



CITY OF EASTHAMPTON
Conservation Commission
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Meeting Minutes (3/28/2022)

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 (Absent with Notice)
 Dan Buttrick (Absent with Notice)
 Jay Ryan
 Julie Busa, Acting Chair
 Michael Whittemore
 Deborah August

Agent: Cassie Tragert

Public/Others: Doug Serrill
 Marla Hanc
 Nan Childs
 Austin Gniewek
 Hal Weeks
 Sarah Carr

1. Call to Order (6:00 PM)

2. Public Concerns (None)

3. Public Hearings/Meetings

- a. Public Hearing: (Continued from March 14th, 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 April 11th, 2022. Commissioner August second. Roll Call Vote: Commissioners Ryan (Aye), Whittemore (Aye), August (Aye), and Busa (Aye). Motion Carries.

- b. Public Hearing: Notice of Intent filed by Berkshire Design Group on behalf of Investment Real Estate, LLC at Main Street Rear (9 Coleman Road, Southampton) (Map: 164, Lot: 8) for additional self-storage buildings with new stormwater management system (MassDEP File #:151-0319). Request filed 3/18/2022. Doug Serrill of Berkshire Design Group presented the proposed expansion of the existing self-storage facility and the new associated stormwater management system. He explained that the parcel is partially located in Easthampton and Southampton and that they are undergoing the hearing process in Southampton as well. He also added that snow storage will be located by each proposed basin, access to facility will be restricted by fencing to 10pm after which the gates will be locked and lights will be turned off.

Commissioner Busa asked when the delineation had been completed. Serrill explained that it was completed originally on February 26th, 2020 by Wendell Wetland Services. It was recently reflagged (in the same locations) by Wendell Wetland Services as well and a letter was provided by that company regarding the delineation. Commissioner Busa requested copies of the BVW delineation forms. Serrill explained that those had not been submitted. Commissioner Busa requested that they be provided, as a winter delineation is not ideal considering that vegetation is not available. Commissioner Busa asked how the mowing is currently being completed. Agent Tragert noted that it appeared at the site visit that mowing is being completed up to where the topography changes toward the wetlands area. Serrill explained that he was unsure what the current mowing pattern/schedule is. Commissioner Busa asked if test pits had been completed for the basins as well as review of the pre and post stormwater conditions proposed. Serrill reviewed the test pit information as well as the proposed pre and post conditions. Commissioner Busa noted that the stormwater report should be reviewed by Commissioner Buttrick and his perspective will be important for the Commission's consideration of this project under the Stormwater Ordinance. Commissioner Busa requested clarification on the proposed depth of the basins why it appears to propose a mismatch with the seasonal high water level. Serrill explained that the basins are proposed to be about 3 feet deep and he will look into how this compares to the measured seasonal high water level.

It was discussed how the Commission procedurally reviews stormwater systems that are to be built partially in another town. The main questions being whether the Commission can accept a stormwater management system under the Stormwater Ordinance that they will not have authority over entirely since it is partially outside of the City (in Southampton). It is unclear whether there is precedent for this and research is required. It is clear that the Commission cannot approve any proposed work in Southampton and that must be approved by the Southampton Conservation Commission. Serrill explained the Southampton portion of the stormwater management system, noting that Southampton has a town bylaw which requires a 25ft "No Build Zone" from the BVW edge which was adhered to in the design.

Commissioner Busa asked how close the work is to any streams on site, specifically any that may exist along the bike path. Serrill did not have this information but agreed to get that measurement to ensure the work is outside any 200ft Riverfront Areas. Commissioner Busa asked for a review of the existing stormwater management system on site. Serrill explained that the system utilizes a series of catch basins and is not proposed to change. The stormwater from the new additional buildings/paved area will be directed to the new system and the existing system will continue to receive only the stormwater from the existing buildings/paved area.

Commissioner August asked whether any tree removal will be required for the installation of the new basins and what the invasive management plan entails. Serrill explained that he needs to confirm, but his understanding is that no tree

removal is required. He also will get more information as to what invasive species are on site and how they will be prevented from spreading/occurring in the future. Commissioner Busa requested details on the proposed planting plan and what the maintenance requirements for the basins will be. Serrill explained that a New England wet mix is proposed for the basins while a lawn mix is proposed for areas around the parking area/driveway outside of the buffer zone. The basins will need to be mowed annually to prevent growth of larger woody material though it is unclear how they will be accessed by mowers due to the proposed fencing. Commissioner Busa noted that mowers should not be driven through the BVW areas to access the basins.

Commissioner Ryan motioned to continue the hearing to April 11th, 2022. Commissioner August second. Roll Call Vote: Commissioners Ryan (Aye), August (Aye), Whittemore (Aye), and Busa (Aye). Motion Carries.

Commissioner Ryan motioned to take item 8(b) out of agenda order. Commissioner August second. Roll Call Vote: Commissioners Ryan (Aye), August (Aye), Whittemore (Aye), and Busa (Aye). Motion Carries.

8. General Business

- b. 1 Industrial Parkway Trail Review – Agent Tragert explained that she recently began reviewing a request from Nan Childs of Hilltown Cooperative Charter Public School to maintain along a trail at this property and when researching to past permitting for the same location it became clear that the existing trail is located within wetland areas but was not included in past permits. Commissioner Busa asked what the surface of the trail is composed of. Childs explained that the trail is wide enough for a person to walk down and it is just a walking path with no gravel or other material laid down except some stepping stones/boards placed to go over wet areas. Commissioner Busa noted that since no fill material had been used it was not a violation, though an RDA would be appropriate for any future additions to and any vegetation removal associated with removing invasive plant species. Childs indicated that she will submit an RDA for this soon.

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 by April 25th to determine next actions.

6. Open Space Updates

- a. Echodale West Orchard Area Improvements – Agent Tragert updated that she had not yet completed outreach to the Agricultural Commission nor the Garden Committee. She has completed research regarding using the Solar Ordinance Committee as a possible model going forward. That group had 9 members, no more than 2 people in total from other relevant boards, and met only once a month. She also spoke with City Engineering and they are familiar with ADA requirements, but would not be able to create drawn plans. Commissioner Ryan noted that the CPA is able to fund feasibility studies, though the City would need to make the request.
- b. Lathrop Community of Easthampton. Florence Road – No updates.

7. Compliance Updates – Active Projects / Open Permits

- 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. Agent Tragert informed the Commission that all items for the Pre-Construction requirements of the Order and for the Stormwater Permit have been submitted (including requested revisions from the last meeting). Work will likely begin soon.
- 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. Agent Tragert informed the Commission that three bridge repair projects are coming up. The work only consists of repairing the bridge deck surfaces and no work or scaffolding is needed in the waterway. They will complete all work with protective measures to ensure no material falls into the water below. It was determined that this work falls under Work Category I.
- 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. No updates.
- 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. Agent Tragert informed the Commission that all items for the Pre-Construction requirements of the Order and for the Stormwater Permit have been submitted (including requested revisions from the last meeting). A site visit must be completed to confirm the installation of erosion controls as revised, that date is to be determined. Work will likely begin soon after.

8. General Business (Continued)

- a. Meeting Minutes (March 14th, 2022) –

Agent Tragert informed the Commission that at the recent Open Meeting Law training, she asked if a Commissioner who had not attended a meeting could vote to approve the minutes for that meeting. They informed her that yes, Commissioners can vote to approve minutes for meetings they did not attend.

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

- b. 1 Industrial Parkway Trail Review – See above.
- c. 476 East Street Possible Violation – Agent Tragert informed the Commission that she had not yet received a response form the property owner.
- d. 3 Button Road Possible Violation – Agent Tragert presented images of possible vegetation removal from within areas jurisdictional to the Conservation Commission on site. The Commission determined that a letter should be sent to the property owner to get more information.
- e. Future Hybrid Meetings – Agent Tragert explained that the City will be transitioning to hybrid in-person/online via Zoom meetings for the Conservation Commission starting in April. As a result, the next scheduled meeting (April 11th, 2022) will be held at the City Municipal Offices and available to the public to attend in-person or join via Zoom. Agent Tragert will manage the online aspects during the meeting and there must be a quorum of in-person Commissioners for the meeting to be conducted. Commissioners should refrain from requesting to attend online unless there is a need and must request to do so with as much advance notice as possible. It has not yet been determined whether the City will require that applicants appear in person or not.
- f. Annual COI/OML Training – Agent Tragert reminded the Commission of this year's open meeting law training and online webinar attendance requirements.

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

END OF MEETING at 7:31 PM.