

TOWN OF HAMPDEN MASSACHUSETTS

Town House
625 Main Street
Hampden, MA 01036

Phone 413-566-2151 Ext. 110
Fax: 413-566-3513
e-mail conservation@hampden.org



Conservation Commission
Bonnie Geromini
Judy McKinley Brewer
Ted Zebert
Andrew Netherwood
Tim Hanley
Kelly McCormick, Admin. Asst

HAMPDEN CONSERVATION COMMISSION Special Meeting Minutes June 5, 2019 Town House

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

Members Absent: none

The special meeting was called to order at 7:00pm.

Agenda Items:

7:00pm Ed Speight & Co. Inc. – Lot #22 Kibbe Lane

Tom Speight appeared before the board on this matter. Bonnie reviewed that Mr. Speight had submitted a Request for Determination of Applicability for Lot #22 Kibbe Lane on May 15, 2019. All members have been to the site and a Determination of Applicability has been prepared for the board to sign. The Order of Conditions that were previously issued have since expired and the applicant is looking to find out the status of this lot.

Bonnie and Andrew discussed how this property is not anywhere near the area protected under the act, therefore it should be a negative determination #1 – the area described in the request is not an area subject to protection under the act. The Commission clarified that this determination is only for the lot itself, not the road.

Bonnie made a motion to issue a negative determination #1. Judy seconded the motion. All in favor.

Andrew mentioned that the whole road has not been approved as a town road yet. Last week he noticed people pumping water out of their basements. Andrew stated that there was one house that had two hoses coming out of his basement. He asked if those storm drains are all tied directly into that pond. Judy recalled that the Commission had completed a long review of the storm drains on that road. Andrew stated that his concern is that the residents must be pumping out a large amount of water. Judy agreed that there had to be an issue. Andrew asked the other members if it would be the responsibility of the Stormwater Committee or the Selectmen to enforce it, or if it is something that the Conservation Commission would need to look into? He added that there is some storm containment, stating it's probably designed for all the rainwater, but is it designed for all of the additional water that's getting pumped out of the basements on top of it? Would the Selectmen have to issue a Cease and Desist? Andrew mentioned that if it's not a public way, it wouldn't be checked. It would only be town jurisdiction if the road has been accepted by the town. He informed the other members that he doesn't think the town can even enforce anything until the road has been accepted.

Judy stated that the Planning Board has approved the stormwater plan. Bonnie and Judy both mentioned that they have seen a lot of people complaining about it online. Andrew stated that he was going to bring it up to the Stormwater Committee to see what they say. Judy clarified that if they were being told that the water from the basements was going into the pond, it would be under the Conservation Commission's jurisdiction. Otherwise, it is not a Conservation issue. Judy advised talking to Mark Langone from the Highway Department regarding the overabundance of water.

Andrew reminded the Commission of how that issue was dealt with on Highland Ave., stating that each person had their own retention pond in their backyard. Judy said they saw the same thing on Ridge Rd. The board discussed

that the water retention is something they would like to look at and make sure is included when the NOI is filed. Andrew added that the Commission can request a whole stormwater/ runoff study. Judy informed the other members that they would need to catch that and speak to the Planning Board before they approve it.

Miscellaneous Bonnie thought it would be a good idea to do a quick recap on the status of a couple of recent filings. She informed the board that Stan Tenerowicz is taking care of the Borrego Solar Order of Conditions. Judy mentioned the application that had been filed for the Special Beaver Permit for the dam near the Laughing Brook Sanctuary. The Board of Health has signed a form saying that they declared it an emergency however Mark Stinson from the MA DEP says it is maintenance and not an emergency. Judy informed the board that there was a 22 page MA DEP manual that says there are not a lot of protocols on this and advises that the Commission should work it out with the Board of Health and go along with what they say. She stated that she is surprised Mr. Stinson did not go along with it being issued.

Signatures Minnechaug Land Trust – Grant application

Judy reviewed that this is the signature sheet that needs to be signed by the Commission for a grant application. It had been voted at the last Town Meeting for the Land Trust to buy West Brook in a local acquisition for a natural diversity grant. She explained that this is Russ Morton's old land. The last time the Land Trust had received the grant, Mr. Morton had changed his mind. This time he is looking into selling it. The Commission signed the form needed for the grant application.

The meeting was adjourned at 7:30pm.

Respectfully Submitted,
Kelly McCormick

Accepted: 7/17/2019