

EAST LONGMEADOW CONSERVATION COMMISSION

Wednesday, October 28, 2020

6:00 PM Eastern Time (US and Canada)

Zoom Webinar



MINUTES

Chair Craig Jernstrom opens the meeting at 6:05 PM and called the roll.

CALL THE ROLL

Present: Craig Jernstrom, Chair
Tom O'Brien, Vice Chair
Jeffrey Bosworth, Clerk
Anthony Zampiceni
Frances Corgnati
Elizabeth Stoughton (New Member, Non-Voting)

Staff Present: Bethany Yeo, Planning & Community Development Director

APPROVAL OF MINUTES

October 14, 2020

Motion to postpone approval of said minutes made by Board Member Anthony Zampiceni; second by Clerk Jeffrey Bosworth and approved by roll call vote four (4)-zero (0). Board Member Elizabeth Stoughton abstained, as she was not present at the meeting.

CERTIFICATE OF COMPLIANCE

1. **CC 2020-16: Request for Certificate of Compliance for Lot 23 Bella Vista Drive (Mass DEP File # 150-383)**— Request for Certificate of Compliance for Lot 23 Bella Vista Drive (Assessor's Parcel ID 44-10-23). Applicant: AC Homebuilding, LLC, 1031 Tinkham Road, Wilbraham, MA 01095.

Chair Craig Jernstrom reported that part of the Conservation Commission did a site visit on October 23, 2020. He stated that he was present along with Clerk Jeffrey Bosworth, Board Member Tony Zampiceni, and Board Member Frances Corgnati. The work all appeared to be in compliance. No further comments were made by any other board members.

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

2. **CC 2020-17: Request for Certificate of Compliance for Lot 24 Bella Vista Drive (Mass DEP File #150-383)**—Request for Certificate of Compliance for Lot 24 Bella Vista Drive (Assessor's Parcel ID 44-10-24). Applicant: AC Homebuilding, LLC, 1031 Tinkham Road, Wilbraham, MA 01095.

Chair Craig Jernstrom reported that a site visit occurred on October 23, 2020 and the work all appeared to be in compliance. No further comments were made by any other board members.

Motion to approve Certificate of Compliance made by Clerk Jeffrey Bosworth; second by Board Member Frances Corgnati and approved by a vote of five (5)-zero (0).

CONTINUED PUBLIC HEARINGS

- 1. Case RDA 2020-7: Request for Determination of Applicability for 10 Bella Vista Drive** (Assessor's Parcel ID 44-10-23) for the removal of a tree within Buffer Zone on a .98 +/- acre site. Applicant: Carolyn Gernux, 10 Bella Vista Drive, East Longmeadow, MA 01028. (Cont. 10/14/2020)

Applicant Carolyn Gernux was present for discussion. Clerk Jeffrey Bosworth read into the public record the Legal Notice. Chair Craig Jernstrom stated that an on-site visit occurred on October 23, 2020 and the tree has been removed already. He further stated that the tree was four to five feet within the 50 foot buffer zone and the removal did not appear to have caused any further damage to the surrounding area. Board Member Frances Corgnati noted that the tree structure was still intact and while the language in the Request for Determination of Applicability was slightly different, she was confident that the size of the tree must have caused a threat to warrant this application. Clerk Jeffrey Bosworth stated he was concerned that the tree had already been removed prior to the approval of this application even though it was in the wetlands area. Applicant stated that she was under the assumption that she could remove the tree after an initial visit by Vice Chair Tom O'Brien. Vice Chair Tom O'Brien confirmed that after his visit, it was indeed an emergency and removal was appropriate. No further comment.

Motion for a Request for Determination of Applicability with a Negative 2 Determination made by Vice Chair Tom O'Brien; second by Board Member Anthony Zampiceni and approved by a vote of five (5)-zero (0).

NEW PUBLIC HEARINGS

- 1. NOI 2020-6: Notice of Intent for Lot 5, 40 Pondview Drive** (Assessor's Parcel ID 58-1-5) for the construction of a single family home within the 100' Buffer Zone on a 3.71 +/- acre site. Applicants: Joseph Leone and Sierra Leone, 45 Winterset Drive, Springfield, MA 01129.

Legal Notice read into the record by Clerk Jeffrey Bosworth. Applicants were present for discussion. Annie Brozini of R. Levesque Associates, Inc. gave public comment regarding construction of this single family home. Ms. Brozini stated nothing has changed since the original Notice of Intent was filed.

Hearing no further comments, motion to close the public comment made by Clerk Jeffrey Bosworth; second by Board Member Anthony Zampiceni and approved by roll call vote five (5)-zero (0).

Clerk Jeff Bosworth stated that erosion controls were in place and were moved away from the wetlands. Homeowner stated during site visit that seeding will take place in the spring to stabilize the area. Chair Craig Jernstrom stated that new erosion controls were slightly out of the buffer zone but it is important to note that in the Order of Conditions, the erosion control should be stabilized before winter. He further suggested adding that upon completion, a Certificate of Completion should be filed. No further comment.

Motion to approve Notice of Intent made by Board Member Frances Corgnati; second by Clerk Jeffrey Bosworth and approved by a vote of five (5)-zero (0).

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PROJECT MONITORING

Projects [See Project Monitoring spread sheet]

a. 41 Avery Street

Chair Craig Jernstrom stopped by the location to take photos and added comments in the Project Monitoring sheet. No further comment.

b. Robin/Smith Ave

Chair Craig Jernstrom also did a drive-by of the location and stated that there was no current work going on. He stated Mr. Capua did improve the erosion controls in the back right corner and they are extended than originally shown on plans. He feels as though the erosion controls are in a good place for the upcoming winter.

c. Hidden Ponds

Planning Director Bethany Yeo stated that she received a phone call from Ms. Alice Widmer in regards to the water runoff. Bethany contacted Property owner/developer Al Joyce and he stated that he reached out to Ms. Widmer and he plans to visit her home on October 29, 2020 to view and discuss the water basin and water accumulation. Chair Craig Jernstrom stated he also spoke with Ms. Widmer and he is concerned that so much water is accumulating on her property even amidst a drought. Chair Craig Jernstrom stated he has been reviewing the Stormwater Report that was issued recently and would like to have Bruce Fenney, DPW Superintendent and Tom Christensen, Deputy DPW Superintendent present at the next meeting in order to get further context on its details. He stated that the contents of this report are based on post-construction calculations and he is concerned about the amount of rainfall that is going through the basin. Planning Director Bethany Yeo suggested that Al Joyce contact R. Levesque and Associates, Inc. to do a peer review since they issued the Stormwater Report. Clerk Jeff Bosworth echoed Bethany's suggestion. Board Member Frances Corgnati stated that the current erosion control is adequate for post-construction but it needs to be modified to accommodate active construction. She states she has further questions for R. Levesque and Associates. Frances also suggested that a few Commission members meet with Ms. Widmer and Property owner Al Joyce on October 29, 2020. Clerk Jeff Bosworth and Board Member Anthony Zampiceni stated that they were tentatively available. Vice Chair Tom O'Brien reiterated that this is a site with non-permeable soils and that the water that flows through Ms. Widmer's property would have flowed through prior to this development being built. He is confident that once the site is completed, the water flow and pond will work as designed and as approved by the Commission. Chair Craig Jernstrom reminded the Board that the basin design was approved by the Planning Board and Board of Public Works but not by the Conservation Commission as it is out of their jurisdiction. He reiterated his concern about the flow of red clay into the basin and does not want to wait until the development is completed before exploring this issue. Frances asked again about the redistribution of water along Ms. Widmer's property in which Chair Craig Jernstrom stated that while water has always been flowing onto her property, it has never been this concentrated in one single area.

d. 81 Avery Street

Chair Craig Jernstrom requested that the letter requesting a Request for Determination of Applicability for the tree at 81 Avery Street be re-sent to the homeowner as she lost it.

e. Brownstone Gardens

Frances asked if Brownstone Gardens can be added to the Project Monitoring document. Chair Craig Jernstrom stated that while nothing has happened yet, it can be added to the list. He

asked Planning Director Bethany Yeo to send a letter to Brownstone Gardens asking for a general status update.

OTHER BUSINESS

1. Policies and Procedures of the Conservation Commission
Chair Craig Jernstrom asked for an additional column to be added to the project monitoring document to show the issuance date of the Certificate of Compliance. He further requested Notices of Intent from before 2018 be added as well. Planning Chair Bethany Yeo stated that she will create a guide to access the Project Monitoring Document. She shared that the administrative assistant will be starting on Monday, November 2, 2020.
2. Review of Wilbraham ConCom Letter Format
Board Member Frances Corgnati requested that this review be continued to allow her more time to research the idea before having a more fruitful discussion at a future meeting.

Motion to postpone Review of Wilbraham ConCom Format made by Clerk Jeffrey Bosworth; second by Board Member Frances Corgnati and approved by a vote of five (5)-zero (0).

3. November Meeting Schedule
Chair Craig Jernstrom requested that the next meeting be moved to November 12, 2020 from November 25, 2020 in order to accommodate the Thanksgiving holiday.

Motion to move next Conservation Commission meeting to November 12, 2020 made by Clerk Jeffrey Bosworth; second by Board Member Frances Corgnati and approved by a vote of five (5)-zero (0).

4. Appointment of Commissioner to the Community Preservation Committee
Chair Craig Jernstrom stated that a member of the Conservation Commission must serve on the Community Preservation Committee. Board Member Frances Corgnati asked for details as to what the position entailed and Craig shared a brief description as to the duties. Board Member Tony Zampiceni explained that during his reappointment, he was moved to a member at large and it is required that a Board Member from Conservation Commission serve in their capacity on the CPC. Board Member Frances Corgnati volunteered.

Motion to appoint Frances Corgnati to the Community Preservation Board made by Clerk Jeffrey Bosworth; second by Tony and approved by a vote of four (4)-zero (0). Board Member Frances Corgnati recused herself.

Motion to enter Executive Session only to return to public session to adjourn made by Vice Chair Anthony Zampiceni; second by Clerk Jeffrey Bosworth and approved by roll call vote five (5)-zero (0) at 7:00PM.

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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 Commissioner Frances Corgnati; second by Clerk Jeffrey Bosworth and approved by roll call vote five (5)-zero (0) at 7:04 PM.

Respectfully submitted.

Bethany Yeo,
Planning & Community Development Director