

Town House

625 Main Street
Hampden, MA 01036
Phone 413-566-2151 Ext. 110
Fax: 413-566-3513
e-mail: conservation@HampdenMA.Gov
Bonnie Geromini, Conservation Agent

**TOWN OF HAMPDEN
MASSACHUSETTS****Conservation Commission**

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

HAMPDEN CONSERVATION COMMISSION
Regular Meeting and Public Hearing Minutes November 4, 2021

Approved: November 30, 2021

Meeting called to order: 11/04/2021 @ 6:00pm

Members Present: Judy McKinley-Brewer, Chair, Ted Zebert Co-Chair, John Cushman, Thom Page and Cindi Connors
Members Absent: Andrew Netherwood and Greg D'Agostino
Invited Guests: Ed Kennedy, Mike Connors, Adrienne Dunk, GZA and Donald Davenport, Selectman
Also Present: Bonnie Geromini

Public Comment: None prior to start of meeting

Agenda Items:

Certificate of Compliance 212 Ames Road: This was previously issued in 1987. Current attorneys were unable to locate the document at the Hampden County Registry of Deeds.

147 Sessions Drive, Zimmerman removal of trees: A Request for Determination of Applicability, (RDA) was submitted on behalf of the homeowner. They would like to remove several trees, some in riverfront. The following special conditions were approved by the Commission 3-0 with Ted recusing himself from the vote.

**Special Conditions for Tree-Cutting in Riverfront Resource Areas and Wetland Buffers at 147 Sessions Rd
(11-4-2021 Hampden Conservation Commission)**

1. Equipment taken into the Riverfront Resource Area – 200 feet from the Mean Annual High Water Line and/or Top of Bank - or Wetland 100-foot buffer – must be limited to the minimum necessary to complete the task. In particular, low damage tires and equipment without tracks are encouraged.
2. No vehicles should encroach on the No-Disturb Zone identified by the Hampden By Laws.
3. Mats and other protective efforts are encouraged; the soil surface should remain as undisturbed as practicable.
4. Tree stumps within the 100-foot Riparian Zone should remain in place, but may be cut to surface level.
5. Identified invasive plants, including Oriental Bittersweet, Japanese Knotweed, Japanese Barberry, and Winged Euonymus may be cut at ground level within the Riverfront Resource Area. For more complete removal efforts, please consult with the Conservation Commission.
6. Vista pruning - the selective thinning of tree branches or understory shrubs to create a "window" to improve visibility - *as long as it occurs more than 50 feet from the mean annual high water line within a riverfront area or from a bordering vegetated wetland*, whichever is farther, are exempted by the regulations. (This activity does not include the cutting of trees or the mowing or removal of understory brush.) Please request guidance if the area is within Priority or Estimated Habitat of Rare Species.
7. Cordwood stacks are specifically exempted by the regulations (310 Code of Massachusetts Regulations 10.00, section 10.58(6)) as long as they are located in the riverfront area or buffer zone, but *not* within any other resource area.

8. If any work requires soil disruption, proper drainage must be provided for, during and at the end of each day's work, such that no area of work will drain directly into the river. This will include, but not be limited to, erosion control with anchored hay bales or silt barrier, and any needed restoration of barriers at the close of the workday. Restoration must occur as soon as possible.
9. Wetlands and stream boundaries, as determined / reviewed by _____ have been confirmed only for those areas specifically delineated on the PEI-prepared map of (date) _____. Work in any other area of the property will require additional delineation. ☐ Not Applicable
10. ☒ The Hampden Conservation Commission specifies that No delineations have been confirmed.
11. A special permanent condition will advise the Hampden Planning Board and anyone performing a title search on this property that ☒ Not Applicable
12. All plans, including any changes, should be signed and stamped by the design engineer, submitted and reviewed by the Conservation Commission and a 48-hour public notice posted.
☒ Not Applicable

Continuance of 546-548 Main Street Public Hearing: Adrienne Dunk of GZA attended the meeting and reviewed the Notice of Intent, (NOI) report and findings on the septic system located at this property. She advised that in August of 2021 a new leach field was constructed as part of the septic repair and that this was permitted within the Board of Health but not with the Conservation Commission. A Conservation Commission enforcement order was received, resulting in a delineation by GZA, in September of 2021 which found work located within the Riverfront Area, Town of Hampden bylaw Buffer Zone, land subject to flooding, isolated vegetated wetlands and Natural Heritage and Endangered Species Program, (NHESP) priority habitat. To date, no response has been received from NHESP. Ms Dunk advised the Commission of the restoration plan. Judy replied that the restoration was acceptable but the loss was not replicated since the large Legacy Maple tree was not being replaced. She further advised that we will have to wait for the NHESP response. Discussion on whether or not the unpaved current gravel areas could be repaved. The previous owner would like to have this paving done prior to winter weather setting in; otherwise it will have to wait until the spring. Adrienne Dunk offered that it would prevent further silt movement and the board unanimously agreed to approve the paving. At 7:42pm Ted motioned to continue the public hearing to November 17th at 6pm. Thom seconded all in favor 4-0

Ameresco Mitigation Parcels 18 Cross Road Town Attorney Rose Crowley had been in contact with Rebecca Zimmer at the Natural Heritage & Endangered Species Program (NHESP), part of the Massachusetts Division of Fisheries and Wildlife, (DFW) under the Executive Office of Environmental Affairs. There will be a Conservation Management Plan, (CMP), in place of a deed transfer. Ameresco will be responsible for complying with the CMP. The CMP will be written by and issued by the NHESP. There will be a certificate filed with the Hampden County Registry of Deeds stating the parcels are "under the custody and control of the "Conservation Commission. Ameresco will be responsible to provide baseline data and reports to the Conservation Commission and they, Ameresco, will bear the fiduciary responsibility for such. Discussion of location of mitigation parcels location and financial consideration to the Conservation Commission for the management of the mitigation parcel CMP. John made a motion to send a letter to Atty Crowley to agree with the proposed transfer of custody and control of mitigation parcels to the Conservation Commission and to accept the monetary contribution. Thom seconded, all in favor 4-0

Kirsch 268 Mountain Road Restoration of Silt Fence: Barriers need to be repaired and stabilized. The homeowner was to notify the Conservation Commission by November 1st and has not. A restoration plan is due to the Commission by November 17th. Judy suggested waiting until the 17th and Thom suggested sending a reminder letter to the homeowner(s).

Discussion of changing publication used to announce special meetings and public hearings.

Minutes:

John made a motion to accept the minutes as presented, Thom seconded, all in favor 3-0

With no further business, John made a motion to adjourn the meeting at 7:26pm, Thom seconded, all in favor 4-0