



# TOWN OF BRIMFIELD

## CONSERVATION COMMISSION

Salisbury Annex Building, 2<sup>nd</sup> Floor  
23 Main Street  
Brimfield, Massachusetts 01010

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

Agent: Angela Panaccione

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

### MEETING MINUTES WEDNESDAY MARCH 25, 2015 @ 6:00 PM

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

**Members Absent:** Joe Collins  
Steve Phifer

**Also Present:** Carol Platenik, \_\_St. Clair Road  
Judith Sessler, 66 John Haley Road  
John Serrenho Jr., 56 Dean Pond Road  
Kim Serrenho, 56 Dean Pond Road  
Jerry A. Belber, 5 Paige Hill Road  
Steve Bresette, Jalbert Engineering, Inc.  
Zach Lemieux, Brimfield Highway Department

**Meeting Opens:** 6:05 PM – Roger deBruyn (Co Chair)

#### **6:05 PM Public Information Session: 2015 Proposed Wetlands Protection Bylaw**

Michele Restino opened the public information session of the 2015 proposed Wetlands Protection Bylaw. Copies of the proposed bylaws were distributed to attendees. Michele Restino and Roger deBruyn gave a brief overview of the bylaw and opened the meeting for questions.

Kim Serrenho asked what was different in the bylaw than the MA WPA.

Michele Restino stated Section 8.0 was the real change, adding a \$50/application fee for filings. Also the additions of Sections 10.0 & 11.0 are additions to allow the Commission the ability to enforce wetlands violations.

Roger deBruyn further explained the necessity of fees for supporting the functions of the Commission. Conservation is the only permitting authority in town without a fee schedule. deBruyn also stated the proposed bylaw is significantly shorter than previous version presented at town meeting. The goal of the new bylaw was to present the necessities in a simple way that was easy to understand. The revised bylaw has been altered to meet all the comments previously raised throughout the years at various town meeting and hearings.

It was recommended to present the time and costs associated with the work in a chart form so it would be easy to understand at Town meeting.

**7:00 PM Notice of Intent DEP # 117-0349: 84 Champeaux Road (Map 15 Lot B1): Schermerhorn**

Notice of Intent (NOI) submitted by Jalbert Engineering, Inc c/o David and Cindy Schermerhorn, for work at 84 Champeaux Rd. 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 disturbance to the buffer zone of a Bordering Vegetated Wetland. Roger deBruyn opened the public meeting and representative Steve Bresette, of Jalbert Engineering was present.

A site visit occurred Saturday March 21, 2014 at 10am. Conservation Agent Angela Panaccione and member Steve Phifer were present along with property owners and Steve Bresette. The location of the house, driveway and septic were staked out. The well had already been installed.

No issues were present. Steve Phifer recommended straw wattles and construction fencing be used as ESC and limit of work markers to decrease the disturbances to the land that would occur if a silt fence was used.

The Commission discussed alternatives to stabilize the slope besides the proposed mulching. It was agreed planting would also be incorporated to stabilize the slope further.

Motion made by Michele Restino to close the public hearing and issue the Order of Conditions

Motion Seconded by Matt Toth

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

**7:30 PM Notice of Intent DEP #117-0352: All Town Roads (Road ROW) – Brimfield Highway Dept.**

Notice of Intent (NOI) submitted by Zach Lemieux c/o Brimfield Highway Department for work on all town owned roads in Brimfield MA (Road ROW). Work will include, but not be limited to: Maintenance and repair of existing roadways, vegetation removal, sediment removal and replacing/repairing existing drainage structures.

Pursuant to Zach Lemieux's discussions with Mark Stinson, MA DEP Section E and anything else dealing with culvert removal/replacement on streams is to be removed. A revised narrative excluding these sections was submitted.

DEP issued a file number with no comments.

NHESP did have issued with the plan as proposed and have not issued an approval as of yet. NHESP is requiring:

1. **Grading and Maintenance of dirt roads:** These activities are not exempt, and must be reviewed pursuant to 321 CMR 10.18. This work may be submitted as a single MESA filing for Town-wide maintenance.
2. **Culvert Cleaning and Repair:** These activities are not exempt, and must be reviewed pursuant to 321 CMR 10.18. This work may be submitted as a single MESA filing for Town-wide maintenance.
3. **All work greater than 4 feet from a traveled lane:** Additional information must be submitted in order to make a determination. The Applicant shall coordinate with the NHESP regarding the additional materials needed for review.

The Commission discussed the MESA requirements with Lemieux and reviewed the roads located in Priority Habitat (PH). The only dirt roads in PH are sections of Five Bridge and Dearth Hill.

Other town roads in PH include sections of: Little Alum, Champeaux, First, Third, Sixth, Seventh, Holland East Brimfield, Warren, Brookfield, Cubes, Mill Lane, Paige Hill, Holland, Warren, Wales, Washington Rd.

The Agent with work with Lemieux and NHESP to provide the necessary information to continue the review.

Motion made by Michele Restino to continue the hearing until 7:30 PM on Wednesday April 8, 2015  
Motion Seconded by Matt Toth  
No further discussion – 3-0-0 – Motion Carries

**7:50 PM Administrative Matters: Minute Approval – March 11, 2015**

---

Motion by Michele Restino to approve the minutes from Wednesday March 11, 2015  
Motion Seconded by Matt Toth  
No further discussion – 3-0-0 – Motion Carries

**7:53 PM Administrative Matters: Other Projects, Monitoring, Enforcements and Violations**

---

1. Carol Platenik – Interested New Member: The Commission interviewed Carol Platenik about becoming a member. Carol is currently a member of the Open Space Committee
2. Sturbridge Road Solar Site Visit: The Agent and Member Joe Coan conducted a site visit Friday March 13, 2015 at 10:30am. There are significant erosion issues present at the upper and lower arrays. Stabilization is needed before snow melt and spring rains.
3. Alice Willis: The Agent contacted Alice Willis about submitting the require plan of record for alteration to her property located at 258 Little Alum Road. Alice Willis stated she would have it to the Commission before their next meeting for review.
4. ExxonMobil COC's: Exxon inquired about receiving COC for all open projects. The Agent sent a list of what was required for COC, and which project could be closed. Currently DEP # 117-0333, # 117-0334, and # 117-0342 cannot be closed due to monitoring and maintenance requirements.
5. Request for COC DEP #117-0321: Mark Farrell submitted a request for a Certificate of Compliance for 44 Brookfield Road. The project was for the upgrading of an existing septic system. The Commission previously viewed the property in 2012 under the same request, but denied the COC due to lack of vegetation cover. Commissioners will independently conduct site visit before the next meeting to see if said area has revegetated.
6. Possible Violation – Palmer Road (Assessors Map 9 B 11): The Conservation Commission was notified by several concerned citizens of unauthorized tree removal and possible damages to a stream and buffer zone located on this parcel. Pursuant to a site inspection the Agent conducted on March 23, 2015 from Palmer Rd/Route 20 she was unable to verify the complaints. She will send a letter to the property owner Stephen Holuk requesting permission to access the site in order to investigate further. From a desk top review of aerial photos and MassGIS overlays the Agent did not note the presence of any jurisdictional resource areas.

**Meeting adjourned 8:50 PM –**

Motion made by Michele Restino to adjourn 8:50 PM  
Motion was seconded by Matt Toth  
No further discussion – 3-0-0 – Motion Carries

Sincerely Submitted  
Angela Panaccione, Conservation Agent