

**TOWN OF HAMPDEN
MASSACHUSETTS**

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Conservation Commission
Bonnie Geromini
Judy McKinley Brewer
Philip Grant
Ted Zebert
Andrew Netherwood
Tim Hanley
Branden Garvey

HAMPDEN CONSERVATION COMMISSION

CONSERVATION COMMISSION MEETING

October 18, 2017

Attendance: Chairman, Bonnie Geromini, and Conservation Board Members Judy McKinley Brewer, Phil Grant, Ted Zebert and Branden Garvey were in attendance.

Not in attendance: Board members Andrew Netherwood and Tim Hanley were not in attendance.

Bonnie Geromini made a motion to open the meeting at 7:00p.m. Phil Grant seconded the motion. All were in favor.

Acceptance of Minutes – Minutes from the meeting on August 16, 2017 were accepted as amended.

New Business:

- Ryan Morton (Lot 8 Parcel 2-A South Rd.) – Certificate of Compliance on a violation issued by the Commission. Ryan Morton appeared before the board on this matter.

Phil informed Mr. Morton that all of the requirements listed in the violation had been addressed. All of the remediation work was completed and approved by the Commission. Phil made a motion to issue a Certificate of Compliance on the violation. Branden seconded the motion. The board voted unanimously in favor of the motion.

Mr. Morton informed the Commission that he had spoken to the surveyor, Paul Smith, who will be going to flag all of the wetland delineations on the property next week. Bonnie informed Mr. Morton that the Commission would have to complete a site visit after the flagging is done before they could vote on the ANRAD. Due to the delay from remediation, Mr. Morton asked if they would be able to come to the property as soon as it's flagged. After brief discussion, the Commission stated that they could schedule a public meeting on site and have the vote taken at the site visit. Bonnie informed Mr. Morton that since it's a public meeting, we would need enough time to have a legal notice in the paper. However it would be faster than having to wait for a vote to be taken at next month's meeting. A site visit will be scheduled on Friday, November 3, 2017 followed by a public meeting on site @ 2:30pm.

Sherry Himmelstein & Kenneth Bernstein (179 South Rd.) - Request for Determination of Applicability to vista prune trees in the backyard. Sherry Himmelstein appeared before the board on this matter.

Bonnie stated that the Commission had completed a site visit on 10/18/2017. She asked why there were 6 or 7 trees flagged, when the RDA that was filed only said 3 or 4 trees would be cut. The applicant informed the Commission that she wants to keep it minimal and cut as few trees as possible to regain the view of the mountaintop. The person doing the work told her probably 3 or 4 but she had 6 or 7 trees marked because she was not sure which ones would give the best view. Judy stated that as long as there are no stumps removed, it is simple tree cutting. Ms. Himmelstein informed the Commission that they have not forested anything since they purchased the property. They used to have a view of the mountaintop but it has grown in over the years and they are no longer able to see it. She informed the Commission that there would not be any machinery brought in for the work, it would all be done by climbing arborists. They would also make sure that nothing fell towards the stream. Bonnie made a motion to issue a negative determination. Phil seconded the motion. The board voted unanimously in favor of the motion.

Ms. Himmelstein mentioned that she had concerns regarding work being done on South Ridge Rd. She stated that the owner of the property, Russel Morton, had purchased the property from Minnechaug Land Trust and that there are permanent Conservation restrictions on the property filed at the Hampden County Registry of Deeds in 2008. These restrictions prohibit any digging, building, subdividing, leach fields, etc. Phil stated that when the Commission had just gone to the property, there were less than 5 cords of wood cut down between the mulch pile and the meadow. Judy stated that part of the Commission's job is to enforce Conservation restrictions. Ms. Himmelstein stated that she will bring in a copy of the original paperwork for the Commission to review. She asked that the Board of Health and Selectmen are given a copy as well. Bonnie informed her that copies can be distributed to the other boards.

The meeting was adjourned at approximately 8:05pm.

Respectfully Submitted,
Kelly McCormick
Conservation Clerk