



CITY OF EASTHAMPTON
Conservation Commission
50 Payson Avenue
Easthampton, MA 01027
conservation@easthamptonma.gov
(413) 529-1463

Meeting Minutes (4/11/2022)

This meeting of the Easthampton Conservation Commission will be conducted in-person and simultaneously via remote participation online 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 below. Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are 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. Should an interruption occur in which the online meeting ends abruptly, both the in-person and online meetings will not be restarted, and all agenda items will be automatically continued to the next scheduled meeting.

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

Agent: Cassie Tragert

Public/Others: Doug Serrill
 Jeff Squire
 Chris Chamberland
 Marla Hanc
 Jamey Jeffords
 Susan Grant
 Michael Owens

1. Call to Order (6:00 PM)

2. Public Concerns (None)

3. Public Hearings/Meetings

- a. Public Hearing: (Continued from March 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 April 25th, 2022.

Commissioner Buttrick motioned to continue the hearing to April 25th, 2022. Commissioner

Whittemore second. Roll Call Vote: Commissioners Buttrick (Aye), Whittemore (Aye), August (Aye), and Busa (Aye). Motion Carries.

- b. Public Hearing: (Continued from March 28th, 2022) 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, Chris Chamberland, and Jeff Squire of Berkshire Design Group presented the proposed expansion of the existing self-storage facility and the new associated stormwater management system. They reviewed a written response submitted to the Commission which addressed all questions left at the last meeting.

Commissioner Whittemore requested clarification as to whether any trees would need to be removed. Serrill explained that no trees are proposed to be removed. Commissioner Buttrick reiterated that the Commission is reviewing this project for compliance with the Wetlands Protection Act as well as the City Stormwater Ordinance and the focus is on the stormwater management system in Easthampton. Marla Hanc of the Southampton Conservation Commission explained that the Southampton Planning Board reviews stormwater management systems in Southampton, not their Conservation Commission. Squire explained that they have submitted their application to the Planning Board, but the hearing has not yet been opened. Commissioner Buttrick noted that double review and possibly conflicting findings should be avoided and he noted that he is confident the Southampton Planning Board's ability to properly review the Stormwater Management System as well. Chamberland explained that the portion of the system in Southampton is also beholden to that same standards. Commissioner Buttrick also noted that the Easthampton Stormwater Permit typically requires a bond be submitted to cover all stormwater system costs, but it is unknown if this is a requirement in Southampton as well and the Commission should take care not to result in two bonds being required.

Commissioner Buttrick asked whether any new catch basins are proposed to be installed. Squire explained that no new catch basins are proposed, however one is being relocated to accommodate one of the new buildings. They do not want to impact the existing stormwater management system, and rather have designed this system to manage all the new stormwater resulting from the added buildings. Commissioner Buttrick raised concerns about peak flow attenuation being accommodated. Chamberland explained that they felt reduction of stormwater on the entire site as trumping the small increase in discharge. Commissioner Buttrick explained that there should be more treatment in the discharge location if proposed to increase and it must be shown that increased erosion is also being prevented. He noted that it may be ideal to direct more discharge to basin 1 alternatively. Chamberland explained that the buildings are the main obstacle, but if water quality is the main concern adjustments can be made. Squire added that an additional stormwater unit may be possible, however they are constrained by costs. Commissioner Buttrick asked if there is any evidence of erosion at the existing outlet. Squire noted that that area is currently very vegetated so it was difficult to see in the field. Chamberland explained that the area flattens out quickly at the outfall.

Commissioner Buttrick requested clarification regarding the proposed plantings within the basins. Specifically, are they suited for both extended (months long) wet and dry periods, noting that historically basins in Easthampton have been wetter than expected. Serrill explained that the currently proposed seed mix includes species which are suitable for both conditions, though it is unknown if they could survive months of standing water though that is not anticipated to occur. Chamberland added that the basins are designed to be saturated in the spring, but

not to be submerged. It was also confirmed that erosion controls were included in the plans as well as an Operations & Maintenance Plan.

Commissioner August requested clarification as to how salt would be prevented from entering the basins/wetlands from plowed snow melting over time since it is proposed to be stored near the basins. Chamberland explained that they will only be using sand on site. It was also noted that permanent markers of the wetland boundary should be added to the plan or required as a pre-construction condition in any Order of Conditions issued by the Commission. Commissioner Buttrick requested clarification on the direction of roof runoff and apparent discrepancies between the plan sheets as to where the roof is located. Chamberland explained that all roof runoff is to be directed to the basin located in Southampton and the entire new southern portion of buildings is to be under one roof. The basin in Easthampton will receive the stormwater from the four new buildings that are closest to it. The total amount of runoff from impervious surfaces discharging to the wetlands untreated is not going to increase as a result of this plan. Commissioner Buttrick asked if there will be any curbing at the edges of the new paved areas and if not, could curbing at the corner of the two new building sets be added to prevent possible untreated runoff. Chamberland explained that no curbing is proposed to accommodate swales to basins, but agreed to the addition of curbing at that corner. Commissioner August requested clarification as to the proposed management of invasives on site. Serrill explained that the only management is regular mowing of grassy areas and noted yearly maintenance of the basins as well.

Commissioner Buttrick motioned to continue the hearing to April 25th, 2022. Commissioner Whittemore second. Roll Call Vote: Commissioners Buttrick (Aye), Ryan (Aye), Busa (Aye), Whittemore (Aye), and August (Aye). Motion Carries.

- c. Public Meeting: Request for Determination of Applicability filed by the City of Easthampton at 32 Payson Avenue (Map: 53, Lot: 33) for installation of a new communication tower. Request Filed 3/28/2022. Michael Owens presented the proposed temporary trench required for the cables to the new communications tower.

Commission Ryan asked if this could possibly be in conflict with the future skate park project. Owens confirmed that it would not be in conflict with that project if it moves forward. Commissioner Buttrick asked if erosion controls are planned to be installed. Owens explained that they are already requiring the contractor to install erosion controls along the edge of the trench which is between the limit of work and the wetlands area. They will then loam and seed the filled in trench area as soon as possible. Commissioner Busa asked if there would be impacts to the trees planted along the edge of the parking lot. Owens explained that they may need to make field adjustments to avoid the trees, but the trees may be removed as part of future possible solar canopy installation anyways. Commissioner Busa noted that the trees are not substantial enough to be an issue to the Conservation Commission. Owens added that the contractor will also be required to complete a Dig Safe assessment before work begins.

Commissioner Buttrick motioned to issue a Negative Determination Type 3 with conditions as described. Commissioner Whittemore second. Roll Call Vote: Commissioners Buttrick (Aye), Ryan (Aye), Busa (Aye), Whittemore (Aye), and August (Aye). Motion Carries.

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

8. General Business

- b. 39 Northampton Street Possible Violation – Agent Tragert explained that she conducted a site visit with Commissioner Ryan and the property owner, Jamey Jeffords, on 3/30/2022. Jeffords explained that no living trees had been removed, that other dead trees had been cut for safety reasons and dead vegetation also removed. A skid steer was used to clear off existing paved surface and he was trying to restore the site to previously maintained cleared area to be used for chainsaw sculpture work. Pallets had been placed to facilitate that and large logs originating from off site are also being stored on the paved driveway area. Previous permitting from 2008 was discussed and it was noted that that permitted work was never completed. Jeffords explained that they have no interest in clearing any living vegetation (including trees) though they may pursue a permit with the Commission in the future to work on the foundation of the existing building. No Enforcement Order was issued and the Commission determined the matter to be resolved.

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 has been in communication with Jessica Applin of Land Stewardship Inc. about next steps and that she is planning to do a renewed assessment soon.
- 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. Agent Tragert presented a submitted invasive species management plan for review. The Commission determined that they would like to receive the name of the specific herbicide proposed to be used to confirm that it is appropriate for use in such close proximity to the water. The invasive species management plan was not approved pending that information.
- 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. Agent Tragert informed the Commission that a complaint had been received regarding erosion controls on site and a site visit was conducted with herself, Commissioner Ryan, and the contractors on 3/30/2022. A few corrective actions were noted and in the process of being resolved as well as a reminder given that all stormwater management systems must be fully functional and clean before any Certificate of Compliance can be issued.
- 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. No updates.
- 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 informed the Commission that a site visit was conducted on 4/7/2022 and it was confirmed that all corrective actions have been completed. As a general update, work on site has slowed due to wet conditions on site preventing successful grading.
- 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. No updates.

8. General Business (Continued)

a. Meeting Minutes (March 28th, 2022) –

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

b. 39 Northampton Street Possible Violation – See above.

c. 476 East Street Possible Violation – Agent Tragert informed the Commission that a site visit was conducted with herself, Commissioner August, Commissioner Whittemore, and the property owner, Gretchen Fiordalice, on 4/6/2022. For compliance with in-perpetuity maintenance of drainage structures, the structures were clear and it appears to be in compliance. For the unpermitted vegetation removal, Fiordalice explained at the site visit that the trees were removed as a hazard concern as limbs had already fallen on the neighbor's house and an arborist had determined that they were infested with carpenter ants. The trees were removed last August and about 50 balsam trees were planted in their place. The DPW also had installed riprap in the area where the stream meets the catch basin as well as a portion of the stream area above that without notification to the Commission. The Commission determined that the new Tree Cutting Policy should be reviewed so that any remediation is in compliance with that standard and Agent Tragert will contact the DPW regarding the work they completed. The matter is not resolved and will continue to the next meeting.

d. 3 Button Road Possible Violation – Agent Tragert informed the Commission that she sent the letter recently to the property owner and has not yet received a response.

e. New City MVP Grant Support Letter – The Commission determined that they were in support of this grant application.

Commissioner Buttrick motioned to issue the letter of support. Commissioner Whittemore second. Roll Call Vote: Commissioners Buttrick (Aye), Ryan (Aye), Busa (Abstains), Whittemore (Aye), and August (Aye). Motion Carries.

f. Future Hybrid Meetings – The Commission reviewed this experience with a hybrid meeting, generally agreeing that it was successful. Commissioner Busa, who attended virtually, noted that the audio from the Commissioners was poor though intelligible. Agent Tragert will investigate improving sound quality for the next meeting.

g. 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 8:35 PM.