

# TOWN OF HAMPDEN MASSACHUSETTS

## Town House

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## Conservation Commission

Judy McKinley Brewer, Chair  
Ted Zebert, Co-Chair  
Andrew Netherwood  
John Cushman  
Thom Page  
Cindi Connors, Assoc. Member  
Greg D'Agostino, Assoc. Member

## HAMPDEN CONSERVATION COMMISSION Regular Meeting and Public Hearing Minutes April 21, 2021 Town House DRAFT

Approved: May 19, 2021

Meeting called to order: 04/21/2021 @ 7:00pm

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

Members Absent:

Invited Guests: Gary Weiner, Erik Magnus, Dan Sheldon and Dan Nitzsche

Also Present: Bonnie Geromini, Ginnie & Donald Wenz, abutters

**Public Comment:** None prior to start of meeting

### **Agenda Items:**

**Public Hearing, Gary Mayotte, Village Food Mart, 41 Somers Rd:** Gary Weiner appeared on behalf of property owner Gary Mayotte. They have submitted a Request for Determination of Applicability, (RDA), and are replacing a 28 year old septic system that is in the parking area, outside of the resource areas. This will be 20 by 42 ft and will be installed under the parking area which will be repaved upon completion of the installation. There will be a silt fence along the edge of the parking lot that will extend into the trees. The original tank will remain in use with under sink grease traps in food processing areas.

*Ted made a motion to issue negative determination #5; The area described is subject to protection under the Act. Since the work described therein meets the requirements for the following exemptions, as specified in the Act and the regulations, no Notice of Intent is required. (The system was installed in 1993 ahead of the Rivers Protection Act and the bulk of the system will be farther away from the Riverfront than the original is/was). Andrew seconded, all in favor 5-0. With no further discussion ensuing, the Public Hearing was closed.*

### **Minutes:**

*Andrew made a motion to accept the minutes of January 20<sup>th</sup>, John seconded, all in favor 5-0*

*Andrew made a motion to accept the minutes of February 17<sup>th</sup>, Thom seconded, all in favor 5-0*

*Andrew made a motion to accept the minutes of March 17<sup>th</sup>, with two edits, Thom seconded, all in favor 5-0*

*Andrew made a motion to accept the minutes of April 7<sup>th</sup>, with three edits, Thom seconded, all in favor 5-0*

**Public Hearing, Evergreen Design Build, 0 Glendale Road:** Dan Nitzsche from GZA Environmental submitted a Request for Determination of Applicability, (RDA), for wetland boundary delineation on lots 4-1 and 3-3, which are to be combined into one lot for the purpose of building a single family home. The home will be constructed in a non-jurisdictional area and bounds will be placed before the start of work at the 25 foot Wetlands No - Disturb Zone. The applicant has not yet applied to Natural Heritage and Endangered Species Program, (NHESP). They will need to provide a copy of that determination to the commission. During the site walk a drainage trench was viewed and a written remedy will need to be provided for this. Judy will send a letter to both the Highway department and the Planning board to advise them of the storm water ditch issue. The 25 ft buffer has not been flagged yet, but will be completed by the surveyor prior to work commencing.

*Ted made a motion to issue a Negative determination #4; The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act, and a Positive determination #2A; The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands protection Act and its regulations regarding such boundaries for as long as this Determination is valid. Additionally, the permanent markers are to be in place prior to work starting, as well as a plan to address the drainage ditch and a copy of the determination from NHESP provided to this commission. Thom seconded, all in favor 5-0.*

**Public Comment on 0 Glendale Road project hearing:**

Ginnie and Donald Wenz, the abutters were present for this hearing and questioned where the septic would be placed, (40ft down hill from their home) and where the well would be, (near the property line between the houses) and driveway placement on the corner. Judy advised that they could send a letter to the Board of Health and Planning in regards to the septic, well and driveway respectively. With no further discussion ensuing, the Public Hearing was closed.

**General Discussion:**

**S. Gore, 95 Martin Farms:** A cease and desist letter was sent to the homeowner on March 10, 2021 and he picked it up on March 13, 2021. We have still received no response from the homeowner.

The youth Librarian wants to install a 'Little Library' at Memorial Park. RDA, picture/diagram will be submitted prior to next meeting.

It was suggested that an email be sent to John Flynn in regards to the Selectmen's Policies and Procedures Manual

*Andrew made a motion to move the meeting starting time to 6pm, John seconded, all in favor 5-0*

With no further business, *Andrew made a motion to adjourn the meeting at 8:16pm, John seconded, all in favor 5-0*

/clc