

**TOWN OF HAMPDEN  
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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**

**January 17, 2018**

Attendance: Chairman, Bonnie Geromini, and Conservation Board Members Judy McKinley Brewer, Phil Grant, Ted Zebert, Andrew Netherwood, Tim Hanley and Branden Garvey were 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 November 15, 2017 were reviewed. Bonnie made a motion to accept the minutes as amended. Andrew seconded the motion. The board voted unanimously in favor of the motion.

Minutes from the December 20, 2017 were reviewed. Bonnie made a motion to accept the minutes as presented. Andrew seconded the motion. The board voted unanimously in favor of the motion.

Old Business:

- PD Developments, LLC (46 Mountainview Rd.) – Enforcement Order  
Bonnie addressed the Commission, stating that they must rectify the Enforcement Order that was issued to PD developments, LLC on 1/11/2018. The Enforcement Order was issued due to a dirt path that was bulldozed across the stream behind the house at 46 Mountainview Dr. A neighbor had contacted the office on 1/10/2018 stating that he was aware of the work being done however he was concerned that they had created a bridge across the brook. The clerk notified the Commission and member Ted Zebert went to the property on 1/10/2018 for a site inspection. He found that a culvert had been installed and a dirt path had been created across the brook. This had not been mentioned to the Commission when the RDA was filed and was not approved by the Commission at the meeting on 12/20/2017.

The owner stated that he was given a different set of plans by the engineer than what was approved by the Commission. His plans showed the new location of the well on the opposite side of the brook. The plans approved by the Commission had the well on the side of the brook

closest to the house. The office informed Mr. Pafumi that he would need to rectify the issues in the Enforcement Order and wait for the Commission to approve the work before anything else could be done on the property.

Due to the need for immediate action, an Enforcement Order was signed by Member Ted Zebert on 1/11/2018 and was mailed certified to the owner the following morning on 1/12/2018. The Order stated that the property owner shall install hay bales and silt fence on both sides of the dirt brook crossing to stop any silt from flowing into the brook or surrounding wetlands. They must then remove the dirt brook crossing and culvert and restore the landscape to its original condition. This work was to be performed by 1/15/2018.

Member Ted Zebert went back to complete another site visit on 1/16/2018 to make sure the Orders had been followed to the Commission's satisfaction. Ted informed the Commission that the work has been completed. The owners must wait to perform any further work until the Commission reviews the plans for the well location. If the plans show the well in any other spot than what was approved by the Commission, they will need to file a new RDA.

Bonnie made a motion to ratify the Enforcement Order issued to PD Developments, LLC on 1/11/2018. Phil seconded the motion. The board voted unanimously in favor of the motion. The Enforcement Order was signed by all members.

#### New Business:

William & Linda Bond (Lots 40 & 40A Highland Circle)– Request for Certificate of Compliance  
Linda Bond appeared before the Board on this matter. Her friend, Cindi Connors, was also present.

Bonnie began by informing Mrs. Bond that she understands her husband was upset about the process but that the Commission must abide by the state and town bylaws and regulations. Bonnie stated that she was glad Mrs. Bond attended the meeting so they could discuss what the necessary steps would be in order to build a single family home on the property.

Bonnie stated that the Commission had completed a site visit on Wednesday, 1/10/2018. One thing they noticed right away when reviewing the file on the property, was that the Order of Conditions issued to the previous owners for this project had expired. She informed Mrs. Bond that the Orders are good for 3 years from the time they are issued. Even with an extension the Order of conditions had expired a year ago. Bonnie contacted Mark Stinson from the MA DEP and he was willing to let it stand even though it was a year overdue, meaning the DEP will not require them to file another Notice of Intent. However they will need to meet the requirements in the Order of Conditions, such as permanent markers using 3 inch galvanized posts. They will need to define the boundary lines and have them marked for future owners down the road.

The Commission advised Mrs. Bond to have their wetland consultant, Pete Levesque, take care of those things to make sure they were done. He can also help them look at the original plans which show areas of replication that were required for wetland areas that were destroyed. The Commission explained that the owners can review the map that was included in the plans submitted to the Commission that the Order of Conditions were based off of. The wetland consultant can also review the plans and could potentially remove things from the plans if they are no longer relevant.

Bonnie also informed Mrs. Bond that they will have to work with NHESP. Bonnie stated that within the previous determination that was issued by NHESP was a requirement for deed restrictions. However the determination that the previous owners had received from NHESP had expired a year ago, so NHESP is requiring that they file a request for a MESA review.

Bonnie stated that the owners are also required to keep the signs up on the property that have the DEP #. The Commission noticed the sign was not up when they went to the site. Mrs. Bond informed them that it had been up for a long time and recently came down. She will make sure they put it back up on the property as soon as possible.

Mrs. Bond informed the Commission that she will need some time to work on these requirements and asked if she could meet with the commission again next month. She will contact Pete Levesque to have him assist her with the process. She will also contact NHESP to request a MESA filing and will make sure the sign with the DEP # is put back up at the end of the driveway.

Bonnie made a motion to continue the meeting for the Request of Certificate of Compliance to the next scheduled meeting on Wednesday, February 21, 2018 @ 7:15pm. Ted seconded the motion. The board voted unanimously in favor of the motion.

The meeting was adjourned at approximately 8:48pm.

Respectfully Submitted,  
Kelly McCormick  
Conservation Clerk