

**Town of Blandford
Conservation Commission Minutes
March 25, 2022 6:00 PM**

Commission Members in attendance: Dick Gates, Colleen Doyle, Jon Piper, and Nate Maynard.

Others in Attendance in person: David Johnson, Chair of the Becket Conservation Commission.

Others in Attendance via Conference Call: Domenico Cardarelli, Attorney Blake Mensing, Marc Lavasseur of Foresight Land Services, and Mike O'Brien of Saloomey Construction (all representing Belle Fleur).

I. Special Meeting

a. Belle Fleur – MA DEP File # 111-059: Compliance with OOC and potential Enforcement Order

This Special Meeting is scheduled to discuss the current compliance status of Domenico Cardarelli / Belle Fleur Holdings, LLC related to the Order of Conditions issued by the Blandford Conservation Commission on March 26, 2021. Additionally, the need for issuing an Enforcement Order to the above named Applicant will be discussed. The Mass DEP File # for this project is 111-0059, and the project location is 138 Otis Stage Road, Blandford, MA 01008.

D. Gates opened the meeting by providing an overview of the Commissions concerns regarding compliance with the Order of Conditions and the potential for erosion and sediment runoff into Tannery Brook and surrounding wetlands. The following points were outlined to provide a case history:

- The Commission determined on 3/26/21 that the Belle Fleur site was a permissible project based upon submitted NOI and site plans. Initial construction began the summer of 2021.
- In the fall of 2021, issues arose with OOC compliance when weekly erosion control inspections ceased without notice.
- Sitework was halted without notice and the Commission reached out for more information and worked to develop a modified inspection plan.
- Issues arose in February with warming conditions that led to runoff and erosion. The Commission reached out to develop a mitigation plan and scheduled a meeting for March.
- Meeting took place on 3/14/22 to outline what steps needed to be taken to prevent further erosion and runoff into sensitive wetland areas.
- The site was revisited on 3/22 and no work had been initiated. Concerns with exposed soil and lack of erosion controls prompted a special meeting.
- Special meeting scheduled for 3/25 to discuss the potential issuance of an enforcement order and to stress the need for immediate installation of erosion controls prior to another rain event.

- The Commission stressed that there are no new changes or repairs being requested – simply compliance with the original OOC that was issued.

M. O'Brien stated that he is onsite to provide assistance with the erosion controls but can't be the primary contractor due to procedural transfer until legal issues with previous general contractor is resolved. He stated that equipment was brought onsite today and erosion controls have begun being installed. C. Doyle inquired why it had taken eleven days to begin work. M. O'Brien stated that it was due to legal entanglements between Belle Fleur and previous GC.

An email was sent to D. Gates with a scope of work to be completed that addresses the highlighted conditions of the OOC that were addressed at the previous meeting. D. Gates stated that the Commission needs a more detailed plan that provides a timetable with scope of work. This would be necessary to avoid the issuance of an enforcement order.

D. Cardarelli provided an overview of their mitigation steps including: re-sloping and stabilizing banks, moving loam piles as appropriate, and stated that he would work with Foresight to present a detailed plan by the next meeting on April 4th.

D. Gates provided the following resolution: the Commission will conduct a site inspection on 4/1 at 2pm and will review Belle Fleur's detailed erosion control plan on 4/4 at 6:00pm. Daily site updates with pictures will be submitted until the plan is reviewed and approved.

D. Gates made a motion to table the issuance of an enforcement order to Belle Fleur with the condition that a site inspection occur by the Commission on 4/1 and a detailed erosion control plan and timetable be submitted by 4/4. J Piper seconded the motion and it was passed unanimously.

Richard Gates
M. O'Brien
John R. Piper