/Hearing
Stephen Carabedian	803 Federal St, Belchertown, MA karinaandsteve@hotmail.com	7:30 PM
Karina King	"	"
DONNA + PATRICIA GRANATELLI	85 N MAIN ST #24 BELCHERTOWN PATGRANATELLI@HOTMAIL.COM	7:15 PM
PETER LEVESQUE	123 ORCHARD ROAD E. LONGMEADOW, MA 01028 plevesque.wci@gmail	7:15 PM
DAN NITZSCHE	1350 MAIN ST. STE 1400 Springfield, MA 01103 daniel.nitzsche@jgza.com	7:45
Jim Kenney	10 S. Main St Belchertown	7:45
Ken Maryea	44 Galaska St W. Springfield MA 01089	7:45
Andrea D Seth Arvanites	672 South Washington St Belchertown MA 01007	7:45
Paige Mours	594 South St	7:45
Arthur Della Torre	143 Mountain View	8:15
Kerit Tracy	S&F	7:45
Andrew Desjardins	685 Franklin street Belchertown Ma, 01007	8:30
Michael Ray	Hardwell St. Belchertown Ma. 01007	