

**EAST LONGMEADOW CONSERVATION COMMISSION**

**Wednesday, October 27, 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 7:01 PM.

**ATTENDANCE**

Present: Tom O'Brien, Chair  
Elizabeth Stoughton, Clerk  
Michael Carabetta  
Anthony Zampiceni  
Absent: William Arment, Vice Chair  
Staff Present: Bethany Yeo, Director of Planning and Community Development  
Nina Fazio, Planning and Community Development Administrative Assistant

**APPROVAL OF MINUTES**

- October 13, 2021

**Motion to approve made by Commissioner Michael Carabetta; second by Commissioner Anthony Zampiceni. Approved by unanimous vote four (4)-zero (0).**

**NEW BUSINESS**

1. **Vote and Ratification of 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).

Petitioner Pasquale Liquori was present for discussion. Clerk Elizabeth Stoughton read the Enforcement Order into the meeting. The Order stated the petitioner shall show the Commission proof of hiring a wetlands specialist to delineate existing and previous wetlands boundaries on or before November 15, 2021. The order stated the petitioner shall submit a proposed restoration plan to the Commission on or before May 15, 2022. Chair Tom O'Brien provided detail to the alterations he witnessed on the site visit from October 13, 2021; Commissioner Michael Carabetta concurred on the violations he witnessed at the site visit. Petitioner Pasquale Liquori asked the Commission to clarify where the wetlands were located and which parts of his property were subject to the Wetlands Protection Act. Chair Tom O'Brien stated anything within the 100' buffer zone of the wetlands is within the Commission's jurisdiction. Petitioner Pasquale Liquori asked the Commission why his house and driveway were allowed to be built within the 100' buffer zone. Commissioner Michael Carabetta answered his house was most likely built before the existence of the Conservation Commission and had been grandfathered in; however, any work moving forward would need approval from the Commission. Petitioner Pasquale Liquori asked the Commission to clarify what they would like to see happen to the wetlands. Chair Tom O'Brien stated he would like to see some wetland vegetation planted, the wetlands be stabilized, and the rest of the restoration plan is up to the wetlands specialist to provide on behalf of the petitioner. Commissioner Michael Carabetta concurred that he would like to hear a plan provided by a professional. Planning Director Yeo told the petitioner to present the Enforcement Order to the wetlands specialist that he hires, and they will know what to do. There were no further comments or questions at this time.

**Motion to ratify the Enforcement Order made by Commissioner Michael Carabetta; second by**

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**Commissioner Anthony Zampiceni. Approved by unanimous vote four (4)-zero (0).**

- 2. Vote and Ratification of 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).

The petitioner was not present for discussion. Clerk Elizabeth Stoughton read the Enforcement Order into the meeting. The Order stated the petitioner shall show the Commission proof of hiring a wetlands specialist to delineate existing and previous wetlands boundaries on or before November 15, 2021. The order stated the petitioner shall submit a proposed restoration plan to the Commission on or before May 15, 2022. Chair Tom O'Brien provided detail regarding the violations he witnessed at the site visit conducted on October 13, 2021. There were no further comments or questions at this time.

**Motion to ratify the Enforcement Order made by Commissioner Michael Carabetta; second by Commissioner Anthony Zampiceni. Approved by unanimous vote four (4)-zero (0).**

- 3. Vote and Ratification of Enforcement Order: 11 Oak Brook Drive** (Assessor's Parcel ID 34-89-2) for violation by Gabriel and Wanda Sanchez for dumping of grass clippings and leaves within an area subject to the Wetlands Protection Act (WPA; CRM 10.00).

The petitioners were not present for discussion. Clerk Elizabeth Stoughton read the Enforcement Order into the meeting. The Order stated the petitioners shall remove the grass clippings and leaves that had been dumped into the 300 sq. ft. protected area on or before November 15, 2021. There were no further comments or questions at this time.

**Motion to ratify the Enforcement Order made by Commissioner Michael Carabetta; second by Commissioner Anthony Zampiceni. Approved by unanimous vote four (4)-zero (0).**

- 4. Request for Amendment of Order of Conditions** (MassDEP File # 150-0393) for 108 Old Farm Road (Assessor's Parcel ID 42-21-27) filed under the Wetlands Protection Act, DWW Policy 85-4 and Town of East Longmeadow Wetlands Bylaw. Applicant: Ralph Capua, 108 Old Farm Road, East Longmeadow, MA 01028.

Petitioner Ralph Capua was present for discussion. The petitioner explained he is proposing to construct a deck and single detached garage on the opposite side of his property from the wetlands, which had not previously been mentioned in the petitioner's existing Notice of Intent. Chair Tom O'Brien stated he had no issues with the plans. Chair Tom O'Brien stated there might be a slight change of impervious surface, but did not believe that would impact the wetlands and warrant a new Notice of Intent. Commissioner Michael Carabetta clarified the new construction would be in the southwest side of the property, located on the side of the property that is furthest from the wetlands. Commissioner Michael Carabetta asked the petitioner to clarify the dimensions of the deck and single detached garage. Petitioner Ralph Capua answered the proposed deck is 20 x 25 ft. and the proposed single detached garage is 18 x 25 ft. Commissioner Michael Carabetta asked that those dimension be written into the motion for historical

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reasons. There were no further comments or questions at this time.

**Motion to approve the request for an amended Order of Conditions to include the additional construction of a 20 x 25 ft. deck and 18 x 25 ft. single detached garage in the southwesterly corner of the property made by Clerk Elizabeth Stoughton; second by Commissioner Anthony Zampiceni. Approved by unanimous vote four (4)-zero (0).**

Chair Tom O'Brien requested to talk about a topic not included on the agenda. Chair Tom O'Brien suggested the Commission send flowers and a letter of gratitude to Town Manager McNally before her last day of December 3, 2021. The Commissioners agreed to send flowers to the Town Manager and asked Planning Director Yeo to draft a letter stating their positive support of the Town Manager.

### **PROJECT MONITORING**

Projects [See Project Monitoring spread sheet]

- Hidden Ponds

Planning Director Yeo stated she has not heard back from Mr. Cravo of Hidden Ponds regarding the function of the removable plug in the infiltration basin the Commissioner's found at the October 13, 2021 site visit. Chair O'Brien mentioned he heard from Al Joyce and he said he would cement the plug in place so it is no longer removable. Clerk Elizabeth Stoughton mentioned she witnessed stakes around the catch basin and believes a fence will be put in place.

### **OTHER BUSINESS**

- Policies and Procedures of the Conservation Commission
  - November 24<sup>th</sup> Meeting Cancellation

A brief discussion was opened regarding consulting with Town Counsel regarding the implementation of a fee schedule. Planning Director Yeo suggested the implementation of proactive educational materials rather than reactive punishments.

Commissioner Zampiceni mentioned he received permission from one of the Town police officers to use the Town ATV for Commission purposes.

The Commission discussed that there was one vacant spot on the Commission.

The Commission agreed to cancel the November 24, 2021 meeting if there were no new filings that needed immediate attention. The Commission will hold the November 24<sup>th</sup> meeting "as needed" via zoom.

There was no further discussion from the Commission at this time.

### **ADJOURN:**

**Motion to adjourn made by Commissioner Anthony Zampiceni; second by Clerk Elizabeth Stoughton at 7:32 PM. Approved by unanimous vote four (4)-zero (0).**