



CITY OF EASTHAMPTON
Conservation Commission
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Meeting Minutes (4/25/2022)

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
 Dan Buttrick
 Jay Ryan
 Julie Busa
 Michael Whittemore (Absent With Notice)
 Deborah August

Agent: Cassie Tragert

Public/Others: Jeff Squire
 John Losito
 James Gracia
 David Bouche
 Joel Kent
 Andrew Blefeld
 Nan Childs
 Sam Taylor
 Sherry Taylor
 Kate Schecter
 Steve Vaiano
 Jessica Applin
 Brian H

1. Call to Order (6:00 PM)

2. Public Concerns (None)

3. Public Hearings/Meetings

a. Public Hearing: (Continued from April 11th, 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 withdraw the Notice of Intent via email.

Commissioner Ryan motioned to withdraw the Notice of Intent. Commissioner Busa second. Roll Call Vote: Commissioners Ryan (Aye), Buttrick (Aye), August (Aye), Coady (aye), and Busa (Aye). Motion Carries.

- b. Public Hearing: (Continued from April 11th, 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. Jeff Squire of Berkshire Design Group presented response to the questions raised at the previous meeting by the Commission. He noted that they will be installing boulders as permanent markers to demarcate the wetland border. He shared pictures showing that there is not currently erosion happening at the existing outlets. He also confirmed the drainage calculations discussed at the last meeting. Lastly, he explained that inlet cleaning devices are proposed to be added to each catch basin as another level of treatment before water reaches the basins. Commissioner Buttrick noted that the increases in discharge to existing structures has been shown to not be a concern and previously they had wanted treatment to compensate for new impervious area runoff which the inlet filters address. Commissioner Busa noted that the inlet filters seem like they will require a lot of maintenance. Commissioner Coady asked whether Squire has any previous experience with their use and whether their maintenance had been added to the Operations & Maintenance Plan. Squire explained that it is typically immediately noticeable when the filters are full and cleaning them is a simple process. He also noted that they had not yet been added to the Operations & Maintenance Plan, but they will do so. Commissioner Buttrick expressed concern that it seems likely that they could be cut as a "quick fix" during storm events. Commissioner Coady asked at what level storm event do the basins overtop. Squire explained that he did not have that information, but explained that that is a function of the pipe diameter and noted that they all outlet at an existing location.

Commissioner Buttrick requested a review of the catch basins. Squire explained that there will be 2 new catch basins and 1 replacement of an existing basin. Alternatives to this were determined to be very cost prohibitive compared to the future commercial use of the property. Both new catch basins will be hooded, deep sump catch basins, the existing catch basin to be replaced is not proposed to be hooded, but that could be added. Commissioner Buttrick requested the age of the existing structure. Squire did not have that information, but noted that the original permitting took place in 2003. Commissioner Buttrick noted that they need to ensure that the new canopy area drains to the new system, not the existing system and noted that the bond amount should cover the entire system. Agent Tragert has not yet received the bond amount from the City Engineer, but will ensure this is the case when she does. Commissioner Coady noted that any design changes that may result from the Southampton Planning Board review must be reviewed by the Easthampton Conservation Commission and it is the responsibility of the applicant to get that addressed. It was noted that any Order of Conditions should include special conditions as discussed including pre-construction requirement of submitting updated Operations & Maintenance Plan with details regarding the inlet filters, updated final plans which include curbing at the corner between the new structures, and the permanent markers.

Commissioner Buttrick motioned to issue a City Stormwater Permit and Order of Conditions with Special Conditions as described. Commissioner Busa second. Roll Call Vote:

Commissioners Buttrick (Aye), Ryan (Aye), Busa (Aye), Coady (Aye), and August (Aye). Motion Carries.

- c. Public Meeting: Request for Determination of Applicability filed by the Hilltown Cooperative Charter Public School at 1 Industrial Parkway (Map: 114, Lot: 30 & 29.2) for walking boards along existing footpath through wetlands as well as invasive species management. Request Filed 4/11/2022. Nan Childs presented the proposed project to install boards for children to walk on over the wetland area as well as proposed invasive plant management. She explained that the boards are not to be embedded in the ground and ground disturbance will not be involved in their installation. For the invasive species removal, she explained that they are not proposing any digging of roots or herbicide use, just hand cutting on an annual basis within the vicinity of the trail. The hope is that native species will have room then to repopulate that space over time. Commissioner Coady asked if any native plantings are proposed as well and Childs explained that they also plan to do some native plantings. She also noted that there seems to be increased runoff to the area since that construction of the Cumberland Farms gas station. Agent Tragert will investigate this further.

Commissioner Buttrick motioned to issue a Negative Determination Type 2. Commissioner Busa second. Roll Call Vote: Commissioners Buttrick (Aye), Ryan (Aye), Busa (Aye), Coady (Aye), and August (Aye). Motion Carries.

4. Requests for Certificate of Compliance

- a. 99 Glendale Street (MassDEP File #: 151-0081) for construction of new single-family home. (Map: 43, Lot: 12 & 12A). Exp. 8/9/1991. Request Filed 4/5/2022. James Gracia, current property owner and original engineer for the project, explained that the original Order of Conditions was for the construction of two single-family homes, however only one of them was ever built. He reviewed the approved grading which was completed to create compensatory flood storage and shared anecdotes of past flooding events. Commissioner Coady asked whether the proposed garage had even been constructed. Gracia explained that the foundation had been completed and remains in place, however the rest of the structure was never built. If it were to be pursued in the future, no new ground disturbance would be required. Commissioner Coady noted that the closest resource area is Bordering Land Subject To flooding which has no associated Buffer Zone. Gracia also noted that additional wetlands had been created during construction at the end of the property closest to the intersection due to an excavation error.

Commissioner Ryan motioned to issue a Complete Certificate of Compliance. Commissioner Busa second. Roll Call Vote: Commissioners Buttrick (Aye), Ryan (Aye), Busa (Aye), Coady (Aye), and August (Aye). Motion Carries.

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. Property owners Sam and Sherry Taylor were in attendance to explain the history of the site as well as the dock installation. They explained that the dock had been installed without their knowledge by the current tenant. The Commission determined that the dock must be removed with as little new disturbance as possible to the bank. As a result, the dock is to be removed by cutting around the embedded portions and the remaining wood allowed to decay away

naturally. The property owners agreed to this and will notify Agent Tragert when it is complete.

6. Open Space Updates

- a. Echodale West Orchard Area Improvements – No updates.
- b. Lathrop Community of Easthampton. Florence Road – No updates.

Commissioner Busa motioned to take item 7(i), 7(j), 8(c), 8(d), and 8(e) out of agenda order respectively. Commissioner Ryan second. Roll Call Vote: Commissioners Buttrick (Aye), Ryan (Aye), Busa (Aye), Coady (Aye), and August (Aye). Motion Carries.

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 the submitted label and MSDS sheet for the proposed Rodeo herbicide to be used on site as per the previously reviewed invasive species management plan. This was determined to be an appropriate herbicide for use within proximity to the water and the Commission approved the invasive species management plan.
- 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. Joel Kent and David Bouche presented an update on the current status of the project and came to review the recent corrective actions taken after the recent rain event on 4/18/2022 and subsequent site visit conducted by Agent Tragert on 4/19/2022. Kent noted that the project is currently in it’s second Phase focused on demolition of the old school and construction of the athletic fields. They are projected to be complete on 8/29/2022, so they will likely need to request an extension of the Order. Agent Tragert presented images from the site visit as well as the corrective actions that have since been taken for three main issues.

At the swale connecting to White Brook just south of the school driveway, runoff from the area around the outlet to the field drains (which is not yet receiving water as the

inlets are all above grade, however water still seems to be collecting in this area and sheet flowing under the press box) appeared to have been traveling down the swale to the brook. Turbid water was also likely coming from the level spreader just south of the driveway. A turbidity curtain to be installed as soon as one is acquired where the swale meets White Brook, interim curtain has been installed as well as additional controls should be installed above near the outlet/press box. The level spreader was also cleaned. Kent explained that the turbidity curtain will be difficult to install as the area the swale meets the brook is very shallow.

At the drainage outlet at the northeast corner of the site, water was being pumped from the large rear basin into the new stormwater system and was discharging that turbid water into the stream below. The water from the basin was not being properly filtered and pumping was shutdown immediately. A filter sack has been installed and placed where discharge from the sack can slowly dissipate over the grassy area near the basin. It was noted the basin is being drained to allow for the installation of the underdrain. It also is not infiltrating due to being sedimented during construction and has been used as temporary storage of water thus far.

At the southeast corner demolition area, turbid water has passed beneath the silt fencing/wattles to the wetland. It was noted that the controls had been installed and working for lesser rain events prior to this breach. The controls have been repaired and a berm structure was added.

The Commission did not request any additional measures be taken at this time, but they did require that Agent Tragert be updated tomorrow after the next rain event. The contractors noted that they have been and will continue to adapt to the erosion and sedimentation control needs as the project progresses and are actively landscaping as soon as possible to increase stability on site.

- 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. 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. No updates.

8. General Business

- a. Meeting Minutes (April 11th, 2022) – Not yet completed by Agent Tragert, review tabled to the next meeting.
- b. 476 East Street Possible Violation – The Commission determined that an Enforcement Order will be issued to ensure the area is properly revegetated including tree plantings at a 1 to 1 replacement of removed trees as well as shrub plantings. The planting must be monitored yearly for 3 years to ensure their survival and be conducted in accordance with the Tree Cutting Policy.

Commissioner Busa motioned to issue an Enforcement Order with conditions as described. Commissioner Buttrick second. Roll Call Vote: Commissioners Buttrick (Aye), Ryan (Aye), Busa (Aye), Coady (Aye), and August (Aye). Motion Carries.

- c. 3 Button Road Possible Violation – Property owner Andrew Blefeld was in attendance to explain the vegetation maintenance he has completed. Agent Tragert explained that she completed a site visit on 4/19/2022 and the photos were reviewed. Blefeld explained that they only removed dead vegetation/trees that had been blown over in a microburst about 5 years ago. Care was taken to leave all living vegetation and he plans to let it grow back in naturally (not expand lawn). He explained that he removed the dead material because he was concerned that it was a fire hazard. He also raked a part extending from the lawn that wasn't as vegetated and now looks very bare. He explained that he plans to let that also grow naturally and it was noted that the deed does not allow expansion of lawn. The removed material is still piled on site, but he was unsure if the Commission would prefer that it be chipped on site or removed for proper disposal. Due to likely containing invasive plants, the material should be removed and properly disposed of elsewhere. The Commission determined that a violation has not occurred as long as the area is allowed to revegetate naturally and the lawn area is not expanded. The Commission will issue a letter which also states that the continued management of invasive species is also allowed.
- d. 63 Strong Street Preliminary Review – Property owner, John Losito, presented a proposed plan for the installation of a deck. The deck will be closer than 50ft to the stream on his property, however it will be installed on helical piles and installation will not require temporary disturbance of the area below. The Commission determined that a Request for Determination of Applicability should be filed for the work as the exemption is not met.
- e. 40 Chapin Possible Violation – Agent Tragert explained to the Commission that there had been a concern about possible violation of either the City Stormwater Ordinance or the Wetlands Protection Act and she conducted a site visit on 4/21/2022. Kate Schechter, property owner, and Steve Vaiano were in attendance to explain the work that has been completed thus far. In order to address drainage issues that arose from

incorrectly completed previous remodel of the home, involved in the installation of an above ground catch basin to allow for runoff to gather and infiltrate. The Commission determined that a violation of the City Stormwater Ordinance has not occurred, but it is unclear whether the property is within the jurisdiction of the Commission under the Wetlands Protection Act. Schecter will work with Agent Tragert to set up another site visit to gather more information to try to make this determination.

- f. Potential New Conservation Commissioner – Commissioner Coady announced that she is resigning from the Commission effective 4/26/2022. This concludes 15 years of public service on the Conservation Commission in which she was instrumental in the review of many major projects within the City to ensure compliance with the Wetlands Protection Act. Agent Tragert noted how Coady was vital to her learning about the City and the Act when she came on as the Agent and was joined by the rest of the Commission in sincerely thanking Commissioner Coady for her dedicated service. It was also agreed that her professional expertise, historical knowledge of the Commission, and leadership as the Chair will be greatly missed.

There are thus two vacancies on the Commission and the City has received two applications to join. Both applications were reviewed and determined to be good candidates to join so they were recommended for acceptance by the Mayor.

- g. Temporary Pond Sculpture – For the upcoming Cultural Chaos event, the Arts Coordinator would like to install a temporary floating sculpture on Nashawannuck pond. There is no ground disturbance involved and it will be anchored with a weight. The Commission previously gave the go-ahead for this before the last Cultural Chaos event which was canceled due to Covid. They reiterated that assessment saying no permitting is required.
- h. Future Hybrid Meetings – Agent Tragert noted changes she made in the set-up of the room to improve upon the last meeting and she will continue to make changes as needed. She informed the Commission that the next meeting virtual access will be conducted through Google Meet and Zoom is no longer going to be used.

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

END OF MEETING at 8:30 PM.