

Town House  
625 Main Street  
Hampden, MA 01036

Phone 413-566-2151 Ext. 110  
Fax: 413-566-3513  
e-mail [conservation@hampden.org](mailto:conservation@hampden.org)  
Cindi Connors, Admin. Asst

## TOWN OF HAMPDEN MASSACHUSETTS



**Conservation Commission**  
Bonnie Geromini  
Judy McKinley Brewer  
Philip Grant  
Ted Zebert  
Andrew Netherwood  
Tim Hanley

### HAMPDEN CONSERVATION COMMISSION Meeting Minutes September 19, 2018 Town House

Approved: October 17, 2018

Meeting called to order: 8/28/2018 @ 7pm

Members Present: Bonnie Geromini, Chair, Phil Grant, Ted Zebert, Tim Hanley, Andrew Netherwood and Judy McKinley-Brewer

Members Absent: None

Invited Guests: Joe Dasco, Stan Tenerowicz

Bills/Correspondence:

Agenda Items:

**7pm** Minutes review. Amendments noted and made.

*Judy made a motion to accept the minutes as revised, Bonnie seconded, all in favor 6-0*

**7:15pm Lot 24 Ridge Road, Boulder Hill Construction.** Joe Dasco stated there was some confusion as to the order of operations. He thought that the site walk would occur first. He then reached out to the commission and received instructions and now has documentation. The next step will be to schedule a site visit for confirmation of the wetland delineation. Stan Tenerowicz reached out to Sherman and Frydryk with no response. Stan will meet out there. He has been out recently and only saw one flag. In the riverfront area there is a steep bank down to the brook, if they used the top of the brook as the Mean Annual High Water line, there were no blue flags seen. The Bordering Vegetative Wetlands – there is a remnant of flag # three, flag # four, which Stan considers to be critical, was not seen. He stated he can't verify the flag locations because he can't find them. Stan has reviewed the alternatives analysis which does comply. A variance would need to be granted because they will be within the 25ft. In essence because of the wetland line being such, they have created their own hardship and the Conservation Commission would have to grant a variance. There are ways to comply with RPA regulations, assuming that the line is correct on the plan. For areas within 25ft, the existing well location, limit of work line up to the well and have the wording placed on the plan, in the deed and Orders of Condition. Establish a conditional work area for ongoing well maintenance. This can be mown once per year, no trees or brush growing up, a meadow type of environment. If house is slid to the edge of the building envelope another five feet could be gained. Joe Dasco would like to use split rail fence with re-bar to indicate the limit of mowing area. The wetlands have uplands in the center, place conservation restrictions in perpetuity this could create land of low value which in turn could decrease taxes for the homeowner if they chose to file for abatement. Phil asked Stan if he was confident this would meet the performance standards of the 25ft bylaw, and Stan is. Andrew asked about excavation right up to the edge of the brook and Joe Dasco replied that he is exploring coming in off of Glendale road. Stan said that underground electric already within the disturbed area. Phil asked how high the water was above grade and Joe replied about two feet max. Phil asked if the water table was low enough to support the SAS and Stan said the grade is 110 coming in and 113 at the septic area. Tim asked if the BOH has accepted the septic plan. Tim also said that it appears these will not be ordinary Orders of Conditions and Stan said he realized that and would help the commission with preparing them. There will need to be a statement about monuments marking the no disturb zone - Stan said those are shown on the plan but that the limit of work line may change, Tim added that they be no more than 50ft apart and Stan said they are 20-25ft apart on the plan. Stan said once the revisions have been made on the plan he will meet with Don Frydryk and view the flags then the Conservation Commission can go for a site walk with him. Stan and Don are to meet Thursday and then Stan will follow up with the commission. Bonnie wants the final plan and then the

commission can review and set a special meeting if they are not ready for the regular October meeting. *Judy made a motion to continue until October 17th at 7:15pm, Andrew seconded, all in favor 6-0.*

Robert Kirchherr, an abutter, requested copies of the most current documents and plans. He was informed that he could come to the office and view/have copied any that he wanted.

**7:41pm Number 224 Scantic Road, Steve Andwood.** He is looking for a certificate of compliance for the property. Tim had gone out and mapped the GPS coordinates and is satisfied with the work. *Bonnie made a motion to issue a complete Certificate of Compliance for the monuments at 224 Scantic road in Hampden. Judy seconded, all in favor 6-0*

Steve also came before the commission with a second project, 306A South road. There is a NHESP area, approximately 900 sq. ft. (30ft x 60ft), identified uphill at the back of the property. Judy told Steve that the NHESP will want to look at the two parcels to be sure there is enough space left. She instructed him to file an RDA and then they can look and the project would be official. Phil stated that there was nothing jurisdictional to us according to the mapping and the wetlands are on the other property. He advised Steve to send the information off to NHESP. Bonnie asked how much land there was and Steve responded 60,000 sq. ft. Judy told Steve that once NHESP reviewed, they would send him a letter. Steve asked that admin let the Building Inspector know that he had come before the commission so that the building permit could be issued. Steve supplied his email address and admin will send him the NHESP link.

**8:05pm Rick Bertheaud and Dan Isham, 234 South Road.** Bonnie commended Rick on the good job he had done with the RDA. Rick has already brought a copy to the 'State' and is waiting to hear back from them. Bonnie went on to say that there is no reason to hold the project up. She asked Rick to let us know when he hears from NHESP and stated that we will issue determination and if NHESP has any requests they will be added to that determination. Rick asked if NHESP would come out and Judy said they may. Bonnie told Rick that we will wait to hear from him. He was also told that he has to permanently mark the 25ft no work area and that he will be given specifics on how to install permanent markers/monuments. This is continued to next meeting, October 17th at 7:30pm.

**Inquiry:** Glen Oleksuk from Martin Farms road attended the meeting – he asked if Borrego Solar was making a presentation and asked the status of the project. Nothing has been submitted. The stream site walk has been done, last month a positive determination was issued on their Request for Determination of Applicability and now an NOI will need to be submitted. Glen asked about the perennial stream set back and Judy told him it was 200ft on each side by Potash Hill lane and Ted added that closer to Somers road, the intermittent stream has a 25ft buffer. Glen thinks that there is a small northern cornfield there that is encircled by a perennial stream as well. He also questioned the start date of building and Judy informed him that he should get an abutters notice when the NOI is filed if he is within 300ft of the proposed project.

Judy had made a request for information on what was being used in Great Horse ponds and was pleased to receive the information so quickly. This information has been put into a binder in the office in case residents request the information.

**Monuments:** Tim brought up that in July these were discussed and should be more permanent. *Tim made a motion to develop more specifics for monumentation, materials and installation. Judy seconded, all in favor 6-0*

**General Discussion:** Review of procedures, notification requirements, document determination of applicability RDA within 100ft, NOI within 100ft notification, CMR states notify abutters to 1000ft for an NOI. Alterations in vegetation, any shed deck, garden, tree removal, perhaps use the Riverfront Protection act language to help develop #2 to what would require notifying abutters, alter, fill dredge disturb. Look at bylaws and regulations, how to modify and notification process of changes. Judy also mentioned that NHESP has a specific list of (turtle plan) monuments. *Bonnie made a motion to continue discussion on notification requirements until October 17<sup>th</sup> meeting. Phil seconded, all in favor 6-0.*

Having no further business, *Bonnie made a motion to adjourn the meeting at 8:55pm, Andrew seconded, all in favor 6-0.*