

# TOWN OF PALMER CONSERVATION COMMISSION

## Meeting Minutes

Tuesday, January 19<sup>th</sup>, 2021 – 6:30 PM  
LOCATION: VIRTUAL VIA ZOOM

Donald Blais, Chair  
Dorothy Lawrence, Vice Chair  
David Cotter  
Peter Izyk  
Nicholas Zeo  
Brenda Cole  
Mike Swiatek

Angela Panaccione, Agent  
Sarah Fortune, Assistant

**Members Present:** Donald Blais, Jr.  
Dorothy Lawrence (left meeting at 9:16 PM)  
Peter Izyk  
David Cotter  
Nicholas Zeo  
Mike Swiatek  
Brenda Cole

**Members Absent:** None

**Also Present:** Angela Panaccione, Conservation Agent  
Sarah Fortune, Conservation Assistant  
Mike Gagnon, Milone & Macbroom, Inc.; 1350 Main Street, Suite 1012, Springfield, MA 01103  
Michael Fliss, Meadowbrook Green Condominium Association  
Kavita Ravi  
Emily Stockman, Stockman Associates  
Chris Lucas, Lucas Environmental; 500A Washington Street, Quincy, MA 02169  
Chad Nichols; for 25 Elizabeth Street, Palmer, MA 01069  
Bruny Aponte; for 25 Elizabeth Street, Palmer, MA 01069  
Mike Glabicki; for 25 Elizabeth Street, Palmer, MA 01069  
Tom Tyburski; for 25 Elizabeth Street, Palmer, MA 01069  
Theodore Backas; for 25 Elizabeth Street, Palmer, MA 01069  
Brandon Fiske; 765 High Street, Clinton, MA 01510  
Don Frydryk, Sherman & Frydryk, LLC; 3 Converse Street, Suite 203, Palmer, MA 01069  
Theresa Portante, BSC Group, Inc.; 33 Waldo Street, Worcester, MA 01608  
Kevin McGarry, Fuss & O'Neil; 1550 Main Street, Suite 400, Springfield, MA 01103  
Jackie Firsty, Bluewave Solar; 111 Huntington Ave, Suite 650, Boston, MA 02199

**1. Call to Order:** 6:31 PM – Donald Blais, Jr. (Chair)

- a. Roll call attendance:
  - i. **Donald Blais, Jr. – present**
  - ii. **Dorothy Lawrence – present**
  - iii. **Peter Izyk – present**
  - iv. **David Cotter – present**
  - v. **Nicholas Zeo – present**
  - vi. **Brenda Cole – present**
  - vii. **Mike Swiatek – present**

## **2. Review Mail/Phone Messages**

- a. MECO Notification of Maintenance Activities: Old Warren Road

The PCC received notification from the Department of Fish & Game informing them that the demolition of the Kerrigan property off Forest Lake will now commence, and is anticipated to be complete by 4/15/2021.

## **3. Approval of Minutes**

- a. 12/15/2020

**Motion made by Nick Zeo to approve the minutes from 12/15/2020 as amended**

**Motion seconded by Peter Izyk**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek – aye; Brenda Cole - abstain**

**Motion Caries 6-0-1 (Brenda Cole abstained)**

## **4. Signing of Documents**

- a. Conflict of Interest paperwork

The PCC received conflict of interest paperwork from the Town Clerk with various instructions as to complete the required ethics training. Conflict of Interest paperwork shall be submitted to the Town Clerk upon completion.

## **5. Requests for Certificates of Compliance**

- a. DEP # 256-0280: Meadowbrook Green Condominiums

The Agent conducted the final inspection on 11/17/2020 with Peter Izyk to review the ponds at Meadowbrook Green Condominiums and to look for the 'boundary markers' that were to be installed at the frost line of the ponds as required by the Special Order of Conditions; the Agent did not observe the boundary markers during the inspection. The Agent added that this condition seems strange for a lake and pond management project, and believes that this condition could have been a boiler plate condition that was included in the Special Conditions. The Agent also added that the installation of such boundary markers may result in damage to the Bank of the pond. The PCC could either require the applicant to install the boundary markers prior to the issuance of a Certificate of Compliance, or waive the requirement to install the boundary markers and issue a Certificate of Compliance to close out the file.

**Motion made by Brenda Cole to issue a Complete Certificate of Compliance for DEP # 256-0280 for Meadowbrook Green Condominiums**

**Motion seconded by Nick Zeo**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek – aye; Brenda Cole - aye**

**Motion Caries 7-0-0**

## **6. Project Monitoring**

### **a. Site visits: Breckenridge Street & Al's Bike Shop**

The Agent conducted an inspection to a property off Breckenridge Street and determined that no filing was necessary. The Agent also conducted an inspection to Al's Bike Shop and didn't observe any violations or causes for concern at the site.

## **7. Violations & Enforcement**

### **a. 19 Kelly Street**

The Assistant did not have an update to report on the violations at 19 Kelly Street. No site visit has been scheduled at this time, nor has she heard from the Ware Conservation Commission on the status of enforcement at this time.

## **8. New/Old Business**

### **a. Recreational Trails Grant**

The PCC decided not to apply for a 2021 Recreational Trails grant to map trails at the Turnpike Parcel because they were contacted by the Pioneer Valley Planning Commission (PVPC) to partner with them on a regional Recreational Trails Grant to develop an online trails application. The Town's match toward the grant would involve the Agent and Assistant volunteering 76 hours of staff time to GPS trails in Palmer, specifically at Midura and within the Turnpike Parcel. PVPC will provide a GPS unit and will use the GPS data to make trail maps that will be available for use in the online application. Partnering with the PVPC on this grant application achieves the same goals but streamlines efforts – the Turnpike parcel trail network will still be mapped, and the PCC would have worked with the PVPC anyway to produce the trail maps.

### **b. Master Plan Update**

Nick Zeo reported the next Master Plan Update meeting will occur via Facebook Live on Thursday, 12/17/2020 and will focus on the topic of climate change. All PCC members who are interested to participate in the meeting are welcome to attend.

### **c. OSRP Update**

The 2014 Open Space and Recreation Plan (OSRP) will expire in 2021 and therefore needs to be updated. The PCC will apply for a District Local Technical Assistance grant from the Pioneer Valley Planning Commission (PVPC) to fund portions of the OSRP update, such as land surveys and mapping updates. The Agent will inform the PCC when the PVPC has responded to the request for District Local Technical Assistance grant funds.

### **d. Land Donation – Barker Street**

The PCC was contacted regarding their interest in a land donation off Barker Street along the Chicopee River. The parcel of land is 80-acres in size and was going to be developed into condominiums for people 50 years of age and older, known as the Riverwalk Condominiums, but the project never happened. This parcel of land will have to be included in the 2021 Open Space and Recreation Plan (OSRP) update as an action item, which will make it easier to obtain grant funds for acquisition of the parcel. The current property owners are looking into their options, and might decide to donate a portion of the land while having the Town purchase a portion of the

land in-fee. The PCC might apply for a LAND grant to cover the purchase of the property, and the property owners might donate a part of the land to cover the match portion of the grant if the town can't come up with the match.

## **9. Schedule of Public Meetings & Hearings**

- a. 7:03 PM Cont. Notice of Intent (NOI) – BWS Dumplin Brook, LLC: 3090 Palmer Street (Map 29 Lot 1): The applicant has submitted a Notice of Intent to see if the work associated with the installation of a large scale solar array is subject to the MA Wetlands Protection Act and the Town of Palmer Wetlands Protection Ordinance.

Donald Blais, Jr. re-opened the hearing at 7:03 PM. The Agent reported that the wetland delineation in the area of concern must be agreed upon by all parties in order to avoid the requirement to obtain a 401 Water Quality Certification, as stated by MassDEP, but that it is ultimately up to the PCC to determine what wetland delineation they think is accurate and if they want more analysis of the area identified by MassDEP as an altered wetland due to agricultural activities.

Chris Lucas of Lucas Environmental served as the applicant's peer reviewer, and reported that soil surveys of the altered wetland area were conducted in October of 2020, and then again in December of 2020 with the PCC's peer reviewer, Emily Stockman of Stockman Associates. Chris also reviewed historical aerial imagery of the site to help identify the presence or absence of a wetland in this area. The applicant wants to avoid the need to obtain a 401 Water Quality Certification, and would like to move forward with a redesign of the project based on the final, agreed upon wetland delineation. Using soil information and historic aerial photos, Chris created a composite map of 'historic wetlands' in this area; there are two (2) areas of confirmed wetland fill that equals about 1.1-acres, in his opinion. Chris believes that there is an 'isolated wetland' that could be a toe-of-slope wetland, but that he doesn't have a lot of soil information from surveys of that area.

Emily Stockman of Stockman Associates served as the PCC's peer reviewer, and disagrees with the wetland delineation from Lucas Environmental. Emily believes that on site soil data should take precedent over historical aerial data in this situation, and based her delineation on the soil survey. To ensure that wetland areas weren't omitted from the delineation, Emily connected upland soil pits together in areas without a lot of soil data, and drew a conservative wetland line; according to Emily, the delineation created by Lucas Environmental shows the delineation line going right through an area with two (2) wetland soil pits. Emily provided a map to the PCC for review which depicts a "no-contest" wetland delineation that may be overestimated but does not omit any possible wetlands. Emily added that she doesn't have enough soil data to definitively delineate the wetland due to time constraints given that field work was conducted at the end of the 2020 field season. The delineation could also be tweaked using the the GPS points taken by Lucas Environmental, as long as GPS error is accounted for, if the PCC would like to see a more fine tuned wetland line.

The Agent stated her concern relative to the lack of soil data in the altered wetland area, and recommended that the PCC choose the delineation developed by Emily Stockman. If the PCC wanted more soil information, the delineation confirmation would be pushed out until at least March of 2021 when the new field season commences, and the peer review contract with Emily Stockman would have to be revised to include additional on site field investigation.

Chris Lucas asked the PCC if a compromise could be found regarding the delineation, and how conservative the PCC would like the delineation to be. An acre of altered wetlands has

been confirmed, and additional disturbance found on site will decrease the panel area. Emily Stockman added that compromise in this situation is challenging, and stated that more field investigation will be required in order to fine tune the delineation further.

Dorothy Lawrence suggested that the compromise could involve setting the wetland delineation line at a  $\frac{3}{4}$  boundary between upland and wetland soil plugs, with the line being more conservative toward wetlands. The Assistant cautioned the PCC on this, stating that it is tricky to assign an arbitrary wetland line, and recommended that the PCC rely on the data available to make their decision. Donald Blais, Jr. stated that the PCC should use the wetland delineation developed by Emily Stockman because her delineation was based on on-site soil information, and that he is uncomfortable voting on something without enough information to make an informed decision. Brenda Cole also expressed her desire to use the delineation provided by Emily Stockman.

Jackie Firsty of Bluewave Solar stated that she would like to keep the project moving forward, and that Bluewave would accept the delineation provided by Emily Stockman to keep the project moving forward, although Bluewave disagrees with her delineation.

Chris Lucas added that the wetland delineation can't actually be changed because it was finalized under an ORAD issued by the PCC in 2018, and asked if the PCC would be amenable to the security fence being located at the edge of the wetland boundary. The Agent informed Chris that the language in the ORAD states that the only resource area boundaries that were confirmed were those requested for confirmation, and therefore does allow for additional resource areas to be found on site, according to MassDEP. The Agent added that she is uncomfortable with placing the security fence at the wetland boundary as proposed by Emily Stockman, and would want to see the fence at least 25-feet from that wetland boundary; essentially, the fence should be located 50-feet from existing wetlands, and 25-feet from the historically altered wetlands.

Bluewave would want to request a waiver from the No Disturb Zone provision of the Palmer Wetlands Protection Ordinance for setback to existing wetlands, and could base the project redesign on that. The Agent informed the applicant that any disturbance within the No Disturb Zone requires another waiver.

The Agent recommended that the PCC make a motion to accept the wetland delineation by either Chris Lucas or Emily Stockman prior to proceeding with project discussions.

**Motion made by Brenda Cole to accept the wetland delineation line as developed by Emily Stockman of Stockman Associated for DEP # 256-0350 for 3090 Palmer Street solar array**

**Motion seconded by Dorothy Lawrence**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye;**

**Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

Kevin McGarry informed the PCC that solar panels will be removed from historic wetland fill areas and that the panels will be reincorporated into the project design elsewhere on the site. Kevin asked what the revised site plans should show with respect to encroachment within the buffer zone. The Agent asked why the panels can't be placed outside of the 100-foot buffer zone. Kevin reported that Bluewave wants to maintain the current size of the solar array, and that viewshed concerns and strategic plantings required by the Planning Board restrict the array from being located further south on the site. Kevin asked if the PCC would be amenable

with the limit of work line located at 25-feet from the limits of the altered wetlands; the PCC did not respond to this question. The Agent stated that because the PCC did not respond, that the applicant may proceed as they see fit with respect to citing work within the No Disturb Zone. Kevin then asked the PCC if they would be amenable to the limit of work located 50-feet from existing wetlands and 25-feet from the altered wetlands. The Agent informed Kevin that the PCC can't answer that question or even vote on that without having site plans or other information available for review.

The applicant requested a continuance of the public hearing until 2/2/2021 at 7 PM in order to redesign the project based on the agreed upon wetland delineation by Emily Stockman.

**Motion made by Nick Zeo to continue the public hearing for DEP # 256-0350 until 2/2/2021 at 7:00 PM**

**Motion seconded by Dorothy Lawrence**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

- b. 8:06 PM Cont. Notice of Intent (NOI) DEP #256-0348 – Solitude, LLC: Meadowbrook Green Condominium Association (Map 18 Lot 47-1): The applicant has submitted a Notice of Intent for the Ecological Restoration of Meadowbrook Green Condo Ponds through utilizing selective aquatic herbicide and algacide treatments with USEPA/MA DAR registered herbicides and other BMPs to control growth of nuisance aquatic plant species and invasive plant species, (specifically white and yellow waterlily and purple loosestrife), improve fish habitat, improve water quality and slow pond eutrophication.

Donald Blais, Jr. reopened the public hearing at 8:06 PM. The applicant requested a continuance of the public hearing until 2/2/2021 to allow for information to be submitted and reviewed.

**Motion made by Dorothy Lawrence to continue the public hearing for DEP # 256-0348 for the Notice of Intent submitted for Meadowbrook Green Condominium Association to 2/2/2021 at 7:00 PM**

**Motion seconded by Brenda Cole**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

- c. 8:07 PM Request for Determination of Applicability (RDA): 25 Elizabeth Street (Map 29 Lot 65-2): The applicant is requesting a determination to see if the work associated with the construction of a single family home, driveway, sewer and water connection, and lawn area is subject to the MA Wetlands Protection Act and the Town of Palmer Wetlands Protection Ordinance. Work is proposed within the 100-foot buffer zone to Bordering Vegetated Wetlands on the site.

Donald Blais, Jr. opened the public meeting at 8:07 PM and Don Frydryk of Sherman & Frydryk, LLC was in attendance to present the proposed project to the PCC. The project involves the construction of a single family home, driveway, and water and sewer connections on the site. The site is currently landscaped but does not contain any other structures or forms of development. The limit of work is outside of the 50-foot No Disturb Zone, and no work is proposed within wetlands, the floodplain, or within rare species habitats. Erosion sediment

controls are proposed along the northerly side of the the proposed work area. Limited grading will occur in the 100-foot buffer zone, and all fill used from excavating the foundation will be used on site to create a flat area and slope off the foundation.

Donald Blais, Jr. opened the meeting for public comment, and abutter Tom Tyburski expressed his concern about the site because he was told the lot was deemed 'unbuildable'. Dorothy Lawrence informed him that the PCC does not make determinations on the buildability of a site, and that the PCC can only make a determination on the proposed work with respect to temporary and permanent wetland impacts. Another abutter, Mr. Aponte, expressed his concern about the fill on site that is proposed to be used for grading along the foundation because the site was historically filled with street sweepings and other materials. Don Frydryk informed Mr. Aponte that clean fill can be brought to the site if the fill is determined to be unsuitable. The Agent also added that the project can be conditioned to remove fill from the site and bring in clean fill for grading purposes. Mr. Aponte also expressed his concern about a stone wall easement; Don Frydryk assured him that there will be no disturbance to the stone wall or easement as a result of the project.

The PCC will incorporate special conditions regarding the use of silt fence for erosion sediment controls, and to remove fill generated from excavation from the site and to replace it with clean fill.

Donald Blais, Jr. asked if the PCC or members of the general public had any additional questions or comments on the project. No one wished to comment further on the project at this time.

**Motion made by Dorothy Lawrence to make a Negative Determination, Box 3 stating that the work described in the Request is within the Buffer Zone, as defined by the regulations, but will not alter an Area subject to protection under the Act, submitted to the standard Special Order of Conditions, including the use of silt fence for erosion sediment controls, and to remove fill generated from excavation from the site and to replace it with clean fill**

**Motion seconded by Brenda Cole**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

**Motion made by Dorothy Lawrence to make a Negative Determination, Box 6, stating that the area and/or work described in the Request is not subject to review or approval by the Palmer Wetlands Protection Ordinance, Chapter 168**

**Motion seconded by Peter Izyk**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

**Motion made by Nick Zeo to close the public meeting for the RDA submitted for single family home development at 25 Elizabeth Street at 8:45 PM**

**Motion seconded by Dorothy Lawrence**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**  
**Vote was Unanimous – Motion Caries**

- d. 8:46 PM Notice of Intent (NOI) DEP #256-350 – Town of Palmer DPW: RT 181 Culvert Replacement (Road ROW): The applicant has submitted a Notice of Intent for activities associated with the replacement of existing twin culverts at the intersection of Route 181 with Thorndike Road. The work is proposed within Riverfront Area, Land Under Waterbodies and Waterways, Inland Bank, Bordering Vegetated Wetlands (BVW), and the Buffer Zone to BVW.

Donald Blais, Jr. opened the public hearing at 8:46 PM and consultant Mike Gagnon of Milone & Macbroom, Inc. was in attendance to present the proposed project to the PCC. Existing conditions include a 63-foot-long 2' x 5' stone box structure with two (2) 18-inch corrugated metal pipe (CMP) culverts inside the stone box with stone headwalls at the culvert ends that convey Scotts brook, a coldwater fisheries resource. The two (2) CMP culverts within the box structure are extremely deteriorated and the status of the stone box is questionable. There are two catch basins on the westerly side of the road that drain to the low point of the roadway and discharge to the brook without water quality treatment via 12-inch CMP pipes on either side of the culvert. Both pipes are perched at above the stream elevation. The project site is located within a Zone II Wellhead Protection Area and an Aquifer Protection Area. The site is not located within a Natural Heritage and Endangered Species area.

Field studies and alternative analyses have been conducted through the Municipal Vulnerability Preparedness (MVP) program to determine the appropriate size of the new stream crossing and to review alternative stream crossing designs. The preferred alternative stream crossing design will consist of a 13-foot wide, 5-foot tall, 60-foot long box culvert embedded 2-feet below grade to allow for natural substrate bottom, which meets the 1.2 bankfull width criteria in accordance with the MA Stream Crossing Standards. The project additionally proposes to conduct stormwater management by installing two (2) water quality basins on either side of the new culvert to capture sheet flow from the road via grassed swales, which will then discharge to the brook via riprap spillways.

The project will include 122 square feet of temporary disturbance to Bordering Vegetated Wetlands (BVW) associated with Scott's brook at the eastern end of the stream crossing resulting from the installation of erosion sediment controls and final grading. The project will also impact approximately 9,000 square feet of the 100-foot buffer zone to BVW. Approximately 206 square feet of the Bank of Scott's brook will be temporarily impacted, but the Bank will be enhanced overall due to an increased conveyance capacity of the new culvert, which has been sized to meet the 1.2 times bankfull width criteria in the MA Stream Crossing Standards. Approximately 230 square feet of temporary impacts will occur to Land Under Waterbodies and Waterways as a result of the culvert replacement. Finally, approximately 9,060 square feet of Riverfront Area will be temporarily impacted by this project because the Riverfront Area encompasses the entirety of the project area.

The work is anticipated to take three (3) to four (4) days, and will occur during the summer when flows within the brook are lowest. Traffic will be diverted to alternate routes to allow for the road to be closed. Erosion sediment controls will be installed prior to the start of work. A bypass culvert will be utilized to divert Scott's brook during construction, and will be



removed upon installation of the new culvert. All disturbed areas will be graded, loamed and seeded to provide final stabilization of the site.

The Agent asked why the project proposes paved swales rather than grassed swales to direct sheet flow from the road to the water quality basins. Mike Gagon stated that the swale will transition from paved to grassed, and that the paving will extend approximately 8 to 10-feet from the roadway; the swale was designed this way to maintain road stability and prevent an erosion rill from forming that could compromise the stability of the road.

Donald Blais, Jr. opened the public hearing for additional questions or comments by the PCC and members of the general public. No one wished to comment further on the project at this time.

**Motion made by Dorothy Lawrence to close the public hearing for the NOI submitted for the Route 181 Culvert Replacement Project, DEP # 256-0350 at 9:13 PM**

**Motion seconded by Brenda Cole**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

**Motion made by Dorothy Lawrence to issue an Order of Conditions with Findings of Fact, Special Conditions, and Approved Plans and Documents for the Route 181 Culvert Replacement Project, DEP # 256-0350**

**Motion seconded by Dave Cotter**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

Dorothy Lawrence left the meeting at 9:16 PM.

- e. 9:16 PM Notice of Intent (NOI) DEP #256-351 – New England Power Company: Transmission Line Road Improvements West Ware Rd (O15N Transmission Line ROW Map 44 Lot 43): The applicant has submitted a Notice of Intent for activities associated with proposed improvements to an existing access road along the O15N Transmission Line Right-of-Way (ROW), located off West Ware Road. The work is proposed within the 100-foot Buffer Zone and the locally protected 50-foot No Disturb Zone to adjacent wetlands.

Donald Blais, Jr. opened the public hearing at 9:16 PM and Theresa Portante of BSC Group, Inc. was in attendance to present the proposed project, which includes improvements to an existing access road within a Right-of-Way (ROW) to transmission line O15N. The access road improvements are in preparation for a future transmission line improvement project, which is located entirely outside of PCC jurisdiction. Access road improvements will include widening the roadway from a width of 10 to 12-feet to a width of 16-feet. The access road passes through a Bordering Vegetated Wetlands, but the project doesn't propose to increase the width of the access road within the BVW. A temporary wetland crossing consisting of swamp matting will be utilized in the BVW and will result in 1,045 square feet of temporary impacts to the wetland; the swamp matting will be removed and the wetland will be restored to pre-construction conditions upon completion of construction. Approximately 2,766 and 756

square feet of impacts to the 100-foot buffer zone to BVW is proposed as a result of the access road improvements. No tree removal has been proposed, and only limited trimming of trees will occur. The applicant requested a waiver from the 50-foot No Disturb Zone provision of the Palmer Wetlands Protection Ordinance, Chapter 168.

The project site is located within a Natural Heritage and Endangered Species Program (NHESP) area. The NHESP issued a determination on 1/19/2021 that the project will not result in a take of rare species or their habitats.

Donald Blais, Jr. opened the public hearing for comments or questions from the Agent, the PCC, and members of the general public. No one wished to comment further on the question at this time.

**Motion made by Brenda Cole to close the public hearing for DEP # 256-0351 for New England Power Company Transmission Line Access Road Improvements at 9:32 PM**

**Motion seconded by Peter Izyk**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

**Motion made by Peter Izyk to issue an Order of Conditions with Findings of Fact, Special Conditions, and Approved Plans and Documents for for DEP # 256-0351 for New England Power Company Transmission Line Access Road Improvements**

**Motion seconded by Dave Cotter**

**No further discussion**

**Role call vote: Donald Blais, Jr. – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

#### **10. Set Next Meeting Date**

- a. The next meeting of the PCC is scheduled to occur on Tuesday, February 2<sup>nd</sup>, 2021 at 6:30 PM.

#### **11. Meeting Adjourned: 9:39 PM**

**Motion made by Nick Zeo to adjourn at 9:39 PM**

**Motion was seconded by Brenda Cole**

**No further discussion**

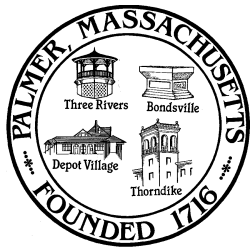
**Role call vote: Donald Blais, Jr. – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Mike Swiatek– aye; Brenda Cole - aye**

**Vote was Unanimous – Motion Caries**

Sincerely Submitted,

Sarah A. Fortune

Palmer Conservation Assistant



# TOWN OF PALMER CONSERVATION COMMISSION

## Meeting Documents

**Tuesday, January 19<sup>th</sup>, 2021 – 6:30 PM**  
**LOCATION: VIRTUAL VIA ZOOM**

Donald Blais, Chair  
Dorothy Lawrence, Vice Chair  
David Cotter  
Peter Izyk  
Nicholas Zeo  
Brenda Cole  
Mike Swiatek

Angela Panaccione, Agent  
Sarah Fortune, Assistant

The following is a list of documents used at the above-mentioned meeting, in addition to those included in the agenda packet which is part of the official record of the meeting:

Number	Description	Agenda Item	Notes
1.	Meeting Minutes: 12/15/2020	Approval of Minutes	Retained in 2020 minutes binder
2.	Notice of Intent: Bluewave solar – 3090 Palmer Street	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0350
3.	Site plans: Bluewave solar – 3090 Palmer Street	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0350
4.	Stormwater Management Report: Bluewave solar – 3090 Palmer Street	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0350
5.	DEP file comments: Bluewave solar – 3090 Palmer Street	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0350
6.	Reponse to DEP file comments: Bluewave solar – 3090 Palmer Street	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0350
7.	Peer Review Agricultural Field Assessment: Bluewave solar – 3090 Palmer Street	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0350
8.	Notice of Intent: Meadowbrook Green Condominium Association	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0348
9.	Site plans: Meadowbrook Green Condominium Association	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0348
10.	DEP file comments: Meadowbrook Green Condominium Association	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0348
11.	Notice of Intent: Route 181 Culvert Replacement	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0351
12.	Site plans: Route 181 Culvert Replacement	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0351
13.	DEP file comments: Route 181 Culvert Replacement	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0351
14.	Stormwater Report: Route 181 Culvert Replacement	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0351
15.	Notice of Intent: New England Power Company – Transmission Line Road Improvements	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0352
16.	Site plans: New England Power Company – Transmission Line Road Improvements	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0352
17.	DEP file comments: New England Power Company – Transmission Line Road Improvements	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0352

18.	NHESP Determination: Route 181 Culvert Replacement	Schedule of Public Hearings & Meetings	Retained in file for DEP # 256-0352
19.	Request for Determination of Applicability: 25 Elizabeth Street	Schedule of Public Hearings & Meetings	Retained in RDA file for 25 Elizabeth Street
20.	Site Plans: 25 Elizabeth Street	Schedule of Public Hearings & Meetings	Retained in RDA file for 25 Elizabeth Street
21.	Request for Certificate of Compliance: DEP # 256-0280 – Meadowbrook Green Condominium Association	Requests for Certificates of Compliance	Retained in file for DEP # 256-0280