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TOWN OF HAMPDEN MASSACHUSETTS



Conservation Commission
Judy McKinley Brewer, Chair
Ted Zebert, Co-Chair
Andrew Netherwood
John Cushman
Thom Page
Cindi Connors, Assoc. Member

HAMPDEN CONSERVATION COMMISSION Regular Meeting and Public Hearing Minutes April 7, 2021 Town House

Approved: April 21, 2021

Meeting called to order: 04/07/2021 @ 7:00pm

Members Present: Judy McKinley-Brewer Chair, Ted Zebert, Andrew Netherwood, John Cushman, Thom Page and Cindi Connors

Members Absent:

Invited Guests: Wayne & Keri Whitlock, Mark Kibbe, Jeff Adams

Also Present: Bonnie Geromini, Greg D'Agostino

Public Comment: None prior to start of meeting

Agenda Items:

Public Hearing, Whitlock, 131 Stony Hill Road Project: The owners have submitted a Request for Determination of Applicability, (RDA), and would like to install a natural gas line from the street to the residence. The utility provider will have the land opened for one day. They will remove the soil and set aside on lawn for reuse. The house is in front of the buffer zone.

John made a motion to issue a negative determination #3 The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent. Ted seconded, all in favor 4-0, Andrew Netherwood recused himself from this matter and vote. A copy of the determination was given to the homeowner at this time.

Public Hearing, Jeff Adams 10 South Road: Jeff has submitted a Request for Determination of Applicability, (RDA), for several areas of his property. A site walk was completed prior to tonight's meeting. The first area Jeff would like to clean up and landscape his backyard and grind two stumps in that area. The second request is to move his shed to the rear of the property. The third request is to remove two large trees, and the last request is to remove brush along the old fence line.

The Commission agreed that the two trees were in poor health and could be taken down and the stumps ground as long as the grindings were taken away and the work was done at the same time. The shed can also be moved and place on gravel, blocks or stone as it will be farther away from the Riverfront Resource Area. Vista pruning will be allowed along the brook and the definition of such was explained to the landowner. He will be able to remove invasives and can replant with natives, Judy offered to email a list of such. When he gets to the point that he will be installing the above ground pool, he will contact the commission in regards to silt barriers and regulations on installing the pool and deck.

Ted made a motion to issue a Negative determination #3, The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent. Andrew seconded, all in favor 5-0. A copy of the determination was given to the homeowner at this time.

Public Hearing, Mark Kibbe 229 Somers Road: Mark submitted a Request for Determination of Applicability, (RDA) with a map, requesting whether the proposed work is subject to the Wetlands Protection Act, and whether it is subject to the Hampden Conservation Commission bylaws for work in the Riverfront area on property owned by his parents prior to 08/07/1996 which is currently in Chapter 61A, agriculture/forestry use. Mark is looking to move several kilns to this property to process firewood; this would be a secondary activity to forestry and doesn't qualify as forestry. Mark was advised to keep the kilns out of Natural Heritage and Endangered Species areas (NHESP), to avoid having to file with them. There is also no exemption in forestry or farm category for private utilities. The

current road is in the Riverfront area, (RFA), and if poles are placed there, some will be in the RFA along with traffic travelling in the RFA.

Mark was advised to contact the state forester since the property has not been in forestry since 2009. He could try to file for a limited project, agriculture, to work on having the road declared as a permanent road. A limited project will require filing a Notice of Intent, (NOI), but he will need a forestry/cutting/soil conservation plan.

An alternative would be to cut in a new road, out of the RFA and out of our jurisdiction. Mark was given the State Forester's contact information

Ted made a motion to issue a Positive determination, 2B, The boundaries of resource areas are not confirmed by this Determination, 3, The work described on referenced plan/document is within an area subject to protection under the Act and will remove, fill, dredge or alter that area. Therefore, said work requires the filing of a Notice of Intent and 5, The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by the Hampden Conservation Commission and it's municipal wetland bylaws. Thom seconded, all in favor 5-0

General Discussion:

For our April 21st meeting, we will have two public hearings:

Gary Weiner on behalf of Gary Mayotte for a new leach field at Village Food Mart, RDA submitted

GZA on behalf of Evergreen Design Build, Inc to build a home at 0 Glendale Road, RDA submitted

Jason Barroso may come in with new mapping and addendum

S. Gore, 95 Martin Farms: A cease and desist letter was sent to the homeowner and he has picked it up. We have received no response from the homeowner.

Andrew made a motion to adjourn the meeting at 8:46pm, John seconded, all in favor 5-0

/clc