

**LUDLOW CONSERVATION COMMISSION
MINUTES OF THE MEETING OF
December 4, 2024**

CONSERVATION MEMBERS

Angela Tierney – Chair (Present)
Cameron Covill – Vice Chairman (Present)
Penny Lebel (Present)
Helder Cerqueira (Present)
Jason Martowski, Associate Member (Absent)

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The meeting began at 6:30 p.m. in the Selectmen's Conference Room.

Request for Determination – Linda Nawracaj – 33 Evergreen Circle (remove tree limbs from pond/stabilize bank)

In attendance: attendees

The public meeting opened at 6:31 p.m.

Ms. Tierney explained that there has been some bank erosion on the pond, and that Jamie from DPW suggested that they apply seeded construction mat now, then look into a natural planting along the shoreline for a permanent bank restoration solution. She also noted that they will remove some trees from the pond by hand cutting.

Ms. Lebel: I make a **MOTION** to issue a negative determination for the Request for Determination of Applicability for 33 Evergreen Circle.

SECOND Mr. Cerqueira.

4-0 in Favor.

Ms. Lebel: **MOTION** to close the public hearing for the RDA for 33 Evergreen Circle.

SECOND Mr. Cerqueira.

4-0 in Favor.

The public meeting was closed at 6:35 p.m.

Documents included: WPA Form 1 – Request for Determination of Applicability; email from Jamie Tomas (October 23, 2024); GIS wetland map – 33 Evergreen Circle

Ratify 2 Emergency Certification Forms for Town of Ludlow DPW – Wade Pond Dam

Ms. Tierney asked to ratify two emergency certifications for beaver removal for the DPW on Wade Pond. She said that Westover, on their property, has been removing the beaver and that DPW is going to try to work with Westover to find a more permanent solution to the problem.

Ms. Lebel: I make a **MOTION** to ratify two emergency certificate forms for the Wade Pond beavers.

SECOND Mr. Covill.

4-0 in Favor.

Documents included: Emails & photo from Ryan Linton, Westover Municipal Golf Course (October 9, 2024 & November 21, 2024); WPA Emergency Certification Forms (2)

Purchase Conservation Stamp

Ms. Lebel: I make a **MOTION** to purchase this stamp.

SECOND Mr. Cerqueira.

4-0 in Favor.

**RESCHEDULED Request for Determination – Joseph Hagopian – 31 Batista Circle
(replace/repair roof as needed)**

In attendance: Joseph Hagopian – Pioneer Valley Planning Commission, attendees

The public meeting opened at 6:40 p.m.

Mr. Hagopian stated that he applied on behalf of the homeowners, which are going through house rehabilitation through the Town of Ludlow's Community Development Block Grant Housing Rehab Program. He said that the scope of work includes roof replacement with chimney sealing. He remarked that the home is approximately 43 feet from the wetland, and that the contractor will be directed to use erosion controls within 25 feet of the stream located in the backyard.

Ms. Lebel: I make a **MOTION** to issue a negative determination for the RDA for 31 Batista Circle.

SECOND Mr. Covill.

4-0 in Favor.

Ms. Tierney mentioned that there is a request to waive the filing fee since this is going to be paid for out of town funds that were awarded to the Town of Ludlow out of a block grant.

Ms. Lebel: I make a **MOTION** to waive the fees for 31 Batista Circle.

SECOND Mr. Covill.

4-0 in Favor.

Ms. Lebel: I make a **MOTION** to close the public meeting for 31 Batista Circle.

SECOND Mr. Cerqueira.

4-0 in Favor.

The public meeting was closed at 6:41 p.m.

Documents included: WPA Form 1 – Request for Determination of Applicability; Waiver request from Joseph Hagopian (October 28, 2024); Specs by Location/Trade – 31 Batista Circle

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Request for Certificate of Compliance – Harris Brook Elementary School (207-0606)

Ms. Tierney commented that Harris Brook School is in the process of putting solar on the roof which was voted for at the town meeting. She said that the solar company could not go forward without a Certificate of Compliance. She also noted that when she and Ms. Lebel went out on a site visit, the area between the school and the brook is supposed to be a field, but due to soccer being played there, there is no grass growing, with only bare earth present. Ms. Tierney mentioned that some of the small plantings along the stream were mowed down, and some of the trees had died. She said that the solar company will accept a partial Certificate of Compliance for the building and the parking lot.

Ms. Lebel: I make a **MOTION** to issue a partial Certificate of Compliance for Harris Brook Elementary School showing that the school is complete and the parking lot, and further work is to be done on the field.
SECOND Mr. Covill.
4-0 in Favor.

Documents included: WPA Form 8A – Request for Certificate of Compliance; Emails from Chris LeBlanc, Subject: Harris Brook Elementary School Compliance Request (October 1, 2024 & November 18, 2024)

Request for Certificate of Compliance – 1206 (Lot 0) Lyon Street (207-0621)

Ms. Tierney commented that she went out on a site visit to the property, and that the work is done and that everything looked good.

Ms. Lebel: I make a **MOTION** to issue a Certificate of Compliance for 1206 Lyon Street.
SECOND Mr. Cerqueira.
4-0 in Favor.

Documents included: WPA Form 8A – Request for Certificate of Compliance

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RESCHEDULED Public Hearing – Notice of Intent – Greenfields Inc. – Lot 54 Knollwood Drive (Assessors’ Map 39, Parcel 54) (construction of a single-family dwelling with associated grading and utilities)

In attendance: Mike Pietras – Engineering & Land Solutions, attendees

The public hearing opened at 6:50 p.m.

Mr. Pietras explained that there is an updated narrative, from conversations with Mark Stinson at DEP. He said that he adjusted about 15% of the riverfront area with less disturbance and upgraded the septic system to a more environmentally friendly system. He reviewed the plan with the commission members and noted that the septic tank and the leach field are the only items in the riverfront area on this parcel. He also reviewed the comments from Mark Stinson. Mr. Pietras will bring in a revised plan showing the markers on the 25-foot buffer near the finger-like feature area.

Ms. Lebel: I make a **MOTION** to approve the Notice of Intent 207-0665 for Lot 54 Knollwood Drive.
SECOND Mr. Cerqueira.
4-0 in Favor.

Ms. Lebel: I make a **MOTION** to issue a standard Order of Conditions for 207-0665.
SECOND Mr. Cerqueira.
4-0 in Favor.

Ms. Lebel: **MOTION** to close the public meeting for 207-0665, Lot 54.
SECOND Mr. Cerqueira.
4-0 in Favor.

The public hearing closed at 7:02 p.m.

Documents included: Construction of Single-Family Dwelling with Associated Utilities and Grading – Lot-56 Knollwood Drive Ludlow, MA (including WPA Form 3 – Notice of Intent) (September 2024); Proposed Site Plan Layout -For Permitting- Lot 54 Knollwood Road Ludlow, MA for Green Fields Inc. (Rev – 11/1/2024); DEP Notification of Wetlands Protection Act File Number (November 4, 2024)

Request for Certificates of Compliance – Sodi, Inc. – Santina Drive: Lot 1 (207-0629), Lot 2 (207-0630), Lot 3 (207-0631), Lot 4 (207-0632), Lot 5 (207-0633), Lot 6 (207-0634), Lot 7 (207-0635), Lot 8 (207-0636), Stormwater Parcel B (207-0637)

In attendance: Ralph Capua – Sodi Inc., Filipe Cravo – R. Levesque Associates, attendees

Mr. Cravo explained that the Orders of Conditions for the subdivision project has expired and that they are requesting Certificates of Compliance to close out the original filings so that a new Notice of Intent can be submitted with a new Order of Conditions for the remaining work to be completed on the project. He said that there have been no changes with the new filing. Mr. Cravo also said that for the Certificates of Compliance they are requesting a partial certification and added the comment “*portions of the site clearing and grading have occurred; however, the construction of the single-family home has not commenced. The Order has expired, and the applicant respectfully requests a Certificate of Compliance in order to close out the lapsed Order and refile a new Notice of Intent to complete the remaining site work*” on the WPA Form 8A.

Mr. Cerqueira: I make a **MOTION** to issue partial Certificate of Compliance for Lots 1, 2, 3, 4, 5, 6, 7, 8, and the stormwater parcel.
SECOND Ms. Lebel.
4-0 in Favor.

Documents included: WPA Forms 8A – Request for Certificates of Compliance DEP File #207-0629 – 207-0637

RESCHEDULED Public Hearing – Notice of Intent – Ralph Capua, Sodi, Inc. – Santina Drive (Assessors’ Map 11D, Parcels 115M, 115N, 115P, 115Q, 115R, 115S, 115T, 115U, 115V) (construction of eight (8) single-family homes and a stormwater parcel within the buffer zone) (207-0664)

In attendance: Ralph Capua – Sodi, Inc., Filipe Cravo – R. Levesque Associates, attendees

The public hearing opened at 7:15 p.m.

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Mr. Cravo explained that the new Notice of Intent application is for the exact same plan as the original filings that were approved prior and just closed out. He said that the filing allows for the outstanding work within the jurisdictional area and noted that the roadway has been constructed and utilities installed, but that none of the work on the houses has been started. Mr. Cravo mentioned that the outstanding work would include the individual houses and the drainage along the perimeter of the parcels, including the rain gardens.

Ms. Tierney read an email from Joan Lapierre voicing concerns over any water runoff and flooding. Mr. Cravo explained how the rain gardens will slow any water runoff. An abutter was also present and discussed water runoff concerns on his property with Mr. Capua.

Ms. Lebel: I make a **MOTION** to approve the Notice of Intent for 207-0664.
SECOND Mr. Cerqueira.
4-0 in Favor.

Ms. Lebel: I make a **MOTION** to issue a standard Order of Conditions for 207-0664.
SECOND Mr. Covill.
4-0 in Favor.

Ms. Lebel: I make a **MOTION** to close the public hearing for 207-0664.
SECOND Mr. Cerqueira.
4-0 in Favor.

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The public hearing closed at 7:29 p.m.

Documents included: Notice of Intent - Proposed Eight (8) Single-Family Homes & Stormwater Parcel (including WPA Form 3 – Notice of Intent) (October 23, 2024); DEP Notification of Wetlands Protection Act File Number (November 4, 2024); Email from Joan Lapierre (December 3, 2024); Grading, Erosion & Sedimentation Control Plan – Santana Drive – 0 Chapin Street Ludlow, MA (November 23, 2020)

Appointment – Dinis Baltazar / R Levesque Associates – 148 Carmelinas Circle – Enforcement Order Remediation Plan Update (DEP #207-0522)

In attendance: Filipe Cravo – R Levesque Associates

Mr. Cravo read the email from Rob Levesque that described the update regarding the remediation efforts and associated development work to address deviations from the original design plans (*see file*). Some of the items of the remediation plan include retaining the existing stormwater conveyance system in its current state, reconstructing and upgrading the stormwater basin, installation of erosion controls, reconstruction of the stormwater basin and associated outlet controls. Mr. Cravo said that they could install the erosion controls immediately, and start the other work or wait until the spring growing season.

Mr. Covill said that he would like to see a new stormwater management report if the plans have changed at all.

Mr. Cravo said that the project would take a few months.

The Commission suggested that a partial Certificate of Compliance be requested stating that the work was not done, said that they could file an RDA with a new stormwater management report.

Ms. Tierney suggested that if we do an RDA with a whole new stormwater management report, suspend the enforcement order, and as part of the RDA, if the work is not done in six months the enforcement order will go back into effect and the fines will begin immediately. Ms. Lebel said that the RDA could be heard at the February 5, 2025, meeting.

Ms. Lebel: I make that **MOTION**, that's what we follow through with.

SECOND Mr. Covill.

4-0 in Favor.

Documents included: Letter from Robert M. Levesque re: Site Visit – 148 Carmelinas Circle (DEP File #207-0522); Layout & Materials Plan – 148 Carmelinas Circle – Parcel I.D.# 26-3430-9D-0 Ludlow, Mass. (September 9, 2024); Email from Rob Levesque re: Rescheduled appointment (November 4, 2024) & email re: Update of remediation efforts and associated development work (12/4/2024)

Public Hearing – Notice of Intent – CA Real Estate Holding, LLC – 40 Westover Road (Assessors' Map 3, Parcel 110) (Interior renovations of the existing building and a +/-26,000 SF expansion to the rear of the site, including associated earthwork, paved parking & driveways, utility connections, stormwater management system, site lighting, and landscaping) (207-0666)

In attendance: Timothy Houle – BL Companies

The public hearing opened at 7:47 p.m.

Mr. Houle went over the plan as noted in the Notice of Intent application. He said that an ANRAD was done about a year ago, and that there is an intermittent stream that runs along the west of the property. He also reviewed the stormwater plan with the Commission and noted that the wetland markers are shown on the plan. Mr. Houle mentioned that one area of the existing edge of paving encroaches into the existing no work zone, and that they are pulling the limits of paving back away from the resource area and will be putting native vegetation into that area for restoration.

Ms. Lebel: I make a **MOTION** to approve the Notice of Intent for 40 Westover Road 207-0666.

SECOND Mr. Covill.

4-0 in Favor.

Ms. Lebel: I make a **MOTION** that we order a standard Order of Conditions.

SECOND Mr. Covill.

4-0 in Favor.

Ms. Lebel: I make a **MOTION** to close the public hearing for 207-0666, 40 Westover Road.

SECOND Mr. Covill.

4-0 in Favor.

The public hearing closed at 8:13 p.m.

Documents included: Notice of Intent for the Proposed Machine Shop located at 40 Westover Road Ludlow, Massachusetts (including WPA Form 3 – Notice of Intent) (November 8, 2024); Stormwater Pollution Prevention Plan; Stormwater Management Report (November 8, 2024); Land Development Plans for the Proposed Machine Shop – Issued for Permitting- 40 Westover Road Ludlow, Massachusetts (11/11/24); DEP Notification of Wetlands Protection Act File Number (November 21, 2024)

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Site Visit – 437 Holyoke Street – possible activity in wetlands

Ms. Tierney remarked that she went out to 437 Holyoke Street in response to a complaint that there was work in the wetland. She said that she walked the property with the property owner and saw that there was a little roadway in the back in which he was sifting dirt. She also mentioned that there is a jersey barrier with mature vegetation in the area and that there is not any encroachment near the wetland.

Documents included: GIS wetland map

Expand parking at Fire Station (Ludlow DPW)

Jamie Tomas of Ludlow DPW sent an email and a plan for the proposal of an additional parking area and removal of an island within the existing parking lot at the Public Safety Complex per the request of Chief Pease.

The Commission agreed that a Request for Determination should be filed with an accurate plan showing plantings, markers, and a drainage plan to keep the vehicles away from the stream.

Ms. Lebel: I make a **MOTION** that we send a letter to Chief Pease and Jimmy Goodreau at DPW asking them to have an official engineer type look at that piece of property and down the road we will need an RDA.

SECOND Mr. Cerqueira.

4-0 in Favor.

Documents included: Email & plan from Jamie Tomas (December 5, 2024)

MAIL ITEMS

70. **Planning Board Notice of Decision/Legal Notice - Special Permit/Home Occupation – 97 Allison Lane**
71. **Planning Board Notice of Decision/Legal Notice - Special Permit/Home Occupation – 19 Munsing Ave**
72. **Planning Board Notice of Decision – Special Permit/Estate Lot – 0 Kendall Street**
73. **Planning Board Notice of Decision – Site Plan/Special Permit/Auto Repair - 191 West Street**
74. **Planning Board Notice of Decision - Special Permit/Home Occupation – 6 Rosewood Drive**
75. **Planning Board Legal Notice – Revocation of Site Plan – 4-8 White Street**
76. **Planning Board Legal Notice – Special Permit/Home Occupation – 519 Moore Street**
77. **Planning Board Legal Notice/Comment Sheet – Site Plan – 40 Westover Road**

Ms. Lebel: I make a **MOTION** to file 70-77.

SECOND Mr. Cerqueira.

4-0 in Favor.

78. **Planning Board Legal Notice/Comment Sheet – Site Plan – 76 Ravenwood Drive**

No wetland concerns.

Ms. Lebel: **MOTION** to file mail item #78.
SECOND Mr. Cerqueira.
4-0 in Favor.

Approve/sign minutes of October 2, 2024

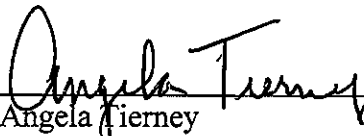
Ms. Lebel **MOTION** to sign the minutes of October 2, 2024.
SECOND Mr. Cerqueira.
3-0-1 in Favor (Mr. Covill).

Next meeting February 5, 2025

Ms. Lebel **MOVED** to adjourn.
SECOND Mr. Cerqueira.
4-0 in Favor.

Meeting adjourned at 8:27 p.m.

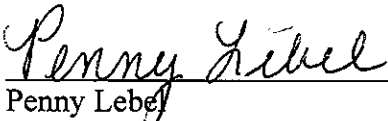
APPROVED:



Angela Tierney



Cameron Covill



Penny Lebel

Helder Cerqueira

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(All related documents can be viewed at the Conservation Office during regular business hours.)

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