



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

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MEETING MINUTES WEDNESDAY JANUARY 28, 2015 @ 7:00 PM

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

Members Absent: Joe Collins

Also Present: ---

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

7:00 PM Administrative Matters: FY 2016 Budget Request

The Commission discussed the FY2016 budget. There will be no request for an increase other than the recommended 2%.

Motion by Michele Restino to approve the FY 2016 budget request at the 2% increase

Motion Seconded by Matt Toth

No further discussion – 4-0-0 – Motion Carries

7:02 PM Administrative Matters: Annual Report

The Commission reviewed the 2014 Annual Report. Michele Restino submitted corrections to the draft report.

Motion by Michele Restino to approve the 2014 Annual Report as corrected

Motion Seconded by Matt Toth

No further discussion – 3-0-1 (Steve Phifer abstains) – Motion Carries

7:05 PM Administrative Matters: Minute Approval – January 14, 2015

Steve Phifer raised concerns with the section of the minutes detailing the little Alum draw down. The Commission discussed the state mandated dates for Lake Drawdown's. The policy needs clarification of dates, such as maximum drawdown date. A schedule needs to be developed between the Commission, Highway and the Lake Association which specific dates for board removal and replacement. Michele Restino recently issued an Order of Conditions for Taunton dealing with a drawdown. She will forward the Order to Brimfield.

Motion by Michele Restino to approve the minutes from Wednesday January 14, 2015 as corrected

Motion Seconded by Steve Phifer

No further discussion – 4-0-0 – Motion Carries

7:15 PM Administrative Matters: Sign Payable – Angela Panaccione; Mileage \$77.15

Motion made by Michele Restino to sign the payable voucher for Angela Panaccione in the total amount of \$77.15, for the reimbursement of mileage for site visits from November 5, 2014 - January 19, 2015 Motion Seconded by Matt Toth
No further discussion – 4-0-0 – Motion Carries

7:19 PM Administrative Matters: 2015 Proposed Wetlands Bylaw

The Agent revised submitted the revised 2015 Bylaw to the Board of Selectmen and requested Town Council review of it as soon as possible. The Commission will also hold an informational meeting on the Bylaw March 25, 2015 at 6pm. The Agent sent press releases to local papers: Palmer Journal, Southbridge Evening News and the Republican.

Steve Phifer stated he is against fee's

7:20 PM Administrative Matters: Hiring Outside Consultant Bylaw

The Commission has a general bylaw from 1989 to hire outside consultants. The wording is out of date and needs revision. Specifically, the bylaw states funds go into the general account but under MGL Ch. 44 §53G it is required to go into a separate special account.

Under M.G.L. Ch. 44 §53G the Commissions can adopt regulations requiring permit applicants to pay for consultant review of permit requests. Adoption of rules does not require approval of any other municipal entity including town meeting. The purpose of submitting it at town meeting is to clarify what is there and make it consistent with the regulation adopted by the commission in 2012.

The Commission will request Town Counsel speak at the town meeting that a town meeting vote is not technically required for this bylaw since the Commission has previously adopted the regulations through a public hearing process.

Motion by Roger deBruyn to submit the amendment to the current outside consultant Bylaw
Motion Seconded by Steve Phifer
No further discussion – 4-0-0 – Motion Carries

7:29 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. The Agent will contact Karen Hiershberg about the issuance of the file number.

Motion made by to Steve Phifer to continue the hearing until 7:30 PM on Wednesday February 11, 2015
Motion Seconded by Michele Restino
No further discussion – 4-0-0 – Motion Carries

7:31 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 Matt Toth to continue the hearing until 7:45 PM on Wednesday February 11, 2015

Motion Seconded by Michele Restino

No further discussion – 4-0-0 – Motion Carries

7:45 PM Administrative Matters: Other Projects, Monitoring, Enforcements and Violations

1. Demo Permit – 27 Cubles Drive: The Agent conducted a site visit on January 19, 2015 for a Demolition permit for 27 Cubles Drive. The permit was for the demolition of a single family home. The home is located approximately 120-feet from the bank of Lake Sherman. The Agent signed the permit with the conditions: 1) all work will be completed by hand; 2) the staging of all materials and equipment will be in the front of the property, by the road.
2. New NOI –Warren Road: The Commission received an NOI from Mike Koprowski, in replace of the current RDA, for his driveway off Warren Road. The hearing is scheduled for February 11, 2015. The plans were redesigned by Bertin engineering and the location of the driveway has changed from what was proposed in the previous RDA.
3. New NOI – Exxon Mobil: The Commission received an inquiry from ExxonMobil about pipeline maintenance along Old Palmer Road. The work spans 5 parcels. If the work on the pipe line is over 1000-feet, the applicant will need to notify abutters according to the new regulations. As of October 2014 any liner project (such as the pipeline) over 1000-feet requires abutter notification to anyone within 1000-feet of the “project site”. The Agent will review the submittal when received and discuss with the consultants Roux Associates.
4. Letter of Support – Lake Sherman Clean-up: Anna Ozolins requested a letter of support from the Commission for the cleanup of Lake Sherman. The Commission does support the Lake Associations efforts to control the milfoil outbreak in the lake, but is not in a position to support the acquisition of funds. The Commission is mainly a regulatory board. The Agent will inform Anna Ozolins an NOI is needed. It was suggest she contact the Open Space Committee as they are in a better position to offer support.

Meeting adjourned 8:25 PM –

Motion made by Steve Phifer to adjourn 8:25 PM

Motion was seconded by Matt Toth

No further discussion – 4-0-0 – Motion Carries

Sincerely Submitted

Angela Panaccione, Conservation Agent