



TOWN OF BRIMFIELD

CONSERVATION COMMISSION

Salisbury Annex Building, 2nd Floor
23 Main Street
Brimfield, Massachusetts 01010

Roger deBruyn (Co-Chair)
Michele Restino (Co-Chair)
Joe Collins
Matt Toth
Steve Phifer

Agent: Angela Panaccione

Telephone: (413) 245-4100 x:8
FAX (413) 245-4111

MEETING MINUTES WEDNESDAY JANUARY 14, 2015 @ 7:00 PM

Members Present: Roger DeBruyn (Co Chair)
Michele Restino (Co Chair)
Matt Toth
Angela Panaccione (Agent)

Members Absent: Steve Phifer
Joe Collins

Also Present: ---

Meeting Opens: 7:00 PM – Roger deBruyn (Co Chair)

7:05 PM Administrative Matters: 2015 Revised Bylaw

The Agent revised the proposed Wetlands Protection Act Bylaw to be only 2 pages (down from the previous 13 pages). The Commission reviewed it. Its major points include a \$50 application fee and enforcement under Ch. 40 Sec 21D. Enforcement \$ goes into the general fund. Roger deBruyn suggested it be presented at town meeting from a financial view point. The Commission will ask the finance committee to support the bylaw. The Commission will also hold an informational meeting on the Bylaw March 25, 2015 at 6pm.

Motion by Michele Restino to approve the revised 2015 Wetlands Protection Bylaw and submit it for
Motion Seconded by Roger deBruyn
No further discussion – 3-0-0 – Motion Carries

7:30 Request for Determination (RDA): Warren Road (Map 2D Lot 4.8) – Michael Koprowski

Request for Determination (RDA) submitted by Michael Koprowski, for work at Warren Road (Map 2D Lot 4.8) to determine if the work associated with the construction of a driveway in the buffer zone to a Bordering Vegetated Wetland is subject to the Wetlands Protection Act. Roger deBruyn opened the public meeting and no public or representatives were present.

The Applicant Mike Koprowski has request the meeting be continued until revised plans are mad with new driveway location and update wetlands delineations.

Motion made by Matt Toth to continue the hearing until 7:00 PM on Wednesday January 14, 2015
Motion Seconded by Roger deBruyn
No further discussion – 3-0-0 – Motion Carries

The Commission will hold an informational meeting on the Bylaw on Wednesday March 25, 2015 at 6pm; before its regularly scheduled meeting.

7:32 PM Notice of Intent: 14/18 Marsh Hill Road (Map 5 A-B Lot 15.1) – Anthony Belcher

Notice of Intent (NOI) submitted by Sherman & Frydryk c/o Anthony Belcher & Steven Orloff, for work at 18 Marsh Hill Road (Assessors Map 3B Lot 2.4C), pertaining to the construction of a single family home. Specifically the work will include the construction of a single family house with associated private well and sanitary sewage disposal system. The work will include approximately 15,670 square feet of disturbance to the buffer zone of a Bordering Vegetated Wetland. Anthony Belcher was present

Mr. Belcher plans to officially change the property lines with the Planning Board.

A DEP file number has still not been issued.

Motion made by Michele Restino to continue the hearing until 7:15 PM on Wednesday January 28, 2015

Motion Seconded by Roger deBruyn

No further discussion – 3-0-0 – Motion Carries

7:34 PM Notice of Intent: 119 Little Alum Road (Map 5B Lot B-14) – Roland Blake/Maple Lane

Notice of Intent (NOI) submitted by Greenhill Engineering c/o Maple Lane Development Corp, for work at 119 Little Alum Road (Assessors Map/Lot 5 B B14). Specifically, the work includes the construction of a 500 square foot beach and the reconstruction of an existing dock. The proposed work occur within the buffer zone and resource areas of Little Alum Pond; regulated under M.G.L. Chapter 131, §40. Mark Farrell was present.

This work includes construction of a 500' beach and the reconstruction of an existing dock. The dock will be 5-foot X 18' feet and be approximately in the same footprint as the current dock. NHESP has approved the project. DEP is requiring a Ch.91 permit for the dock. The Commission discussed the Ch.91 permit with Mark Farrell.

Mark Farrell requested a continuance so he could work on the Ch. 91 permit and revise the current plans. Farrell will also supply the calculations of disturbance to bank and LUW the Dock will have.

Motion made by Michele Restino to continue the hearing until 7:30 PM on Wednesday January 28, 2015

Motion Seconded by Roger deBruyn

No further discussion – 3-0-0 – Motion Carries

8:15 PM Administrative Matters: Minute Approval – December 10, 2014

Motion by Michele Restino to approve the minutes from Wednesday December 10, 2014

Motion Seconded by Matt Toth

No further discussion – 3-0-0 – Motion Carries

8:20 Enforcement Order (EO): 258 Little Alum Road (Map 4E Lot 4.1) - Brian & Alice Willis

An un-named intermittent stream and its associated Bordering Vegetated Wetland (10.55) (BVW) have been disturbed from the addition of buildings/pens, fencing and farm animals; resulting in soil disturbance, stream instability, possible decreases in water quality and changes to the natural hydrologic regime throughout the property. A site visit occurred on November 8, 2014 at 9am. Alice Willis was not present. The Agent will contact Alice Willis and request she mail in the plot plan for the site. Upon receiving the plan the Commission will lift the Enforcement Order.

Administrative Matters: Other Projects, Monitoring, Enforcements and Violations

1. Little Alum Draw Down: The drawdown began 11/1/2014. No boards have been put back in as of yet. Under the Order of Conditions the lake must reach maximum drawdown level by December 1, and then it should begin to re-fill. The Agent will monitor the lake level and speak with the Zach Lemieux about putting the boards back in. Matt Toth will speak with Lori Morrill about it as well. The Commission agreed the drawdown policy needs clarification of dates. A set schedule of board removal and replacement should be developed and agreed too. Michele Restino suggested a possible amendment to the Order of Conditions to deal with the scheduling conflicts.
2. Highway Bundle Notice of Intent: Zach Lemieux, Brimfield Highway Superintendant submitted a draft bundle NOI for highway work. The Agent reviewed the draft, as well as other towns bundle highway NOI and met with Zach to go over it. Under the revised regulations (October 24, 2014) several portions of the proposed NOI are not needed. Roger deBruyn recommended Zach speak with the Mass Society of Municipal Professionals for advice. The Agent will also speak with Mass DEP & the MSMCP about it as well.
3. DEP # 117-0333: 59/61 Haynes Hill Road - Richard Cayer, Wetland Replication and Restoration Report:
EBT, Inc inspected the Replication and Restoration areas detailed above for Mr. Cayer on June 9, 2014, July 2, 2014, August 28, 2014 and December 11, 2014 (see attached Photo Exhibit). EBT, Inc recommended the following to Mr. Cayer:
 - Ten Wetland plants are not thriving and must be replaced
 - 20 Purple Loosestrife plants (*Lythrum salicaria*) must be removed before seed out
 - 2 Multi Flora Rose bushes (*Rosa-multiflora*) must be removedMr. Cayer completed the required work.
4. Michaelen Kelly Letters: Michaelen Kelly sent two letters to the Commission, dated 12/14/14 and 12/26/14. In the letters she requested the Commission:
 - Further investigate the matter and propose actions to resolve. She expressed concerns over why the other culverts are not within the Commission's Jurisdiction and why they were not investigated during the site visit on November 8th
 - Contact the Board of Selectmen to determine the status and ownership of the road. **This is not within the Commission's Jurisdiction, Mrs. Kelly needs to contact the BOS directly**
 - Endorse the finding of New England Environmental stated in their letter/site review dated 12/14/2006
5. Jeffery Paulin Forest Cutting Plans (FCP): The Commission received approved Forest Cutting Plans for two properties owned by Jeffery Paulin. One is for a cut on East Hill/Chamberlin Mountain with the open enforcement order, and another for work off Haynes Hill. The Commission never received draft plans to comment on. The Agent contacted DCR service forester about it and she will stop the work and allow the commission its 10 day comment period.
6. New Computer: The Commission agreed to send a second letter to the Board of Selectmen and the IT committee requesting a new computer. Pat Burke fixed the computer for the third time in a month and some of the problems with the office computer, but there are still issues with going on line, especially the edep efile site and email.
7. Lake Sherman Clean-up: Anna Ozolins submitted a management report for Lake Sherman. The report was by Lycott Environmental on the status of the lakes in town and was only a vegetation management plan.

The Agent will contact Ozolins and inform her much more is needed in the management plan for the lake. Ozolins also requested the Commission attend the Selectmen meeting on Tuesday January 27th to support her request funds from the Thames River account to help with the costs of treatment.

8. Violation: 65 Palmer Road – James Hopkins: The Commission received another complaint about the filling of wetlands at 65 Palmer Road. According to the complaint, the filling is occurring at night and is resulting in the addition of new parking spaces. The Agent will forward the complaint to MassDEP, since they have an active investigation going on into previous complaints.
9. New NOI: 84 Champeaux Road: The Commission received a new NOI for the development of a single family home at 84 Champeaux Road. The hearing will be February 11, 2015 at 7pm. The Commission will conduct a site visit on Saturday January 24, 2015 at 10am. The Commission reviewed the file and are requesting additional information before the hearing, including:
 - Site Locus clearly identifying the parcel location and showing property location
 - Stream on Topo map clearly depicted on site plan
 - A site plan showing the entire lot

Meeting adjourned 9:00 PM –

Motion made by Matt Toth to adjourn 9:00 PM

Motion was seconded by Roger deBruyn

No further discussion – 3-0-0 – Motion Carries

Sincerely Submitted

Angela Panaccione, Conservation Agent