

Hampden Conservation Commission
November 8, 2004
Regular Meeting

MINUTES

Members present: Richard Gouvan, Mike Gerrard, and Bonnie Geromini.
Kim Desmarais, and Phil Grant

Members absent: Assoc. Member Joe Savoie,

7:00pm Meeting called to order.

- Review of Morton Stipulation Of Dismissal, motion by Bonnie to sign, seconded by Dick, all in favor.
- Chair presented members with revised/final Scantic Meadows plans in preparation for 12/6/04 meeting with Ed Speight.
- Copy of request for superceding orders was given to Bonnie for Russ cables lot on South Road.
- Discussed ZBA notice for Andrew & Mary Persaud, re: property of South Ridge Rd. Needs further clarification as to driveway configuration before we can determine if we will support them in their request for a variance.
- Minutes of 10/12/04 to be reviewed at the end of the meeting.

7:15 Open hearing for Mr. & Mrs. Santos of 24 Mill Rd. Request for Determination for the addition to the existing single-family home. Not all members had visited the site, Motion by Kim to continue meeting at the site tonight, review, discuss and vote then to expedite the process, seconded by Dick, all in favor.

7:30 Informal discussion with Jay Fenlason of the Park and Rec department regarding the “bathing beach” and the repair of the pipe that connects the overflow it to the stream as well as the possibility of installing a new pool. Will e-mail NOI form to Jay. End of discussions at 7:40

7:45 Continuation of Phil and Karla Grant Enforcement order for 123 South Rd. Phil Grant recused himself from the board and moved his seat to the proponent side of the table. Karla Grant stated that a former Monson Conservation Commission member told her that they did not deed to file a NOI. Grant’s both stated that they will not allow Mike Gerrard on their property as he is on a “fishing trip” and feel that he should recuse himself due to a conflict of interest/ Karla stated that she is a certified teacher and had taken ethics courses. When asked by the Chair to cite the specific legal reason(s) for her recusal request, she stated that Mike Gerrard didn’t like them and the current State Ethics Board complaint filed by Gerrard. Chair offered to not go on the site visit, have member videotape the visit and Gerrard will review afterwards. Phil asked “who would own the tape afterwards” in which he was told the Conservation Commission as it would become part of the file. Grants responded with no, they would not permit this, “too much like big brother”. Board members explained to the Grants that they couldn’t select who they want for a site visit and that Gerrard is only one member of the board who doesn’t control the votes of each member. It would be a vote of the entire board and whatever the majority vote was reached that would be the decision. After lengthy discussion the board and the Grants are still at an impasse. Bonnie offered to call the State DEP to request their

assistance. Motion by Kim to continue to December 13th meeting, seconded by Dick, all in favor 8:45. Phil rejoined the board after the hearing was continued.

8:45 Review of minutes of 10/12/04, Selectmen Jim Smith interrupted our discussions asking for copies of the draft minutes while we were reviewing and discussing them and appeared quite agitated when told by the chair to stop Jim Smith the raised his voice and stated “are you refusing to give me a copy of the draft minutes”.

Phil stated that he did not agree with the minutes pertaining to his hearing and also the Scantic Grill minutes. When asked which specific section(s) he did not agree with by the Chair, Phil stated all of it; he also stated that he did not vote during his last hearing to continue the hearing until November. After discussion members will review their notes and recollections regarding his voting and revisit the discussion at the next meeting. Phil stated that the Chair only asked “all those in favor” and never asked, “all opposed”. Which chair responded with if that were the case the you (Phil) would have stated it then and wanted it noted that you opposed it (which would still not legal).

Motion by Bonnie to approve the minutes as amended, seconded by Dick. Bonnie, Dick and Mike voted in favor; Phil voted against, Kim had left the meeting prior due to personal/verbal attacks by Phil during the meeting.

9:20 Motion by Bonnie to continue meeting at 24 Mill Rd (Santos Home) perform site visit and discuss, seconded by Dick, all in favor (excluding Kim) who was not present.

9:50 resumed meeting at Santos home on 24 Mill Rd, performed site visit, discussed plans, motion by Bonnie to issue a negative determination seconded by Phil, all in favor, and close the hearing as well as the meeting, seconded by Dick, all in favor (Bonnie, Dick, Phil) at 9:55