

**East Longmeadow
Department of Community Development and Planning
60 Center Square
East Longmeadow, Massachusetts 01028
(413) 525-5400- ext. 1700 - fax (413) 525-1656**



**Minutes
Meeting of the Conservation Commission
June 13, 2018**

5:00pm: Site Visit at 0 Grove Ave., Notice of Intent

5:30pm: Site Visit at 295 Maple St., Request for Determination of Applicability

6:00 pm: Library Conference Room, 60 Center Square, East Longmeadow, MA 01028

Present: Chairman Craig Jernstrom; Clerk Jeffrey Bosworth; Anthony Zampiceni; Mary Ellen Goodrow; William Arment; Thomas O'Brien

Also present: Director of Planning Constance Brawders

Absent: Vice Chair Robert Sheets

Chairman Jernstrom called the meeting to order at 6:03pm.

Mr. O'Brien moved to take the agenda out of order to hear the Request for Determination of Applicability for 295 Maple Rd. first; seconded by Mr. Arment. **The motion to take the agenda out of order to hear the Request for Determination of Applicability for 295 Maple Rd. passed unanimously (6-0).**

- Request for Determination of Applicability, Case # RDA 2018-04, filed by Frank & Maria Raschilla. The request is to determine whether the work done on a 4.57 +/- acre parcel located at **295 Maple Road** (Assessor's Parcel ID 6-11-0) in the Residential-Business zoning district is subject to Wetlands Protection.

Clerk Bosworth read the legal notice into the record.

Applicant Frank Raschilla of 329 Westwood Ave. described the destruction of the wooded area adjacent to his property, at 295 Maple Rd. He expressed concern about wildlife and possible wetlands. Mr. Arment asked if his property was the one with all the equipment, and Mr. Raschilla said that it was. Co-applicant Maria Raschilla of 329 Westwood Ave. also expressed the same concerns. She asked if it's possible that the wetlands could have been altered since the original determination that there were no wetlands on the property at 295 Maple Rd. and Chairman Jernstrom said that it was possible. David Delvechio of 26 Lessard Circle asked if a commercial property was going to be built there on the site and the Commission said that no plans had been submitted to the Town as of yet. Jen Maccarini of 29 Lessard Circle also expressed concern about wildlife in the area and asked if the Conservation Commission was there when this project initially started. Chairman Jernstrom said that they were not notified when the project initially started. Mark Maccarini of 29 Lessard Circle stated his understanding that this is not the purview of the Conservation Commission. Chairman Jernstrom explained that since there are no wetlands, the alteration of the site is not the purview of the Conservation Commission. Ms. Raschilla stated that she and Mr. Raschilla had been seeking answers from Town Hall for the last five months and did not receive any. Chairman Jernstrom

recommended they seek to be put on the agenda to be heard by the Town Council. Mr. Maccarini voiced his concern about not getting accurate information from Town employees. Mr. Arment moved to issue a negative one determination; seconded by Clerk Bosworth. **The motion to issue a negative one determination for the property located at 295 Maple St. passed unanimously (6-0).**

Mr. O'Brien moved to take the agenda out of order to hear the case for 0 Grove Avenue next; seconded by Mr. Arment. **The motion to take the agenda out of order and hear the Notice of Intent filed by Baldwin Street, LLC passed unanimously (6-0).**

- Public Hearing: Notice of Intent (Case #NOI 2018-06, MassDEP File #150-0431) filed by Baldwin Street, LLC to construct a self-storage facility on a 9.5 acre (+/-) lot at **0 Grove Avenue** (Assessor Parcel ID 15-32-E) in the Residential C zoning district.

Clerk Bosworth read the legal notice into the record.

Rob Levesque of R. Levesque Associates, representative for the applicant, presented the proposed project. He said that no work is being proposed within the wetland area, but only in the outer riparian. The project does fall slightly within the 100 foot buffer zone, which is in an upland review area, not wetlands. There will not be a substantial amount of grading or fill near any of the wetland resource areas. He explained the proposed storm water management plan, pointing out that even though it is not subject to DEP stormwater management standards, they are constructing it as if it is. Chairman Jernstrom opened up to public comment. Phil Abair of 5 Fifth St. asked if there was a sub terrain water impact study, pointing out an area of concern where there is substantial pooling. He repeatedly expressed concern about wildlife in the area and water management, citing the already poor conditions on his road as well as Baldwin St. Chairman Jernstrom expressed his opinion that since this will be a slab construction, the impact would not be as significant as Mr. Abair is concerned about. Mr. Arment confirmed that excavation only goes down about 2 feet for these types of structures. Mr. Levesque explained his organization's role in examining all facets of water management. He also pointed out that the grading would take on all the water from Fifth Street and the surrounding hilly areas. He explained that there were not endangered species in the area, and even so, that would not be regulated by the Conservation Commission. Mr. Abair asked if a wildlife impact study was requested by the Commission, and Chairman Jernstrom replied that one was not requested. He also explained that the Commission's jurisdiction is only within the 100 foot buffer zone, and that this project indicates minimal impact to the resource area, in his opinion. Mr. O'Brien asked the height of the retaining walls. Mr. Levesque responded that they vary between a couple of feet up to seven feet. Mr. O'Brien asked about the pitch of the retaining wall. Mr. Levesque stated the slope is 4 or 5 to 1. Mr. O'Brien asked for clarification of the path of stormwater management, and Mr. Levesque explained it again. Mr. O'Brien then asked about the rise of the drainage line. Mr. Levesque explained. He then pointed out erosion controls that will be put in place. He indicated the potential to install a temporary drainage basin, but ideally it would not be necessary because the project would move along quickly enough. Chairman Jernstrom asked about fencing and if it was going around the stormwater basin, as well. Mr. Levesque indicated that there was not fencing around the basin, but around the perimeter of the entire facility, instead, with a gate for access to the basin. Chairman Jernstrom expressed his opinion that this is a low impact project and he doesn't have any issues. Director Brawders also pointed out that there are bylaws (3.011) that prohibit storage of certain hazardous materials onsite and would likely be called out as a condition of approval by the Planning Board,

should the project reach that point in the Town's approval process. Clerk Bosworth moved to close the public hearing; seconded by Mr. Arment. **The motion to close the public hearing for 0 Grove Ave. passed unanimously (6-0).**

Clerk Bosworth moved to approve the Order of Conditions with special conditions; seconded by Mr. Arment. **The motion to approve an Order of Conditions for the Notice of Intent filed for 0 Grove Ave. with the following special conditions: Install a double barrier, erosion control (silt fence) or straw bales on the downhill slope at the eastern property line; construction phase temporary basin in place during construction; fabric or stone strip on the east side of the retaining wall not to exceed offset two feet; straw bales around the perimeter of the site and at the terminus of Fifth street passed unanimously (6-0).**

Minutes

- The minutes of May 23, 2018 were reviewed. Mr. O'Brien moved to accept the minutes; seconded by Clerk Bosworth. **The motion to approve the minutes of May 23, 2018 passed unanimously (6-0).**

New Business

- Request for Certificate of Compliance: **134 Country Club Dr.**, Case # CC 2018-02, filed by Timothy Geraghty, Esq. for Timothy and Deanne Daggett.
Mr. O'Brien moved to grant the Certificate of Compliance; seconded by Clerk Bosworth. **The motion to issue the Certificate of Compliance for 134 Country Club Dr., Case # CC 2018-02, filed by Timothy Geraghty, Esq. for Timothy and Deanne Daggett passed unanimously (6-0).**

Old Business

- Public Hearing Continuation: Notice of Intent for Somers Road, Lot #1 (Assessor's Parcel 79-30-J) by Todd Cellura of Sovereign Builders, Inc., 135 Southampton Road, Westhampton, MA 01027 (Case Continued from May 9, 2018).

The applicant requested to continue the public hearing until June 27, 2018 at 6pm.

- Public Hearing Continuation: Notice of Intent for Somers Road, Lot #2 (Assessor's Parcel 79-30-J) by Todd Cellura of Sovereign Builders, Inc., 135 Southampton Road, Westhampton, MA 01027 (Case Continued from May 9, 2018).

The applicant requested to continue the public hearing until June 27, 2018 at 6pm.

- Public Hearing Continuation: Notice of Intent for Somers Road, Lot #3 (Assessor's Parcel 79-30-J) by Todd Cellura of Sovereign Builders, Inc., 135 Southampton Road, Westhampton, MA 01027 (Case Continued from May 9, 2018).

The applicant requested to continue the public hearing until June 27, 2018 at 6pm.

- Public Hearing Continuation: Notice of Intent for Somers Road, Lot #4 (Assessor's Parcel 79-30-J) by Todd Cellura of Sovereign Builders, Inc., 135 Southampton Road, Westhampton, MA 01027 (Case Continued from May 9, 2018).

The applicant requested to continue the public hearing until June 27, 2018 at 6pm.

- Missing Curbing: 9 Euclid Ave, Michael Torcia Jr

Chairman Jernstrom referred to a conversation with Mr. Torcia when he was assured that the curbing would be taken care of, as soon as he can get a machine available. Chairman Jernstrom will have Mr. Torcia send in a letter and picture when the curbing is complete.

Chairman Jernstrom requested that in matters of invitations to meetings that the Conservation Commission be notified.

Administrative Matters

There was general discussion regarding forms that are required to be available to the Commission during meetings.

Open Meeting Complaint

Director Brawders informed the Commission that there was a complaint and the Town Attorney is currently reviewing it and more information will be available by the next meeting.

Chairman Jernstrom asked hypothetically if when he drives by a site, if it has to be put on the agenda before it can be discussed at a meeting. Director Brawders confirmed that this is the case, and also discussed potential benefit to the Commissioners regarding some Open Meeting Law training and promised to get more information to the Commission.

Adjourn

Mr. Arment moved to adjourn at 7:40pm; seconded by Mr. Zampiceni. **The motion to adjourn at 7:40pm passed unanimously (6-0).**

For the Commission,

Tracy Berns