



CONSERVATION COMMISSION MEETING

Wednesday, August 23, 2023 6:00 PM EST

East Longmeadow High School; School Committee Meeting Room
180 Maple Street, East Longmeadow, MA 01028

MEETING MINUTES

1. CALL THE MEETING TO ORDER

Chair William Arment opened the meeting at 6:00 PM

2. CALL THE ROLL

Present	William Arment, Chair Anthony Zampiceni Nicholas Turnberg Jason Gumpert
Absent	Elizabeth Stoughton, Vice Chair Michael Carabetta, Clerk
Staff Present	Bailey Mitchell, Director of Planning and Community Development Nina Fazio, Planning & Community Development Administrative Assistant

3. APPROVAL OF MINUTES

A. August 9, 2023 – Open Session Minutes

Motion to approve made by Commissioner Anthony Zampiceni; second by Commissioner Nicholas Turnberg. The motion carried by vote three (3) in favor, zero (0) opposed, and one (1) abstention. Commissioner Jason Gumpert abstained.

4. NOTICES OF INTENT

A. **NOI-2023-01:** Notice of Intent at 61 Devonshire Terrace (Assessor's Parcel ID 31-10-6A) for the construction of a single family home and associated site improvements subject to the Wetlands Protection Act and local wetland protection bylaws. Applicant: David Brown, 55 Devonshire Terrace, East Longmeadow, MA 01028

Applicant David Brown and Patrick Lord, GZA, were present for discussion. Mr. Lord presented the site plans for a building envelope to include a future single family home and associated lawn space. Mr. Lord stated the building envelope follows the 50 ft. buffer line to the north and northwest, then follows the zoning setback line in the southwest. Mr. Lord stated sediment control will be placed along the 50 ft. buffer line and noted permanent wetland markers were in place from the original development of the Devonshire Terrace subdivision over two decades ago.

Chair William Arment questioned if wetland flags were newly placed or from the delineation of the original development of Devonshire Terrace subdivision. Mr. Lord stated new wetland flags were placed and an on-site delineation has been conducted. Chair William Arment referenced comments from MassDEP stating aeriels were used in the delineation and noted the potential lack of accuracy. Mr. Lord clarified aeriels were used for approximate delineations of resource areas off property; however, the delineations and wetland flags placed on the subject property were done so through an in-person site visit.

The Commission scheduled a site visit for Wednesday, September 13, 2023 at 5:30 PM.

Motion to continue the public hearing for NOI-2023-01: 61 Devonshire Terrace to Wednesday, September 13, 2023 at 6:00 PM at the Pleasant View Senior Center, 328 North Main Street, made

by Commissioner Anthony Zampiceni; second by Commissioner Nicholas Turnberg. The motion carried by vote four (4) in favor, zero (0) opposed, and zero (0) abstentions.

- B. NOI-2023-02:** Notice of Intent at 159 Denslow Road (Assessor's Parcel ID 10-14-3) for site improvements subject to the Wetlands Protection Act and local wetland protection bylaws. Applicant: Anna Bishop, Lower Pioneer Valley Educational Collaborative, 174 Brush Hill Avenue, Springfield, MA 01089

Zack Wallin and Jamie Fair, Weston & Sampson, were present for discussion on behalf of the applicant. Mr. Wallin presented the plans to install six (6) electric bus charging stations in the southeast of the subject property. Mr. Wallin noted the charging stations and most of the associated site work is outside of the 100 ft. buffer zone; however, there will be trenching within existing grassed area within the 100 ft. buffer zone. Mr. Wallin stated there is proposed silt fencing between the trenching and resource areas.

Chair William Arment referenced comments from MassDEP stating most of the proposed work is outside jurisdiction and the Commission can issue a Negative Determination of Applicability, at their discretion. Planning Director Bailey Mitchell confirmed he spoke with MassDEP and, procedurally, a Determination can be issued tonight rather than an Order of Conditions.

Chair William Arment asked for erosion control to consist of straw waddle, rather than silt fencing, as it is less intrusive to the ground and there is little change in topography at this site, and that spoils be spread away from the resource area.

Motion to change the request from a Notice of Intent to a Determination of Applicability for site work at 159 Denslow Road made by Commissioner Anthony Zampiceni; second by Commissioner Nicholas Turnberg. The motion carried by vote four (4) in favor, zero (0) opposed, and zero (0) abstentions.

Motion to issue a Negative 3 Determination of Applicability made by Commissioner Anthony Zampiceni; second by Commissioner Nicholas Turnberg. The motion carried by vote four (4) in favor, zero (0) opposed, and zero (0) abstentions.

The Commission asked for notification when erosion controls are in place so that they can be inspected prior to site work.

5. PROJECT MONITORING

A. 383 Porter Road

Planning Director Bailey Mitchell stated the property owner has contacted the Department and may be willing to work with the Commission towards compliance. Planning Director Bailey Mitchell stated he will keep the Commission updated on conversations with Town Counsel and continuing enforcement efforts.

B. 13 Hidden Ponds Drive

Property owner Robert DeMaria was present for discussion. The Commission noted the placement of stone steps leading as a walkway up to the water line. Mr. DeMaria stated he was unaware he was in violation and will submit a Request for Determination of Applicability to permit the work, as requested by the Commission, for the next meeting. Chair William Arment noted a permanent monument may have been removed in the process of digging for the steps.

The Commission scheduled a site visit for Wednesday, September 13, 2023 at 5:15 PM.

C. 11 Hidden Ponds Drive

Property owner Truong Tai was present for discussion. Mr. Tai stated he was unaware the company that pulled building permits for his above ground pool did not pull permits through the Conservation Commission as well. Administrative Assistant Nina Fazio stated a Request for Determination of Applicability has already been filed and is scheduled for the next meeting. The Commission noted silt

fencing had not been maintained when they made a site visit. Mr. Tai stated the silt fencing has already been reinstalled.

The Commission scheduled a site visit for Wednesday, September 13, 2023 at 5:15 PM.

D. 15 Hidden Ponds Drive

The Commission stated they will observe 15 Hidden Ponds Drive during their site visits to abutting properties on Wednesday, September 13, 2023 to confirm whether grass clippings are being dumped beyond the limit of work line before pursuing enforcement.

6. OTHER BUSINESS

A. Planning and Community Development Department Staff Report

Planning Director Bailey Mitchell stated he is beginning to draft an enforcement procedure based off MACC resources. The Commission spoke in favor of adopting enforcement policies and procedures. Planning Director Bailey Mitchell noted the need for a Conservation Agent. The Commission discussed past history with searching for a Conservation Agent and noted many abutting communities have a staffed position.

B. Discussion – Cross Country Course on Jarvis Nature Sanctuary

Lucas Kotomski, student at East Longmeadow High School, presented his proposal to create a cross country course at Jarvis Nature Sanctuary as part of an Eagle Scout project. Mr. Kotomski stated there are partially existing trails; however, there is not a continuous loop so some new trails would need to be created. Mr. Kotomski stated no trees would be removed; branches and brush would need to be cleared. Mr. Kotomski clarified a group of scouts would be helping him complete the project.

The Commission did not express any opposition to the proposal. The Commission requested to visit the site with the scouts to view the proposed vegetation removal. Mr. Kotomski stated cross country meets begin in October and would like to have the trails cleared by then.

7. ADJOURNMENT

Motion to adjourn at 6:40 PM made by Commissioner Anthony Zampiceni; second by Commissioner Nicholas Turnberg. The motion carried by vote four (4) in favor, zero (0) opposed, and zero (0) abstentions.