

**TOWN OF HAMPDEN
MASSACHUSETTS**

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Judith Mikkola, Clerk



Conservation Commission
Jeffrey Liquori
Judy McKinley Brewer
Patricia Cote
Bonnie Geromini
Philip Grant

Minutes approved 6/17/09

**CONSERVATION COMMISSION MEETING
MAY 20, 2009**

Members present – Jeff Liquori, Phil Grant, Pat Cote, Judy McKinley Brewer and Bonnie Geromini.

Meeting called to order: 7:00pm

7:00 Danial Burack- NOI Commercial Drive (cont.) – A written opinion from Attorney Martel regarding what constitutes a “hardship” was reviewed with Heather Comee, Pioneer Environmental and Mr. Burack. Bonnie Geromini has also spoken with Alexandra Dawson, a wetland attorney for DEP regarding this issue. The responses were that it was not a hardship due to the following: (1) Property was purchased after the by-laws were accepted by the town; (2) Space for smaller blueprint; (3) Town of Hampden’s 25’ no disturb zone is below the state average; (4) Conservation Commission has maintained that all property on Commercial Drive has had to abide by the 25’ no disturb zone.

Phil Grant stated he does not feel it is a pristine wetland area now and if the property was cleaned up it would be enhanced and become a more functional wetland. Heather Comee responded that the area has many invasive plant species and the new owner is willing to remove them. She reviewed with the Commission a revised plan and response sent to the DEP.

Jeff Liquori stated that the Commission would be setting a precedent for infringements into the 25’ no disturb areas. Heather responded that they had a very strong replication plan and the area would be enhanced. Bonnie Geromini stated that it is not the job of the Commission to enhance the wetlands but to protect what we have. Pat Cote stated that she does not feel this is a “hardship” as the property was bought with knowledge of what the bylaws of the Town of Hampden were.

Heather Comee requested continuation of hearing to provide time for Commission members to review the new plans and comments to DEP concerns.

Jeff Liquori made motion to continue meeting until June 17, 2009 at 7:00pm. Seconded by Phil Grant. Motion approved.

7:30PM- RFD- Philip, 40 Mountain View Dr.- Site visit was done on May 16, 2009. Mr. Huiing reviewed the plans with the Commission at the site visit. There were no concerns regarding project. Jeff Liquori made motion to issue a Negative Determination. Seconded by Phil Grant. Motion approved.

VOTING: Yes- Jeff Liquori, Phil Grant, Bonnie Germonin, Pat Cote and Judy McKinley Brewer.

7:45 PM RFD- Hampden Vol. Fire Dept.- No representative from the Fire Dept. at the site visit on May 26, 2009. Clerk to call and set up another time for site visit.

Minutes from the April 15, 2009 were approved as amended.

Sue Bellows, 650 Main Street- Ms. Bellows has contacted the Conservation Commission regarding two dead trees in their yard along the Scantic River. Jeff Liquori has spoken with Ms. Bellows and told her she would need to file a RFD. There is a possibility the men working on the bridge could take it down if

the Superintendent gives approval. Ms. Bellows to check with him. Clerk to call and ask what they have decided to do.

Replication plan and pictures were received from New England Environmental, Inc. for the Chapin Road bridge area.

8:00PM NOI- Jim Martin, Lot 5 & 6 South Road- Phil Grant recused himself from meeting. Jill Cafarelli presented plans for the driveway placement on property. They are still working with Natural Heritage. Ms. Cafarelli addressed comments from the DEP. The Commission cannot make any decision until response from Natural Heritage is received. Jeff made motion to continue meeting until June 17, 2009 at 7:30PM. Bonnie Geromini seconded. Motion approved.

8:30PM NOI Frank Colantoni, 52 Main Street- Jill Cafarelli provided information regarding proposed work. FEMA would like to have the house raised so further flooding would be avoided. They will pay a percentage of the cost. No decision has been made.

Mr. Colantoni has had fill brought in and has been filling in areas. The Commission stated that he needs to stop until the NOI is approved. An Enforcement Order was signed and given to Mr. Colantoni at the meeting.

No DEP file number has been issued and a response from Natural Heritage has not been received. Jeff Liquori made motion to continue meeting until June 17, 2009 at 7:45pm. Seconded by Bonnie Geromini. Motion approved.

Meeting adjourned at 8:55PM.

Submitted by: Judith Mikkola, Clerk