

Approved 7/8/09

**HAMPDEN PLANNING BOARD
PUBLIC HEARING MINUTES
June 24, 2009
Town House**

Meeting called to order: 7:00pm

Members Present – Cornelius Flynn, Chair, John Matthews, Joseph Dolben, Joseph Kruzel, Robert Howarth.

Introductions of the Board Members were made.

The Order of Business, Statement of Authority and the legal notice were read by Mr. Flynn. This Public Hearing is being held for all persons interested in the open storage of equipment and materials at 15 Commercial Drive along with the use of two bays and office space at 122 East Longmeadow Road.

Applicant's Presentation: Mr. & Mrs. Frederick Shea and Mr. Gerry Talbot were present. Mr. Talbot, owner of Excavation Plus will be Mr. Shea's new tenant. Mr. Shea explained that Mr. Talbot will be renting office space and two bays at 122 East Longmeadow Road and would like a construction yard behind 15 Commercial Drive for materials and equipment. Mr. Shea brought in his site plans for the two properties and explained where Mr. Talbot's area would be. Currently, Mr. Bisson also rents office space and one bay at 122 East Longmeadow Road. The two properties abut each other. All traffic will go through Commercial Drive. Equipment will be driven around the building to get to the bays at 122 East Longmeadow Road for service. Excavation Plus employees will park their personal vehicles behind the building. Two to three piles of material, loam, fill, stone will be kept on site. Mr. Talbot explained that typically they load the trucks about 7am and are back about 5pm. The employees will usually load at the end of the day for the next day so that they can be ready to leave in the morning. Occasionally, they may have to come back to the yard during the day to pick up or fix something. Mr. Talbot is currently working out of a residential area in Monson. The houses are very close by and he has never had a complaint. He tries to be considerate of the neighbors. He would like to make the move to Hampden for a better location to work out of. He was in Hampden for 12 years before going to Monson. Mr. Kruzel voiced his concerns that the area is over the aquifer. Construction equipment usually leaks oils, fluids, hydraulic hoses may let go. The pervious surface allows things to seep into the ground. Mr. Talbot responded that he does maintain his machines and they usually stay on the job sites and are seldom in the yard. During the summer months there would be none in the yard and during the winter months there may be half a dozen in the yard. Mr. Talbot plows in the winter. No ice melt would be stored, it is stock piled at the High School. The trucks have transfer tanks for diesel. Waste oil is the only fluid that will be stored on site. A

55 gallon drum will be used for storage. The waste oil will be picked up by a company that handles it. Mr. Talbot thought that it may need to be emptied every couple of months. Mr. Shea has an oil retention bay that is currently full of his wood shop machines. Mr. Kruzel asked if that could be utilized. Mr. Shea said that it would not be financially feasible right now. His machines would have to be disconnected and moved out. The current sign has room for the Excavation Plus name. No additional sign will be needed.

Report from other agencies: None received

Audience questions/comments: Mr. Michael Gorski, 152 East Longmeadow Road, asked if there were any plans for the front of 122 East Longmeadow Road. Mr. Shea responded that it will stay the same with shrubs and grass. Will there be storage or use of pesticides? Mr. Talbot responded no. Will Equipment be washed on site? Mr. Talbot may wash the pickup trucks but not the heavy equipment. It usually stays on the job sites and is not in the yard. Mr. Gorski's other concerns were the aquifer, noise issues and the nearby wetlands. Mr. Talbot noted that the majority of his equipment stays on the job site and would not be in the yard, the equipment is fairly quiet and he will be considerate of the neighbors and the wetlands are on the other side of a large hill.

A special permit is granted for two years. Mr. Shea asked if it can be for more that two years as he will be entering into a five year lease with Mr. Talbot. The Board stated that the special permit would be for two years and renewable after a review by the Board to make sure the conditions are being complied with. The Board is suggesting the following conditions:

- Hours of operation 7am-5pm Monday-Saturday
- 55 gallon drum to store waste oil
- 500 cubic yard limit on stored materials (loam, fill)
- No fuel, salt, demolition material on site
- Maintenance of equipment done inside or on job site
- No washing heavy equipment in yard

Mr. Shea and Mr. Talbot will review the decision before it is filed with the Town Clerk for the 20 day appeal time.

Mr. Flynn declared the hearing closed at 7:55pm.

Submitted by: Deborah House, Clerk