



CITY OF EASTHAMPTON
Conservation Commission
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Meeting Minutes (3/14/2022)

Pursuant to Governor Baker's March 12, 2020 Order, as Extended on June 15, 2021, with the Governor's signing of Senate Bill #2475, Suspending Certain Provisions of the Open Meeting Law, this meeting of the Easthampton Conservation Commission was conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the agenda. Every effort was made to ensure that the public could adequately access the proceedings in real time, via technological means. In the event that we were unable to do so, despite best efforts, we will post on the City of Easthampton website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Commissioners: Melissa Coady, Chair
 Dan Buttrick
 Jay Ryan
 Julie Busa
 Michael Whittemore
 Deborah August

Agent: Cassie Tragert

Public/Others: Hal Weeks
 Craig Authier
 Ryan Nelson
 Joe Kelley
 Robert Levesque
 C. Katzer

1. Call to Order (6:03 PM)

2. Public Concerns (None)

3. Public Hearings/Meetings

- a. Public Hearing: (Continued from February 28th, 2022) Notice of Intent filed by Lathrop Community, Inc. at 100 Bassett Brook Drive (Map: 104, Lot:2) for improvements to existing trail network (MassDEP File #151-0315). Request filed 6/14/2021. Agent Tragert informed the Commission that the applicant requested to continue the hearing to the next meeting on March 28th, 2022.

Commissioner Ryan motioned to continue the hearing to March 28th, 2022. Commissioner Busa second. Roll Call Vote: Commissioners August (Aye), Busa (Aye), Buttrick (Aye), Ryan (Aye), and Whittemore (Aye). Motion Carries.

Commissioner Ryan motioned to take item 7(u) out of agenda order. Commissioner Busa second. Roll Call Vote: Commissioners August (Aye), Busa (Aye), Buttrick (Aye), Ryan (Aye), and Whittemore (Aye). Motion Carries.

7. Compliance Updates – Active Projects / Open Permits

- u. City of Easthampton/One Industrial Lofts, 1 Ferry Street (MassDEP File #151-0317) for slope grading, vegetation management, and stormwater basin. (Map: 131/135, Lot: 1/2 & 250) Exp. 11/16/2024. Commissioner Buttrick recused himself from the discussion. Ryan Nelson of R. Levesque Associates presented documents associated with multiple pre-construction requirements from the Order of Conditions. First, the final construction drawings were reviewed in which erosion and sedimentation controls were added surrounding the drain within the new basin to be installed. Commissioner Busa requested clarification on the use of rubber wattles proposed. Nelson explained that the rubber wattles are composed of a netting much stronger than typical wattles that is filled with recycled rubber material. They are used to achieve the same function as regular straw wattles, but are heavier so that they stay in place/are more effective in areas where staking them into the ground is not possible (in this case due to the concrete floor). Commissioner Coady noted that she has no objection to their use as long as they are prepared to make any necessary changes should the need arise.

The Operations and Maintenance Plan was presented next. Commissioner Coady asked whether the time of year was specified for maintenance activities listed to occur one a year. Nelson explained that that specification is not included but could be added. It was determined that it should be added to the plan that yearly maintenance should take place in the late fall (after leaves have primarily fallen) to remove built up material. Commissioner Busa questioned whether all the listed items should be included (such as vehicle washing) if those activities are not planned to occur there. Nelson explained that there are activities listed that are not proposed to occur within the project area, however, they are included in this plan to inform the property owner about the requirements around those activities into the future. Commissioner August questioned whether additional items should then be added. Nelson explained that the scope of the project is narrow enough that there aren't likely to be any other activities to account for possibly occurring there. Commissioner Coady noted that tailoring of the list of items could be useful, but need not be required in this instance. Commissioner Busa agreed.

The Invasive Species Management Plan was reviewed next. Nelson explained that the plan generally is to cut all the material on the slope and separate out any invasive material. The subsequent grading to occur should smother any remaining roots/shoots, followed by continued monitoring with herbicide application if necessary. Commissioner Coady requested clarification on section B part 1, which seems to limit disturbance to the area in which the invasives occur. Nelson agreed to clarify this language. Commissioner Busa requested clarification as to the methods to remove bittersweet as well as other species encountered which have differing disposal requirements. Nelson explained that they plan to separate out all invasive materials by species. Commissioner August questioned whether an inventory of current invasives should be required and Commissioner Busa asked when the work is hoping to begin. Nelson explained that they could wait until the growing season to determine what species on site, but they had hoped to start work as soon as possible. It was determined species specific treatments should be added to the plan so there is a set plan for proper management in case they are encountered and an inventory before is thus not required. Agent Tragert explained that she will await the receipt of these updated documents as described and once it is confirmed that these changes have been incorporated, she will allow the project to begin.

Commissioner Ryan motioned to take item 7(I) out of agenda order. Commissioner Busa second. Roll Call Vote: Commissioners August (Aye), Busa (Aye), Buttrick (Aye), Ryan (Aye), and Whittemore (Aye). Motion Carries.

7. Compliance Updates – Active Projects / Open Permits (Continued)

- I. R. Levesque Associates, Inc., 69 and 73 Loudville Road (MassDEP File #151-0309) for construction of a new condominium housing development and associated roadway and stormwater system. Exp. 10/6/2023. Ryan Nelson of R. Levesque Associates presented documents associated with multiple pre-construction requirements from the Order of Conditions. First the Landscaping Plan was confirmed to not have changed since the original hearing and is thus approved. It was also determined that the installation of permanent monuments would not be required to be complete as a pre-construction requirement as the grading work would increase the likelihood that they are lost. Instead, the monuments must be confirmed to be installed before a Certificate of Compliance may be issued.

The Invasive Species Management Plan was reviewed next. Nelson explained that the plan generally is to cut all the material and separate out any invasive material followed by continued monitoring with herbicide application if necessary. He noted that no areas of concentrated invasive species are on site and so this plan is proposed. Commissioner Busa asked whether it had been determined who would be completing this work and noted that the large scale grubbing associated with the project will make it difficult to complete the sorting out of the invasive material. Nelson explained that it had not yet been determined who would complete the invasive management and that the work is planned to begin prior to the growing season so identifying the invasives prior may be difficult. Commissioner Busa noted that the woody invasive material should be identifiable at this time and Nelson agreed. Commissioner Coady requested whether the plan includes any explanation of the long term management. Nelson explained that it is included in the plan to continue monitoring twice per year. Commissioner Coady stated that this seems sufficient and noted that the management of invasives on site is also an in-perpetuity condition of the Order of Conditions. It was also determined that the plan should add required documentation of the first two reviews of the invasive species that are found and the recommended management actions. The plan should be updated based on the species found to reflect appropriate management actions per species. It was also requested that a revision date be added to the updated plan. Nelson agreed to both requests.

The data regarding the determination as to whether a break-out barrier is needed for the proposed basin was also discussed. Nelson explained that this data was included in the original Stormwater Report submitted for the NOI hearing and shows that a break-out barrier is not necessary. It was determined that this is sufficient and no additional data is required. Agent Tragert explained that she will await the receipt of these updated documents as described and once it is confirmed that these changes have been incorporated, she will allow the project to begin.

Commissioner Ryan motioned to resume scheduled agenda order. Commissioner Busa second. Roll Call Vote: Commissioners August (Aye), Busa (Aye), Buttrick (Aye), Ryan (Aye), and Whittemore (Aye). Motion Carries.

3. Requests for Certificate of Compliance (None)

5. Enforcement Actions

- a. CFN Properties LLC, Complete Automotive Repair, 10 O'Neil Street, Map 114, Lot 31. (EO-2020-001) No updates.
- b. B. Gawle. 37 South Street (EO-2013-001). No updates.

- c. S. Taylor, 18 Pine Street, Map: 150, Lot: 259. Agent Tragert noted that the Enforcement Order issued states that the matter will be revisited in April to determine next actions. It was requested that that date be added to the Commissions informational packet going forward.

6. Open Space Updates

- a. Echodale West Orchard Area Improvements – Agent Tragert presented her findings regarding what would be involved in forming a working group to pursue future projects on the site. City Planner, Jeff Bagg, had informed her that any working group must be sure not to have a quorum of members from either the Conservation Commission or the Agricultural Commission or else agenda/minutes/etc. will be required per meeting. She also explained how various sized projects could be pursued and the possible avenues for funding that exist. The Commission determined that Agent Tragert should research how many people should be in the working group, who is interested, how often would it meet, and how the Agricultural Commission can further be involved as well as the Garden Committee.
- b. Lathrop Community of Easthampton. Florence Road – No updates.

7. Compliance Updates – Active Projects / Open Permits (Continued)

- a. Pleasant Street Mills (MassDEP File #151-0273). Exp. 11/23/2023. No updates.
- b. Lathrop Community of Easthampton / 100 Bassett Brook Drive (MassDEP File #151-0283). Invasive Plant Management. Exp. 07/13/2023. No updates.
- c. City of Easthampton / Nashawannuck Pond (MassDEP File #151-0288). Aquatic Vegetation Management via herbicide/algaecide. Exp. 4/25/2024. No updates.
- d. Loven Properties, Inc. / Off O’Neill Street (MassDEP File #151-0287). Construction of new commercial facility with BVW impacts and restoration. Exp. 06/16/2024. No updates.
- e. One Industrial Lofts, LLC / 1 Ferry Street – Tract 1 (MassDEP File #151-0298). Ferry Street Mill Redevelopment Project. Exp. 12/11/2024. No updates.
- f. One Industrial Lofts, LLC / 1 Ferry Street – Tract 2 (MassDEP File #151-0299). Ferry Street Mill Redevelopment Project. Exp. 12/11/2024. No updates.
- g. Easthampton Park Solar 1, LLC / 232 Park Street (MassDEP File #151-0293). Large-scale solar project. Exp. 11/27/2024. No updates.
- h. City of Easthampton (MassDEP File #151-0302) for pump house demolition activities adjacent to Lower Millpond (Map 136, Lots 97, 98 & 99). Exp. 6/13/2022. No updates.
- i. City of Easthampton (MassDEP File #151-0303) for roadway improvements and maintenance of Ferry Street and Pleasant and Lovefield Streets Intersections. Exp 7/22/2022. No updates.
- j. Easthampton School Committee (MassDEP File #151-0305) for construction of a new school building with associated parking, driveway, utilities, stormwater system, track and field facilities, site amenities, and landscaping at 200 Park Street (Map 157, Lot 83). Exp. 8/26/2022. No updates.
- k. City of Easthampton (MassDEP File #151-0306) for maintenance activities, including spreading of gravel millings in potholed areas within the existing road footprint and then the use of a grader to level the road to existing grades on River Street. Exp. 8/26/2022. No updates.

- l. R. Levesque Associates, Inc., 69 and 73 Loudville Road (MassDEP File #151-0309) for construction of a new condominium housing development and associated roadway and stormwater system. Exp. 10/6/2023. See above.
- m. C. Rogers/Penguins Unlimited, 105 Pleasant Street (MassDEP File #151-0310) for new billiards hall. Exp. 1/5/2024. No updates.
- n. W. Chicoine property, 108 Oliver Street (MassDEP File #151-0311) for new single-family home with one crossing. Exp 1/5/2024. No updates.
- o. City of Easthampton, DPW, Various Locations (MassDEP File #151-0307) for routine maintenance activities. Exp. 3/1/2024. No updates.
- p. D. Lepine, Duda Drive/Ferry Street (MassDEP File #151-0312) for new single-family home. Exp 6/15/2024. No updates.
- q. City of Easthampton, 99 Mt. Tom Avenue (MassDEP File #151-0313) for outfall restoration and stormwater system. Exp 6/15/2024. No updates.
- r. Beacon Solar, LLC, 50 Florence Road (MassDEP File # 151-314) for the large-scale solar project. (Map 115, Lots 2 and 5). Exp. 7/7/2024. Agent Tragert updated the that Commission regarding a site visit that was conducted on 3/9/2022 in which multiple corrective actions were identified at all three wetland crossings, though construction has not yet reached two of the more interior crossings of the site. She added that she is awaiting response on when the actions will be completed and she will organize a follow-up site visit.
- s. Easthampton Animal Hospital, 410 Main Street (Stormwater Permit Only) for stormwater management system associated with animal hospital remodel. (Map: 154, Lot: 8). Exp. 3/8/2024. No updates.
- t. City of Easthampton, 96 East Street (Stormwater Permit Only) for stormwater management system associated with new accessible trail. (Map: 111, Lot: 32). Exp. 6/29/2024. No updates.
- u. City of Easthampton/One Industrial Lofts, 1 Ferry Street (MassDEP File #151-0317) for slope grading, vegetation management, and stormwater basin. (Map: 131/135, Lot: 1/2 & 250) Exp. 11/16/2024. See above.

8. General Business

- a. Meeting Minutes (February 28th, 2022) –

General discussion as to whether those who were not present for a meeting could vote on the minutes written for it as this is not the practice of all boards. Agent Tragert will seek clarification from the City Clerk's Office.

Commissioner Busa motioned to accept the minutes as written. Commissioner Ryan second. Roll Call Vote: Commissioners August (Aye), Busa (Aye), Buttrick (Abstains), Ryan (Aye), and Whittemore (Aye). Motion Carries.

- b. 476 East Street Possible Violation – Agent Tragert presented images of additional vegetation removal (including mature trees) that has occurred along the stream/main drainage closer to the street. It was determined that this vegetation clearing may be a violation and Agent Tragert will contact the property owner for more information surrounding the circumstances of the removal.
- c. Conflict of Interest Training – Agent Tragert presented this year's conflict of interest training and explained the submittal requirements.

- d. Open Meeting Law Training – Agent Tragert presented this year’s open meeting law training and online webinar attendance requirements.

Motion to Adjourn: Busa; Second: Ryan. Roll Call Vote: Commissioners August (Aye), Busa (Aye), Buttrick (Aye), Ryan (Aye), and Whittemore (Aye). Motion Carries.

END OF MEETING at 7:30 PM.