

EAST LONGMEADOW CONSERVATION COMMISSION

Wednesday, July 27, 2022

Time: 6:00 PM Eastern Time

Place: School Committee Conference Room
East Longmeadow High School, 180 Maple St., East Longmeadow, MA

MINUTES

Chair Tom O'Brien opened the meeting at 6:00 PM

ATTENDANCE

Present Thomas O'Brien, Chair
 Elizabeth Stoughton, Clerk
 Anthony Zampiceni
 Nicholas Turnberg
Absent William Arment, Vice Chair
Staff Present Nina Fazio, Planning & Community Development Administrative Assistant

- Election of Officers

Motion to table Election of Officers until the next meeting made by Commissioner Tony Zampiceni; second by Commissioner Nick Turnberg and approved by unanimous vote four (4)-zero (0).

APPROVAL OF MINUTES

- July 13, 2022

Motion to approve made by Commissioner Tony Zampiceni; second by Clerk Elizabeth Stoughton and approved by unanimous vote four (4)-zero (0).

REQUEST FOR DETERMINATION OF APPLICABILITY

1. **Case RDA 2022-07: Request for Determination of Applicability at 583 Somers Road** (Assessor's Parcel ID 79-6A-1) for whether the area is subject to the Wetlands Protection Act and whether the boundaries of resource areas are accurately delineated. Applicant: Bailey Property Management, 583 Somers Road, East Longmeadow, MA 01028 (Cont. 7/13/2022)

Applicants Joshua and Karl Bailey were present for discussion. Chair Tom O'Brien and Commissioner Nick Turnberg conducted a site visit on Wednesday, July 27th at 4:30 PM. The Town Engineer has stated he believes the channel on this property to be stormwater coming from a drainage pipe. Chair Tom O'Brien concurred the channel is a drainage ditch and the location in question is non-jurisdictional.

Motion to issue a Negative 1 Determination made by Commissioner Tony Zampiceni; second by Commissioner Nick Turnberg and approved by unanimous vote four (4)-zero (0).

2. **Case RDA 2022-08: Request for Determination of Applicability at 115 Avery Street** (Assessor's Parcel ID 4-13-46) for whether the work is subject to the Wetlands Protection Act and/or local jurisdiction. Applicant: Rick Barrows, 115 Avery Street, East Longmeadow, MA 01028

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Applicant Rick Barrows was present for discussion. Commissioner Nick Turnberg previously conducted a site visit. Mr. Barrows stated he is looking to remove two (2) dead trees on the top of a bank. Commissioner Nick Turnberg confirmed the trees are dead and suggested removal prior to any destruction caused by a falling tree. Chair Tom O'Brien reminded the applicant to be mindful of the bordering wetlands. Mr. Barrows stated he will be planting new trees in place of the ones he removes.

Motion to issue a Negative 1 Determination made by Commissioner Tony Zampiceni; second by Clerk Elizabeth Stoughton and approved by unanimous vote four (4)-zero (0).

- 3. Case RDA 2022-06: Request for Determination of Applicability at 265 Benton Drive** (Assessor's Parcel ID 10-3-0) for whether the area and work depicted on plans is subject to the Wetlands Protection Act. Applicant: Jonathan Sieruta, 2 Depot Road, Leverett, MA 01054 (Cont. 7/13/2022)

Applicant Jonathan Sieruta was present for discussion. Chair Tom O'Brien and Commissioner Nick Turnberg conducted a site visit on Wednesday, July 27th at 5:00 PM. Mr. Sieruta presented the details of the proposed office building within the buffer of an isolated wetland. Mr. Sieruta stated the isolated wetland is non-jurisdictional under the Wetlands Protection Act. The Commission confirmed non-jurisdiction under the WPA.

Motion to issue a Negative 3 Determination made by Commissioner Tony Zampiceni; second by Clerk Elizabeth Stoughton and approved by unanimous vote four (4)-zero (0).

Chair Tom O'Brien clarified non-jurisdiction under the WPA and requested to rescind the motion.

Motion to rescind the previous motion made by Commissioner Tony Zampiceni; second by Commissioner Nick Turnberg and approved by unanimous vote four (4)-zero (0).

Motion to issue a Negative 1 Determination made by Clerk Elizabeth Stoughton; second by Commissioner Tony Zampiceni and approved by unanimous vote four (4)-zero (0).

NOTICE OF INTENT

- 1. Case NOI 2022-03: Notice of Intent for 265 Benton Drive** (Assessor's Parcel ID 10-3-0) for the construction of an office building subject to Town of East Longmeadow General Bylaws §424.2. Applicant: Jonathan Sieruta, 2 Depot Road, Leverett, MA 01054 (Cont. 7/13/2022)

Applicant Jonathan Sieruta was present for discussion. Chair Tom O'Brien and Commissioner Nick Turnberg conducted a site visit on Wednesday, July 27th at 5:00 PM. The Commission reviewed the jurisdiction of this project under local bylaws.

Motion to approve the Notice of Intent made by Clerk Elizabeth Stoughton; second by Commissioner Tony Zampiceni and approved by unanimous vote four (4)-zero (0).

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OTHER BUSINESS

1. **A-OOC 2022-03 (DEP File #150-0451):** Request for an Amended Order of Conditions at 2 Josie Lane (Assessor's Parcel ID 32-34A-2) for the installation of underground propane tanks within the 50 ft. buffer zone. Applicant: Eric LaChapelle, 94 Marion Street, Chicopee, MA 01013 (Cont. 7/13/2022)

Applicant Eric LaChapelle and Paula LaChapelle were present for discussion. Commissioners Nick Turnberg, Will Arment, and Elizabeth Stoughton conducted a site visit on Friday, July 15th at 1:00 PM. The Commission requested the underground propane tanks be moved laterally behind the house. The applicant will install a retaining wall along the silt fence line.

Mr. LaChapelle stated he spoke with the Gas Inspector in the Building Department and the Fire Prevention Officer in the Fire Department who cleared the proposed work.

Motion to approve the Amended Order of Conditions made by Commissioner Tony Zampiceni; second by Clerk Elizabeth Stoughton and approved by unanimous vote four (4)-zero (0).

PROJECT MONITORING

- 365 Pease Road

Homeowner Pasquale Liquori was present for discussion. Commissioners Nick Turnberg, Tony Zampiceni, and Elizabeth Stoughton conducted a site visit on Wednesday, July 13th at 7:00 PM. Commissioner Nick Turnberg confirmed the height of the plantings is in accordance with the proposed restoration plan.

Motion to release the Enforcement Order made by Commissioner Tony Zampiceni; second by Commissioner Nick Turnberg and approved by unanimous four (4)-zero (0).

- 383 Porter Road

Homeowner Tim Carlin was not present for discussion. DEP conducted a site visit from the public road and did not see evidence of alteration. The Commission discussed the vegetation growth and pipe that is hidden under the waterline. The Commission will request a joint site visit with DEP.

Chair Tom O'Brien accepted a request for Partial Certificate of Compliance as an agenda item.

CERTIFICATE OF COMPLIANCE

1. **Case CC 2022-16:** Request for Partial Certificate of Compliance for 1 Fairway Lane (Assessor's Parcel ID 6-11-1). Applicant: Michael Carabetta, 202 Allen Street, East Longmeadow, MA 01028.

Applicant Michael Carabetta was not present for discussion. Chair Tom O'Brien stated he has conducted a site visit and this lot is outside of the resource area and associated buffer zones.

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OTHER BUSINESS

1. Policies and Procedures of the Conservation Commission

ADJOURN

Motion to adjourn made by Commissioner Tony Zampiceni; second by Commissioner Nick Turnberg and approved by unanimous vote four (4)-zero (0) at 6:32 PM.