



CITY OF EASTHAMPTON
Conservation Commission
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Meeting Minutes (5/23/2022)

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: Julie Busa, Chair
Dan Buttrick (Absent w/ Notice)
Jay Ryan
Michael Whittemore
Deborah August
Hal Weeks
Sarah Carr

Agent: Cassie Tragert

Public/Others: John Losito
Mark Reed
Lisa Narkiewicz
David Cernak
Kelly Cahill
Donna Cuipylo

1. Call to Order (6:01 PM)

2. Public Concerns (None)

3. Public Hearings/Meetings

- a. Public Meeting: Request for Determination of Applicability filed by John Losito at 63 Strong Street (Map:173, Lot:1) for installation of a new deck. Request Filed 4/29/2022. At the last meeting, it was determined that based on USGS StreamStats data, the portion of stream is considered perennial due to drainage area and projected flow at 99 percent. The Wetlands Protection Act was reviewed and it was determined that the stream may be able to be determined to be intermittent if it is shown to run dry for four days. At this meeting, John Losito presented images taken

on 5/10, 5/11, 5/12, 5/17, and 5/23 of this year. All images showed the stream bed as dry and it was noted that rain had occurred on the 17th. The Commission agreed that these images combined with Losito's anecdotal evidence meet the requirements under the Act to determine a stream as intermittent.

Losito explained that though helical piers were originally proposed, since the last meeting he had determined that equipment access constraints will require the use of concrete piers. Commissioner Busa noted that since the area of work has been determined to not be within Riverfront Area, the use of concrete based piers could be conditioned within the 100ft Buffer Zone under this permit request. It was determined that a staked straw wattle should be required to be installed along the toe of the slope as a condition of any permit issued. No silt fencing should be used to limit the amount of disturbance. Commissioner August questioned whether there is any remaining concern regarding shading resulting from the completion of the deck. Commissioner Busa noted that the shading does not constitute a change to Riverfront Area and therefore can be permitted through this request. Losito noted that the area will likely still receive light and there will be no impact to the plants currently growing there. It was determined that 48-hour pre-construction notification should also be required as a condition of any permit issued.

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

- b. Public Meeting: Request for Determination of Applicability file by Heritage Land Surveying & Engineering, Inc. on behalf of Our Lady of the Valley at 109 Everett Street (Map: 146, Lot: 1) for expansion of the existing cemetery. Request Filed 5/9/2022. Mark Reed and Lisa Narkiewicz presented the request as described. It was noted that the graves will likely be installed over the next 100 years, but the area for the plots will be cleared and maintained as presented on the plan within the three years as is allowed by any permit issued by the Commission. The existing neighboring cemetery has been in place for over 100 years and is not yet full. Reed also explained the process of a burial when needed, involves very temporary soil exposure as the top layer of sod is carefully removed and replaced once burial is completed (within a few hours) so there should be no risk from exposed soil resulting from burials. It was also noted that there is no work proposed beyond 50ft within the 100ft Buffer Zone.

Commissioner Carr requested clarification as to how the water will be managed once it enters the proposed basins. Reed explained that the basin is designed to allow the water to infiltrate into the soil after holding it during rainfall events. It has been sized to prevent additional runoff from the site that could be caused by the clearing of vegetation/installation of the road. Commissioner Busa asked whether any test pits were completed for the basins. Reed explained that they were completed throughout the site, but not right at the location of the basins as they did not want to damage any vegetation before the permit was issued. Commissioner Carr requested clarification as to what is proposed within the 100ft Buffer Zone. Reed explained that the work within the buffer zone includes a portion of the grave plots, part of the stormwater management system, part of the chapel garden, and part of the cul-de-sac of the road. Commissioner Ryan asked what the road will be made of and Commissioner Carr added a question of whether permeable surface had been considered. Reed explained the road is proposed to be made of typical asphalt because a permeable option was determined to be too costly and the longevity of the design was important for the site. Commissioner Busa asked what the long term plan was for left over material from burial process. The previously resolved Enforcement Order regarding the improper storage of excess soil from the

neighboring cemetery was noted. Reed explained that the plan is to store material outside the 100ft Buffer Zone if possible and otherwise remove it from the site.

Commissioner Busa requested the distance from the steeper slopes from the edge of the basins and if there was any concern for potential stability issues. Reed explained that the three are 30ft, 20ft, and 5ft away respectively. They feel confident that stability issues are unlikely due to the existing soils on site and that the sloped areas will remain vegetated as well as direct overflow to existing swales. Commissioner August questioned whether permanent markers should be required to demarcate the tree line and prevent future expansion. Reed explained that the grave plots will be marked permanently for the purposes of organization which will also function as permanent markers of the area approved for clearing. He did not have information on what the markers will be made of. Commissioner Carr questioned whether the replacement of soil with the concrete vaults associated with the burial process could result in destabilization. Reed explained that the vaults will be denser than the soil removed and so should not contribute to destabilization of the area. Commissioner August requested more detail regarding the trees to be removed and whether there will be any replanting. Reed explained that the trees are primarily oak and they are not proposing any new plantings as there are no open areas not slated for burials in which to plant them. Some native plantings will be installed in the chapel garden, basins, and along Everett Street. The number of trees to be removed has not been quantified. Commissioner August asked whether there are invasives on the site. Reed explained that there were no significant amounts as the property had been well maintained by the homeowner before. Commissioner Carr requested the reasoning behind including any plots within the 100ft Buffer Zone. Reed explained that the amount of plots was determined as necessary to maximize the use potential of the property as a burial site. About 50% of the cost for people to purchase each plot goes towards the maintenance of the site. Commissioner Busa noted that if the work proposed is inside the Buffer Zone only and can be determined to not impact the resource areas associated, then the Commission cannot dictate what actions are taken. She added that she would like to see soil information for each basin location to address concerns about breakout and get the assessment of Commissioner Buttrick who is not in attendance tonight. Agent Tragert shared comment received from the City Engineer, Dan Murphy, regarding the stormwater system as well as images from the site visit conducted on 5/17/2022.

Commissioner Ryan motioned to continue the public meeting to the June 13th, 2022. Commissioner Whittemore second. Roll Call Vote: Commissioners Weeks (Aye), Carr (Aye), August (Aye), Whittemore (Aye), and Ryan (Aye). Motion Carries.

4. Requests for Certificate of Compliance

- a. 161-165 Northampton Street (MassDEP File #: 151-0189) for mixed use development with grading/drainage utilities including 3 buildings and a parking area. (Map: 114, Lot: 45). Exp. 5/22/2003. Request Filed 5/9/2022. Mark Reed and Lisa Narkiewicz presented the request noting the site visit completed on 5/17/2022 with Agent Tragert and Commissioner August and highlighting the site is stable and in compliance with the original plan. Commissioner Busa requested clarification as to the status of the previous Enforcement Order issued for the property. Reed confirmed that this is the same property and that the unauthorized clearing of vegetation associated with the Enforcement Order was fully remediated. Agent Tragert confirmed that the Commission has previously determined the violation to be resolved. Commissioner Busa asked what vegetation is within the basin, whether it was in conformance with the original plan, and what Operations and Maintenance Plan exists. Commissioner August noted that she saw reed canary-grass. Reed explained that a variety of grass species are present in the basin, but it is maintained

as a wet bottom basin and the growth of woody vegetation is prevented. He added that the Order of Conditions speaks to the Operations & Maintenance and continued maintenance of the basin should be an On-Going Condition of any Certificate of Compliance issued. Commissioner Busa asked about any accumulation of sediment in the basin. Reed explained that there is little accumulation due to the deep sump catch basins with hoods and noted that the outlets are clear of sediment. Commissioner August noted that the basin looked maintained and clear at the site visit. Commissioner Busa noted Condition 40 of the Order states in part that "The stormwater detention basin shall be free draining, and not store water for prolonged periods of time after storm events." Reed explained that the basin does hold water immediately after rain events, but drains afterwards slowly and the very bottom of the basin can be wet. He noted that the standards for basins has changed since the original design and installation of this basin. Agent Tragert will revisit the site before the next rain event to determine if water is being held in the basin for prolonged periods.

Commissioner Ryan motioned to continue the public meeting to the June 13th, 2022. Commissioner Whittemore second. Roll Call Vote: Commissioners Weeks (Aye), Carr (Aye), August (Aye), Whittemore (Aye), and Ryan (Aye). Motion Carries.

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

8. General Business

- b. Westview Terrace Preliminary Review – David Cernak and Kelly Cahill presented a request to install an improved culvert that currently exists within an access roadway on their property. The culvert receives stormwater from the abutting neighborhood just beyond the bike path that runs parallel to the access road. The current culvert is an 8-inch diameter plastic pipe and the sediment around and above it has been entirely exposed. Agent Tragert noted that she determined that the source of water passing through the culvert was stormwater runoff and not a natural stream, but was unsure whether the stream crossing standards then applied to any changes made to the culvert. The Commission determined that the work would likely require a permit regardless due to the proximity to the wetlands beyond the outlet of the culvert and recommended a consultant be hired by the applicant to help determine whether the stream crossing standards would need to be met when changing the culvert. The Commission would then review these findings as part of any future permitting request.

5. Enforcement Actions

- a. CFN Properties LLC, Complete Automotive Repair, 10 O'Neil Street, Map 114, Lot 31. (EO-2020-001) Agent Tragert presented an image to the Commission which showed that though cars are still no longer being parked within the area of the violation, they do appear to be continuing to mow about 10 – 15ft from the curb into the area. Commissioner Ryan volunteered to look at old aerial imagery to see if the mowing had always been occurring since the installation of the property.
- b. B. Gawle. 37 South Street (EO-2013-001). No updates.
- c. G & F. Fiordalice, 476 East Street, Map: 158, Lot: 9. (EO-2022-002). No updates.

6. Open Space Updates

- a. Echodale West Orchard Area Improvements – Agent Tragert presented the updated long-term management plan created by Land Stewardship Inc. Commissioner Ryan noted that between himself and Russell Braen of the abutting orchard, they could complete the mowing requirements. Commissioner Busa requested a cost comparison between this new plan and the previous plan as well as updated success criteria which is not included in this plan as well as whether the results are guaranteed or not. There was also a question as to how much of the CPA funds or other fund source remained for the project. Agent Tragert will research these questions and request that a representative of Land Stewardship Inc. attend the next meeting.
- 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. It was noted that the expiration date is approaching. Agent Tragert informed the Commission that she has been in communication with Michael Owens at the City and he will be pursuing a Certificate of Compliance.
- 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 noted that she had not yet received confirmation on the approval of the proposed additional herbicide.
- 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. 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. Agent Tragert informed the Commission of a request for Administrative Approval of a proposed minor change to the project. This change involves the increase in impervious surface from the addition of a 256 sq ft concrete pad for mechanical equipment at the rear of the building. The Commission determined that they would like to receive input from Commissioner Buttrick before making a determination.
- 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.
- v. Moove In Storage, Main Street Rear (9 Coleman Road, Southamptton) (MassDEP File #151-0319) for expansion of self-storage facility. (Map: 164, Lot: 8) Exp. 5/16/2025. No updates.

9. General Business

- a. Meeting Minutes (May 9th, 2022) –

Commissioner Whittemore motioned to approve the May 9th 2022 minutes as written. Commissioner Busa second. Roll Call Vote: Commissioners Weeks (Aye), Carr (Aye), August (Aye), Whittemore (Aye), and Ryan (Aye). Motion Carries.

- b. Westview Terrace Preliminary Review – See above.
- c. Future Hybrid Meetings – No updates.

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

END OF MEETING at 7:53 PM.