

Approved 3/5/07

**TOWN OF HAMPDEN, MASSACHUSETTS**  
**BOARD OF SELECTMEN/BOARD OF HEALTH**  
**MINUTES**

February 12, 2007  
6:30 pm

625 Main Street  
Town House

Present: Duane E. Mosier, John D. Flynn, Richard R. Green  
Guests: Ed Gorski, Anne McGregor

6:30 pm      Lance Trevallion, Building Inspector: Home Occupation, 42 North Monson Road: Lance Trevallion went to Housing Court regarding the ongoing issues of the trucking business at this location. The court has granted a stay until April 1<sup>st</sup> for Lomascalo to keep his trucks on the property, and only after that time if it has been permitted by the Courts. Attorney McEwan had stated that 40 or so locations in town were currently in violation, those these were not submitted to the BOS. The Clerk of Courts suggested that the town proceed in a more global manner when it comes to these other violations. Lance questioned whether the bylaw should be more specific in nature, as it is not as well written as it could be. The Board discussed with Lance a hypothetical situation wherein a commercial truck is allowed to park at a residence, and there is more than one employee living at the same residence, are they both allowed to bring a commercial truck home to that same residence. Perhaps a special permit through the ZBA might be the easiest way to proceed. The Board suggests that they have a roundtable discussion with the Planning Board to discuss the issue.

7:00 pm      Outdoor Furnace Hearing Decision: Prior to going into the hearing, John Flynn stated that the DEP will hold regional meeting in early March to focus on outdoor furnaces and regulations surrounding them. John spoke with DEP representative, Mark Schleiwiss who said we would be justified in waiting until the DEP meets to discuss this issue prior to making any town wide decision. At this point, there have been no health reasons for banning them totally, so it is more likely that the Board will work on particular regulations of operation.

- Allow to continue as is;
- Place regulation on their operations;
- Ban outright;
- Maintain a distance requirement from furnace to dwelling

John Flynn suggests that operations of those in existence now cease and the Board will await the findings and recommendations made at the upcoming DEP meeting. He thinks regulations will be imposed, minimal heights and distances, dates of operation, etc.

Rick Green suggests continuing the moratorium while awaiting the outcome of the DEP meeting.

The Board will render their decision by the first meeting in April and allow the burning to continue until April 1<sup>st</sup> at 12:00 noon. Letters will be sent to owners of the furnaces informing them to stop burning on April 1, 2007 at 12:00 noon. The Board will render a decision on April 2, 2007.

A motion was made by Rick Green to cease operations of all outdoor wood furnaces on April 1, 2007 at 12:00 noon and was seconded by Duane Mosier. VOTE: All in favor and so voted.

Minutes: The minutes of January 22, 2007 were reviewed and a motion was made by John Flynn to approve as corrected, seconded by Rick Green. VOTE: All in favor and so voted.

Minutes: The minutes of January 29, 2007 were reviewed and a motion was made by Rick Green to approve as corrected, seconded by John Flynn. VOTE: All in favor and so voted.

Warrant: The warrant for annual town meeting was reviewed again and some revisions made.

Hazardous Mitigation Committee: John Flynn will schedule a meeting with Kristin Heery from Pioneer Valley Planning Commission, Melissa Lail-Trecker, Dana Pixley, Highway Superintendent, and Kathy Foster, Planning Board Clerk to start the Hazardous Mitigation Planning process.

A motion was made by Rick Green to adjourn the meeting at 8:45 pm, seconded by John Flynn. VOTE: All in favor and so voted.

Respectfully submitted,

Pamela B. Courtney  
Administrative Assistant

/pbc