

EAST LONGMEADOW CONSERVATION COMMISSION

Date: March 11, 2020

Time: 6:00 PM

Place: School Committee Conference Room

East Longmeadow High School, 180 Maple St., East Longmeadow, MA

Draft MINUTES

Chair Craig Jernstrom opened the meeting at 6:02 PM and called the roll.

PRESENT: Craig Jernstrom, Chair
Tom O'Brien, Vice Chair
Jeffrey Bosworth, Clerk
Frances Corgnati
Anthony Zampiceni
Erin Lynch

Staff Present: Constance Brawders, Planning & Community Development Director; Bethany Yeo, Planning & Community Development Administrative Assistant

APPROVAL OF MINUTES:

February 12, 2020

Motion made to approve the February 12, 2020 minutes by Clerk Jeffrey Bosworth; second by Commission member Anthony Zampiceni and approved by a vote of six (6)- zero (0).

February 26, 2020

Motion made to approve the February 26, 2020 minutes by Clerk Jeffrey Bosworth; second by Vice Chair Tom O'Brien and approved by a vote of six (6)-zero (0).

Chair Jernstrom asked for a motion to take the agenda item regarding review of the Porter Road Culvert out of order.

Motion made by Commission Anthony Zampiceni; second by Commissioners Frances Corgnati and approved by a vote of six (6) – zero (0).

6. Review of Porter Road Culvert Replacement Plans submitted by the Department of Public Works East Longmeadow Deputy Superintendent Tom Christensen and David Goncalves, PE, Mott Macdonald were present for discussion. Tom Christensen stated that the proposed work may be covered by an existing bundled NOI which will expire in 2021 or, may require a new Notice of Intent based on how the existing Notice of Intent and Order of Conditions are interpreted and asked for the Commissions opinion on the matter. Mr. Goncalves elaborated on the structural repairs proposed for above and within the culvert, stating work will be done on the two walls going across Porter Road on the interior. Vice Chair Tom O'Brien inquired on the anticipated duration of the project. Mr. Goncalves stated they expected the bid for the project would go out in early May with the work beginning by July. Mr. Goncalves clarified that by coordinating catch basins, there will be no ponding in any location and explained the bulk of the work will take place on top of the culvert, not within the culvert thus creating minimum in-water work. Referring to the existing bundled Notice of Intent, Tom Christensen explained his interpretation that Category 5 applied as there was some in-water work. Vice Chair Tom O'Brien cautioned that sufficient monitoring of the work site would be necessary to ensure the bank does not erode and provided an example in Agawam, MA of a similar DOT project. Mr. Goncalves stated provisions were in place to prevent bank erosion. Commissioner Frances Corgnati inquired what material would be used for the erosion controls. Mr. Goncalves stated although ultimately up to the Commission, the plan was to use straw waddles. Chair Jernstrom inquired on greater clarification on

specifics of the proposed work. Vice Chair Tom O'Brien asked for confirmation that the work will involve damming off half the brook at a time to allow aquatic life to be allowed to do what it typically does. Mr. Gonclaves confirmed.

Chair Jernstrom opined a new Notice of Intent may be required given the nature of the work. Tom Christensen offered to send Commissioners the DOT (Department of Transportation) report on the recommended repairs for the structure and stated he would also send revised plans to the Commission if needed. Mr. Gonclaves explained the Erosion control plan could be found on sheet No. 4 of the plans. Discussion ensued regarding the anticipated timeline by The Department of Public Works (DPW). Tom Christensen estimated submittals would need to be completed by June with the contract needing to be in place by mid-May with an Order of Conditions approved by the Commission by the end of April, ideally. Vice Chair Tom O'Brien and Commissioner Anthony Zampiceni opined they were in favor of the project falling under the existing bundled Notice of Intent.

Motion made to approve the project under the bundled Notice of Intent with conditions including erosion controls requiring doubled-up straw waddles, and notice to abutters made by Vice Chair Tom O'Brien; second by Commissioner Anthony Zampiceni.

Discussion ensued.

Motion to amend original motion to include best management practices and notification of the Commission of the preconstruction meeting made by Vice Chair Tom O'Brien; second by Commissioner Frances Corgnati and approved by a vote of six (6)-zero (0).

Discussion ensued. Commissioners Erin Lynch and Frances Corgnati abstained from the vote due to insufficient knowledge of the matter.

Anthony Zampiceni: Yes

Tom O'Brien: Yes

Jeffrey Bosworth: Nay

Craig Jernstrom: Nay

Motion failed due to tie vote.

Chair Jernstrom stated the discussion would be continued to the March 25, 2020 meeting at which point the Commission would advise on if a new Notice of Intent is applicable.

CERTIFICATE OF COMPLIANCE REQUESTS:

- 1. CC 2020-2: Request for Certificate of Compliance for Chestnut Street Unit IV -17, 7 Ribbon Grass Lane (Mass DEP File # 150-363)**—Request for Certificate of Compliance for Unit IV-17, 7 Ribbon Grass Lane (Assessor's Parcel ID 7-74-75). Applicant: Dan Roulier & Associates, Inc. and D.R. Chestnut, LLC, c/o Devlin, Peters & Tarpey, LLC, P.O. Box 400, Somers, CT, 06071

Commissioner Erin Lynch stated she would be recusing herself from the vote of all Requests for Certificate of Compliance for the Fields at Chestnut due to a conflict of interest.

Chair Craig Jernstrom stated for the record that the request for certificate of compliance included a letter from an engineer stating the unit does not fall within the resource area and is therefore non jurisdictional.

Motion to approve made by Commissioner Anthony Zampiceni; second by Clerk Jeffrey Bosworth and approved by a vote of five (5)-zero (0). Commissioner Erin Lynch recused.

- 2. CC 2020-3: Request for Certificate of Compliance for Chestnut Street Unit IV-15, 3 Ribbon Grass Lane (Mass DEP File # 150-363)** —Request for Certificate of Compliance for Chestnut Street Unit IV-15, 3 Ribbon Grass Lane (Assessor's Parcel ID 7-74-75). Applicant: Dan Roulier & Associates, Inc. and D.R. Chestnut, LLC, c/o Devlin, Peters & Tarpey, LLC, P.O. Box 400, Somers, CT, 06071

Chair Craig Jernstrom stated for the record that the request for certificate of compliance included a letter from an engineer stating the unit was not within resource area or associated buffers.

Motion to approve made by Clerk Jeffrey Bosworth; second by Vice Chair Tom O'Brien and approved by a vote of five (5)-zero (0).

3. **CC 2020-4: Request for Certificate of Compliance for Chestnut Street Unit I-23, 30 Broadleaf Circle (Mass DEP File # 150-363)** —Request for Certificate of Compliance for Chestnut Street Unit I-23, 30 Broadleaf Circle (Assessor's Parcel ID 7-74-75). Applicant: Dan Roulier & Associates, Inc. and D.R. Chestnut, LLC, c/o Devlin, Peters & Tarpey, LLC, P.O. Box 400, Somers, CT, 06071

Chair Craig Jernstrom stated for the record that the request for certificate of compliance included a letter from an engineer stating the unit was not within resource area or associated buffers.

Motion to approve made by Vice Chair Tom O'Brien; second by Commissioner Anthony Zampiceni and approved by a vote of five (5)-zero (0).

4. **CC 2020-5: Request for Certificate of Compliance for Chestnut Street Unit V-01, 46 Fields Drive (Mass DEP File # 150-363)** —Request for Certificate of Compliance for Chestnut Street Unit V-01, 46 Fields Drive (Assessor's Parcel ID 7-74-75). Applicant: Dan Roulier & Associates, Inc. and D.R. Chestnut, LLC, c/o Devlin, Peters & Tarpey, LLC, P.O. Box 400, Somers, CT, 06071

Chair Jernstrom read into the record the letter on file signed and stamped by Michael Smith, Smith Surveyors which reported the wetlands monuments have been set according to the plans on file and an as-built would be recorded at the Registry of Deeds.

Motion to approve made by Commissioner Anthony Zampiceni; second by Clerk Jeffrey Bosworth and approved by a vote of five (5)-zero (0).

5. **CC 2020-6: Request for Certificate of Compliance for Chestnut Street Unit IV-20, 18 Ribbon Grass Lane (Mass DEP File # 150-363)** —Request for Certificate of Compliance for Chestnut Street Unit IV-20, 18 Ribbon Grass Lane (Assessor's Parcel ID 7-74-75). Applicant: Dan Roulier & Associates, Inc. and D.R. Chestnut, LLC, c/o Devlin, Peters & Tarpey, LLC, P.O. Box 400, Somers, CT, 06071

Chair Craig Jernstrom stated for the record that the request for certificate of compliance included a letter from an engineer stating the unit was not within resource area or associated buffers.

Motion to approve made by Commissioner Anthony Zampiceni; second by Clerk Jeffrey Bosworth and approved by a vote of five (5) –zero (0).

6. **CC 2020-7: Request for Certificate of Compliance for Chestnut Street Unit V-25, 12 Clover Lane (Mass DEP File # 150-363)** —Request for Certificate of Compliance for Chestnut Street Unit V-25, 12 Clover Lane (Assessor's Parcel ID 7-74-75). Applicant: Dan Roulier & Associates, Inc. and D.R. Chestnut, LLC, c/o Devlin, Peters & Tarpey, LLC, P.O. Box 400, Somers, CT, 06071

Chair Craig Jernstrom stated for the record that the request for certificate of compliance included a letter from an engineer stating the unit was not within resource area or associated buffers.

Motion to approve made by Commissioner Frances Corgnati; second by Anthony Zampiceni and approved by a vote of five (5) - zero (0).

7. **CC 2020-8: Request for Certificate of Compliance for Chestnut Street Unit I-II, 17 Broadleaf Circle (Mass DEP File # 150-363)** —Request for Certificate of Compliance for Chestnut Street

Unit I-II, 17 Broadleaf Circle (Assessor's Parcel ID 7-74-75). Applicant: Dan Roulier & Associates, Inc. and D.R. Chestnut, LLC, c/o Devlin, Peters & Tarpey, LLC, P.O. Box 400, Somers, CT, 06071
Chair Craig Jernstrom stated for the record that the request for certificate of compliance included a letter from an engineer stating the unit was not within resource area or associated buffers.

Motion to approve made by Commissioner Frances Corgnati; second by Commissioner Anthony Zampiceni and approved by a vote of five (5)-zero (0).

NEW PUBLIC HEARINGS:

No new submittals.

PROJECT MONITORING:

1. Projects [See Project Monitoring spread sheet]

Chair Jernstrom reported on site visit conditions at Hidden Ponds Estates Lot 19 stating a foundation had been laid however tracking pads did not appear to have been utilized resulting in red clay on the roadway.

OTHER BUSINESS:

2. Review Plans for Comments for Planning Board from the Conservation Commission

SPRW 2020-9: Home Office—Request by applicant for Site Plan Review Waiver for a home office for East Coast Consulting, LLC, a general contracting business at 34 Halon Terrace (Assessor's ID 21-24-8) on a 4.55 +/- acre site in the Residence A zoning district. Applicant: Peter E. Sares II, 34 Halon Terrace, East Longmeadow, MA 01028.

SPRW 2020-8: CSV Transform, Inc.—Request by applicant for Site Plan Review Waiver for a transformation consulting business at 200 North Main Street, Ste. 9 (Assessor's Parcel ID 25-4-9) in an existing 928 +/- SF structure in the Business zoning district. Applicant: Christine Vogel, 432 Porter Road, East Longmeadow, MA 01028.

The Chair stated that the Home Office was in the primary residence not the accessory structure on the property at 34 Halon Terrace. Planning Director Constance Brawdgers shared that the accessory structure served as an in-door baseball pitching space for Mr. Sares and his daughter to practice in, not an office space.

The Commission stated they have no comment on the Site Plan Waivers as they are non-jurisdictional and reiterated to the Planning Director Constance Brawdgers that they saw no need in providing comment to the Planning Board unless it was an issue within their jurisdiction.

3. Director's Report

- Update on Pioneer Valley Planning Commission Shared Use for Conservation Agent

The Director Constance Brawdgers reported on preliminary discussions of the job duties and functions of the Conservation Agent position.

4. Policies and Procedures of the Conservation Commission

- MACC Conference slides-Unit 105: Writing Effective Orders of Conditions

Commissioners Frances Corgnati and Erin Lynch provided a report on their experiences at the annual MACC conference and offered to email copies of the MACC conference slides to the rest of the Commission for future reference.

- Discussion of DRAFT Conservation Commission Annual Report to be submitted to Town Manager 03-16-2020
- Review of Conservation Commission Accounts 8204 Con Com / Program, 8203 Con Com / Land Acq, and 2901 Wetlands Protection

The Commission clarified that review of the Conservation accounts was only necessary once a month.

- Review and approval of Conservation Commission policy and procedure for acquiring land.
5. Discussion of acquisition of land located at Hampden Road (Assessor's Parcel ID 90-1-1) as proposed by Keith H. and Kerisa P. Fitzgerald, 28 Dartmouth Lane, East Longmeadow, MA 01028 (Cont. from January 22; February 12, 2020).

The Commission discussed the pros and cons of acquiring the land located at Parcel ID 90-1-1 and ultimately determined the land did not meet the criteria laid out in the Conservation policy for acquiring land as it is agricultural.

Clerk Jeffrey Bosworth reported he would draft a letter stating such to Keith and Kerisa Fitzgerald.

ADJOURN: Motion to adjourn made by Commissioner Anthony Zampiceni; second by Commissioner Frances Corgnati and approved by a vote of six (6)-zero (0) at 8:03 PM.

DATE OF NEXT MEETING: March 25, 2020

Respectfully submitted.

Bethany Yeo
Acting Director of Planning & Community Development