

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 September 15, 2021

Approved: November 4, 2021

Meeting called to order: 09/15/2021 @ 6:00pm

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

Members Absent: Ted Zebert Co-Chair

Invited Guests: Jason Barosso, Ed Kennedy, Mike Connors, Kate Wilkins, Tighe and Bond, Carol Collins, John Flynn, Selectman

Also Present: Bonnie Geromini

Public Comment: None prior to start of meeting

Agenda Items:

Certificate of Compliance 239 Ames Road: Jason Barosso came before the Commission for a Certificate of Compliance for his property located at 239 Ames Road. Judy, Thom and Andrew signed the certificate.

Vote on violations for the property located at 546 Main Street Notice has been resent to Mr. Cafarelli.
Andrew made a motion for enforcement of the violations, Thom seconded, all in favor 3-0

6:pm 546 Main Street Public Hearing: The Commission has several concerns over a septic system repair/replacement located at this property after a complaint was received at the Boston Department of Environmental Protection, (DEP) office and forwarded to the regional office regarding large piles of uncovered dirt, inadequate silt barriers, no notification to the Conservation Commission and no permits filed with DEP. A site visit was performed the day the complaint was received. A second site visit the next day found a large tree root unearthed, the dirt piles gone and the silt barriers improved and an enforcement order was sent out due to the appearance of work in areas not permitted. Delineations of the wetlands are needed and an assessment by an environmental consultant to review the work inside the wetland. The Natural Heritage and Endangered Species Program, (NHESP) will be involved because of the turtle area habitat. These areas will need to be remedied to the satisfaction of DEP and NHESP.

Ed Kennedy, previous property owner was granted a permit by the Board of Health but was not redirected to the Conservation Commission. The property was going through a sale and failed Title V. Part of the system up to the leach field failed, so Mr. Kennedy hired an engineer to replace. Mr. Cafarelli put together a plan by today's standard, which needed a larger leach field. The Board of Health approved and signed off on this plan. Mr. Kennedy hired a contractor to complete the work and then received the letter from the Conservation Commission. Mr. Kennedy has limited knowledge of the wetlands and the plan showed that they were 116 ft away, (needs to be 200 ft away or needs permit).

Mr. Kennedy hired GZA/Steve Ribberdy to determine the extent of the damage that has been done and is waiting for a scope of agreement and contract from them.

Mr. Kennedy added that he will do whatever is necessary as he had no mal intent and Judy remarked that there was plenty of blame to go around. The enforcement order was issued one hour after the sale of the property was recorded and Mr. Kennedy stated he was not aware until he received the certified letter on August 16th. The Commission sees acknowledgement and movement to correct and asks that r. Kennedy stay on top of the environmental consultant to keep project moving along before winter. Mr. Kennedy was advised not to pave the parking lot as he may have to remove part of it. There was a permit granted in 2009 but it appears that parking lot has expanded past that area. The DEP has aerial images of the parking lot and there now appears to be two new rows of parking added. Mr. Kennedy has owned the property for 17 years, it was built in 1969 and had 74 parking spaces then and continues to have 74 parking spaces.

At 6:20pm, Andrew made a motion to continue the hearing to the October 6th meeting, John seconded, all in favor 4 to 0.

6:24pm Scantic Valley Water Main Extension Project Public Hearing Kate Wilkins from Tighe and Bond reviewed the Notice of Intent, (NOI) with the Commission. They are now working to install 3390 linear feet of line west of East Brook along Main street to the connection at 575 Main street due to the increased salinity from the Department of Public Works, (DPW), salt storage at the DPW garage. Straw waddles and erosion controls will be used to control any mud or slurry created from the Horizontal Directional Drilling, (HDD) within the roadway. The HDD and open trenches will be restored at the end of the project. Andrew questioned if there would be sleeving in case of rupture and Kate replied that she did not think so. This limited project has been filed as a renovation.

Selectman John Flynn added that there are currently three lines going to houses, a line to the DPW driveway and that 575 Main street was not in service with water yet. There will be a line going to service the Fire Department on North road. Carol Collins of 721 Main street is concerned about two maple trees and asked if the project could be moved to the south side of Main street and Judy advised that DEP will not approve that location as it is too close to the river. A condition can be added that the roots be avoided during the drilling. Carol asked about restoration if the trees die and was advised that if they die during the project the company would be responsible, but if they die after then she should contact the tree warden. Carol made mention of the Massachusetts Department of Conservation and Recreation (DCR), bylaws and Judy responded that there had been several attempts at shade tree protection bylaws. Carol is concerned because these are historical trees. Judy advised that the trees could be added to the Orders of Conditions and that they be avoided and protected/preserved as much as possible. Kate Wilkins noted these trees as the 60 and 66 inch Maples on the plan set. Andrew questioned if there would be a generator and what it would be powered by. The TownHouse, located at 625 Main street was not located/identified on the current plan and Judy advised the plan could be amended by Bob Markel. Judy also asked that they flags be left until the project has been completed.

Andrew made a motion to accept with list of special conditions and the addition of tree conditions. John Cushman seconded, all in order 4-0.

At 6:45 pm Andrew made a motion to close the public hearing for the Scantic Valley Water main Extension Project, Thom seconded, all in favor 4-0.

Minutes:

John Cushman made a motion to accept the minutes with noted changes, Thom seconded, all in favor 4-0

Judy asked Greg if he was interested in becoming a full time member and Greg responded with yes, and asked what the requirements were. Judy advised that he read, attend meetings and site inspections. She offered that she could submit a formal request to the Board of Selectmen.

Updates:

308 Somers road restoration project. Emily has been in contact with Mike Mocko and agreed to a smaller scale restoration project at the request of the land owner due to extenuating circumstances. A new plan has yet to be submitted by Mr Mocko.

With no further business, Andrew made a motion to adjourn the meeting at 7:05pm, Thom seconded, all in favor 4-0

/clc