

EAST LONGMEADOW CONSERVATION COMMISSION

Wednesday, October 13, 2021

Time: 7:00 PM Eastern Time

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

MINUTES

Chair O'Brien opened the meeting at 7:07 PM.

ATTENDANCE

Present: Tom O'Brien, Chair
William Arment, Vice Chair
Elizabeth Stoughton, Clerk
Michael Carabetta
Anthony Zampiceni

Staff Present: Bethany Yeo, Director of Planning and Community Development
Nina Fazio, Planning and Community Development Administrative Assistant
Mark Stinson, DEP Wetlands Circuit Rider

APPROVAL OF MINUTES

- September 22, 2021

Motion to approve made by Commissioner Anthony Zampiceni; second by Commissioner Michael Carabetta. Clerk Elizabeth Stoughton abstained from voting due to her absence at the 9/22/21 meeting. Approved by unanimous vote four (4)-zero (0).

Motion to conduct meeting out of agenda order and skip to Project Monitoring: 11 Oak Brook Drive made Chair Tom O'Brien; second by Commissioner Anthony Zampiceni and approved by unanimous vote five (5)-zero (0).

PROJECT MONITORING

- 11 Oak Brook Drive

Residents of 11 Oak Brook Drive, Gabriel and Wanda Sanchez, were present for the discussion. The Commission discussed a previous complaint from DEP about property line issues, cut trees, and lawn clippings being dumped in the wetlands, possibly resulting in the recent flooding. Vice Chair William Arment cited silt build up and the recent excess rain as other possible reasons for the recent flooding. Chair Tom O'Brien urged the residents to stop dumping lawn clippings and leaves into the wetlands. The Commission concurred and verbally notified the residents to expect an Enforcement Order via mail which would request them to remove the dumped grass clippings and leaves from the approximately 300 sq. feet of wetland area by hand as to not disturb the underlying vegetation no later than November 15th, 2021. Mr. and Mrs. Sanchez stated they would instruct their lawn care service to remove the dumped clippings within the next week. Vice Chair William Arment offered to conduct a follow up site visit one week from the meeting date.

OLD BUSINESS

- 1. Enforcement Order: 365 Pease Road** (Assessor's Parcel ID 32-46-14R) for violation by Pasquale and Filomena Liquori for alteration of the stream bank and failure to obtain an Order of Conditions for work conducted within the riverfront area in violation of the Massachusetts Wetlands Protection Act (WPA; 310 CMR 10.00) (Cont. 9/8/2021).

Resident of 365 Pease Road, Filomena Liquori, was present for discussion. Vice Chair William Arment opened discussion and expressed his concern about the grade of the property, damage to wetlands, and rerouting of a stream. Mark Stinson, DEP Wetlands Circuit Rider was also present at the meeting noted

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the enforcement order has not yet been ratified by the Commission therefore additional clarifying language could be added and the document ratified at the next Conservation Commission meeting. Mark suggested the hiring of a wetlands consultant to delineate where the previous wetlands boundaries were before any clean up that could potentially further the damage to the wetlands. Chair Tom O'Brien concurred and stated an updated Enforcement Order requesting the decision of a wetlands specialist would be beneficial. **Motion for an updated Enforcement Order to include the addition of a Restoration Plan drafted by a wetland specialist, to be hired by the residents by November 15, 2021 made by Vice Chair William Arment; second by Chair Tom O'Brien and unanimously five (5)-zero (0).**

- 2. Enforcement Order: 383 Porter Road** (Assessor's Parcel ID 70-50-0) for violation by Timothy JR Carlin for alteration of the river bank of South Branch Mill River and failure to obtain an Order of Conditions for work conducted within the Riverfront area in violation of the Massachusetts Wetlands Protection Act (WPA; CMR 10.00) (Cont. 9/8/2021).

Petitioner was unable to attend due to Covid-19 concerns with attending the in-person meeting. Vice Chair William Arment opened discussion and expressed his concerns with the current state of the property. Chair Tom O'Brien reported their site visit found the addition of a trench constructed around the property and a drainage line which leads directly to a brook. Mark Stinson, DEP Wetlands Circuit Rider expressed his concerns of the property being located in a rare species habitat. Mark Stinson, DEP Wetlands Circuit Rider noted the enforcement order has not yet been ratified by the Commission therefore additional clarifying language could be added and the document ratified at the next Conservation Commission meeting. Chair Tom O'Brien concluded the Enforcement Order should be updated to include the hiring of a wetlands specialist to delineate the previous wetland boundaries and provide a Restoration Plan. The Commission concurred with the addition of clarifying language. A discussion ensued about the possibility of adopting monetary fines and the Commission agreed they would like to consult with Town Counsel regarding the next steps in forming a fee schedule or ticket program.

PROJECT MONITORING

Projects [See Project Monitoring spread sheet]

- Hidden Ponds

The Commission discussed their site visit to Hidden Ponds and their concerns with flooding on abutting properties due to a removable Infiltration Basin plug. The Planning Director offered to follow up with the original engineer who prepared the engineering plans to determine the purpose to the removable plug and report back to the Commission before taking further action.

OTHER BUSINESS

- Policies and Procedures of the Conservation Commission

A discussion was opened about moving up site visit times due to the loss of daylight this time of year. The Commission agreed to keep 6pm as the set site visit time as long as there are a short number of agenda items and will revisit this at a later date.

ADJOURN: Meeting was adjourned at 8:16 PM with motion made by Vice Chair William Arment; second by Commissioner Anthony Zampiceni and approved by unanimous vote five (5)-zero (0).

MINUTES –October 13, 2021

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