



**EAST LONGMEADOW CONSERVATION COMMISSION**  
**Wednesday, June 24, 2020**  
**6:00 PM Eastern Time (US and Canada)**  
**Zoom Webinar**

**MINUTES**

Chair Craig Jernstrom opened the meeting at 6:03 PM and called the roll.

**CALL THE ROLL**

Present: Craig Jernstrom, Chair  
Tom O'Brien, Vice Chair  
Jeffrey Bosworth, Clerk  
Frances Corgnati  
Erin Lynch  
Anthony Zampiceni – joined at 6:09 PM  
Staff Present: Bethany Yeo, Acting Director of Planning & Community Development; Ryan Quimby, IT Director

**APPROVAL OF MINUTES**

May 13, 2020- Amended

**Motion to approve as amended made by Clerk Jeffrey Bosworth; second by Commissioner Erin Lynch and approved by roll call vote four (4)-zero (0). Commissioner Erin Lynch abstained from the vote having not been in attendance for meeting.**

May 27, 2020

**Motion to approve made by Clerk Jeffrey Bosworth; second by Commissioner Erin Lynch and approved by roll call vote five (5)-zero (0).**

June 10, 2020

**Motion to continue to July 8, 2020 made by Clerk Jeffrey Bosworth; second by Commissioner Erin Lynch and approved by roll call vote five (5)-zero (0).**

**CERTIFICATE OF COMPLIANCE REQUESTS**

1. **Case CC 2020-11: Request for Certificate of Compliance for 141 Country Club Dr (Mass DEP File # 150-77)**—Request for Certificate of Compliance for 141 Country Club Drive (Assessor's Parcel ID 69-6-45). Applicant Representative: Atty. Gerard J. DiSanti, DiSanti Law Offices, 117 Park Avenue, Ste. 301, West Springfield, MA 01089.

Chair Craig Jernstrom shared based on a site visit conducted by himself, Jeffrey Bosworth and Anthony Zampiceni on June 23, 2020 the above referenced property was outside of the Commission's jurisdiction.

**Motion to grant the Certificate of Compliance made by Clerk Jeffrey Bosworth; second by Commissioner Erin Lynch and approved by roll call vote five (5)-zero (0).**

**OLD BUSINESS**

2. **WPA Enforcement Order #1: Hidden Ponds Estates Lots 19-20 (Mass DEP 150-0447)** for violation by Al Joyce, Rose-Bud Builders, P.O. Box 79, East Longmeadow, MA 01028 for removal of twelve (12) trees larger than 1-1/2" diameter outside the Limit of Work line and inadequate erosion controls.

Chair Craig Jernstrom stated there had been no changes since the previous meeting however, suggested the Commission send Mr. Joyce a letter requesting the complete assessment of erosion and sediment report from GZA as it appeared the version the Commission had received was incomplete as there was

no conclusion to the report and it seemed to end abruptly. The Commission agreed to send such a letter to Mr. Joyce.

3. Request by applicant to discuss erosion control measures for Lot 3 Hidden Ponds Drive (Mass DEP File # 150-0428), Lot 4 Hidden Ponds Drive (Mass DEP File # 150-0446), and Lots 19-20 Redstone Drive (Mass DEP File # 150-0447). Applicant: Al Joyce, Rose-Bud Builders, P. O. Box 79, East Longmeadow, MA 01028.

Chair Craig Jernstrom stated there was no updates to report on the agenda item.

#### **NEW PUBLIC HEARINGS**

4. **Case RDA 2020-2: Request for Determination of Applicability for 144 Mapleshade Avenue** (Assessor's Parcel ID 36-5-0) for emergency replacement of existing footing drains, re-grading and installation of a patio area subject to jurisdiction of the Wetlands Protection Act on a 1.0 +/- acre site. Applicant: Michael Bednaz, 144 Mapleshade Avenue, East Longmeadow, MA 01028.

Clerk Jeffrey Bosworth read the legal notice into the record. Applications Michael Bednaz and Melissa Bednaz were present for discussion. Mr. Bednaz reported on the sequence of events leading to the REquest for Determination of Applicability:

March 30, 2020- Water was found leaking into the basement at 144 Mapleshade Avenue.

April 1, 2020- Further investigation resulted in the discovery of standing water in the basement.

April 1-2, 2020- Mr. Bednaz got quotes from two contractors for the installation of drains by the basement to prevent water from entering the basement.

April 9, 2020- A rain event occurred and revealed a large crack in the foundation wall where the water was entering the basement. Mr. Bednaz worked under the advisement of his father, Steven Bednaz, owner of Bednaz Excavating Inc. [32 Hazelwood Rd, East Granby, CT 06026]. Mr. Bednaz reported a dig safe permit was obtained prior to beginning work.

April 11, 2020-Excavation of the exterior wall reveals the crack was visible on both the exterior and interior of the foundation wall and uncovered remnants of clay footing drains filled with sediment in the area.

April 12, 2020- Replaced the clay piping with PVC piping and sealed the crack both on the exterior and interior before filling in the trench.

April 25, 2020- Grading to encourage water to flow away from the house was completed and grass seed was put down. Mr. Bednaz reported that the lawn was now fully grown in.

Chair Craig Jernstrom asked Vice Chair Tom O'Brien would be recusing himself. Vice Chair Tom O'Brien stated he was the applicant's neighbor however, would not be recusing himself from the case as the Commission was slanted and if he were to recuse himself other commissioners should do so as well.

Jeffrey Bosworth clarified that the site visit photos distributed to Commissioners had been taken by him prior to any work being done at the site.

Chair Craig Jernstrom opined the Stormwater Exemption Mr. Bednaz had noted on the RDA application was not applicable and requested the applicant submit a site plan. Commissioner Frances Corgnati stated she would also like to see a site plan which includes the proposed shed and patio. Mr. Bednaz stated there had been no submittals of plans illustrating existing conditions or proposed changes prior to the work being completed as he had had access to the necessary tools via his father's excavating company and completed the work himself. The Commission reiterated their request for a plan including the grading, proposed patio and shed. Commissioner Anthony Zampiceni suggested a site visit be conducted prior to the next meeting on July 8, 2020.

**Vice Chair Tom O'Brien made a motion to continue to the July 8, 2020 meeting for the applicant to have a site plan drawn up; second by Commissioner Frances Corgnati and approved by roll call vote six (6)-zero (0).**

5. **Case NOI 2020-4: Amended Notice of Intent for Robin Street/Smith Avenue** (Assessor's Parcel ID 3B-62-131) for alteration of grading and proposed single-family home with within the 100' Buffer Zone on a 0.23 +/- acre site. Applicant: Ralph Capua, 72 Prospect Street, East Longmeadow, MA 01028.

Clerk Jeffrey Bosworth read the legal notice into the record. Ralph Capua, applicant/owner and Mike Mocko, Environmental Consultant were present for discussion. Mr. Mocko summarized the amendments to the originally approved Notice of Intent (NOI) for Robin Street/Smith Avenue. Clerk Jeffrey Bosworth commented in the original NOI there had been discussion that trees would only be removed to create space for the propose house and stated it now appeared the lot had been completely cleared of vegetation. Clerk Jeffrey Bosworth also noted the original NOI the Commission had questioned if there would be fill brought in and the response had been that the only fill brought in would be used to grade around the house however, opined a significant amount of fill had been brought on site. Grading would go from 106-102'and driveway would gently slope down. Commissioner Bosworth noted the amended NOI showed the proposed garage floor at a grade of 106.

Mike Mocko stated the low side of the proposed house facing Smith Avenue will not be a walkout and explained the existing grade is 97' and the basement floor will be 98.5'. Mike Mocko also noted that in terms of drainage, the sand fill will be used as subsoil which will absorb more rainfall coupled with the infiltration systems will further reduce runoff. Mike Mocko confirmed that the run off patterns remain the same in the amended Notice of Intent as the original and there will be no impact to any of the surrounding properties. Mr. Capua explained the subsoil had been removed and fill in the form of sand had been brought in to help with drainage. Mr. Capua further explained that the sand was currently stockpiled outside the 100' Buffer Zone and will be put under the garage and basement slab. Commissioner Frances Corgnati also commented on the removal of the vegetation on site and opined the proposed grade change was more than a 6 'difference and requested proof that it was not. Mr. Capua stated that most of the trees on the lot had been within the building envelope and stated very few had been outside of this area resulting in the clear cutting of the lot. Commission Erin Lynch inquired if there were plans to plant vegetation along the left side of the house that borders the 50 ' Buffer Zone. Mr. Capua replied he had no problem putting seed down and cutting in and maintaining it but it depended largely on what DPW is going to do in terms of maintenance for sewer and water lines. Vice Chair Tom O'Brien commented the grade appeared neutral or slightly positive with the new fill and opined the sandy fill would help reduce the run off. Vice Chair Tom O'Brien also asked for an explanation of the proposed infiltrator system and the original drywell. Mike Mocko explained they all work the same using a hollow cavity however a drywell is a concrete, round structure surrounded by crushed rock so the water can be stored and then release into the soil, while the infiltrator looks like a plastic Quonset huts that are set up in a row. Rainfall is stored in the hollow center which is filled with crushed stone which allows the soil to absorb the rainfall. Mike Mocko opined the infiltrator system was a better choice for the site.

Public hearing open to public comment:

Abutter James Cassidy commented as long as there were no excess run off from the site onto his property, he had no issues with the amendment. Mr. Cassidy inquired if Mr. Capua would be taking over the paper street as Dino Graziano had down the road. Chair Jernstrom stated there are no current plans to take over the paper street however suggested there was language that those abutting the paper street needed to maintain up to the half way mark of the street. Mr. Graziano stated he would not mind if the paper street was maintained by Mr. Capua as it may prevent future dumping. Mr. Capua stated he had had seven No Dumping signs installed for the paper street and all seven had been stolen or removed.

**Motion to close the public hearing made by Clerk Jeffrey Bosworth; second by Commissioner Anthony Zampiceni and approved by roll call vote six (6)-zero (0).**

The Chair commented on the change from tying the water and sewer in on Robin Street to tying them in via the paper street and within the 50' Buffer Zone. Mike Mocko offered to show the specific erosion controls that would be installed for those connections. Mike Mocko opined the connections as proposed will be much less disruptive from the standpoint of not having to disturb any pavement. Chair Jernstrom stated that erosion controls on the left side of the lot and as showed on the plan had not been installed. Mike Mocko stated they would take care of the erosion controls as soon as possible. Clerk Jeffrey Bosworth also noted erosion controls along Robin Street in the front of the lot also needs attention. Ralph Capua stated he would also take care of those erosion controls. Chair Jernstrom stated he was in favor of the use of sand for fill and had no issues with the amendments as proposed.

**Motion to approve the amended NOI made by Clerk Jeffrey Bosworth; second by Commissioner Erin Lynch and approved by roll call vote six (6)-zero (0).**

**PROJECT MONITORING**

1. Projects [See Project Monitoring spread sheet]

The Chair asked if the Planning Director could provide an updated project monitoring spreadsheet to the Commissioners on a weekly basis. The Planning Director stated that the new Conservation Intern had begun the previous Monday and was in the process of collating the project monitoring and site visit information into one google sheet for the Commission to use and update as needed.

Chair Jernstrom reported on site visit findings for Bella Vista Estates conducted on June 23, 2020 stating all site conditions were in order as expected.

Clerk Jeffrey Bosworth stated he and Anthony Zampiceni had conducted a site visit at Robin/Smith on June 23, 2020 and inquired if any Commissioners had conducted site visits at 101 Old Farm Road now that he had installed the loam. Chair Jernstrom said he has not conducted a site visit since the loam was installed.

**OTHER BUSINESS**

2. Policies and Procedures of the Conservation Commission

The Chair spoke in favor of opening Town Hall and Town buildings sooner than later. Commissioner Frances Corgnati asked if the version date of the agenda be included on the document to prevent confusion between the draft agenda and the final agenda. Bethany Yeo, Planning Director stated she would make an effort to label the agendas more clearly in the future. Commissioner Frances Corgnati suggested the Commission takes extra care to mute their microphones during meetings when others are speaking to prevent excess background noise.

**Motion to move into executive session to discuss the Open Meeting Law complaint and come back to open session only to adjourn the meeting made by Clerk Jeffrey Bosworth; second by Commissioner Frances Corgnati and approved by roll call vote six (6)-zero (0) at 7:00 PM.**

**EXECUTIVE SESSION**

- Pursuant to MGL Ch. 30A, §21 (a) (1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.

**ADJOURN** Motion to adjourn made by Clerk Jeffrey Bosworth; second by Commissioner Anthony Zampiceni and approved by roll call vote six (6)-zero (0) at 7:15 PM.

Respectfully submitted.

Bethany Yeo,  
Planning & Community Development Director