



TOWN OF PALMER CONSERVATION COMMISSION

Palmer Town Building
4417 Main Street
Palmer, Massachusetts 01069

conservation@townofpalmer.com

Robert Ring, Chair
Donald Duffy, Vice Chair
Peter Izyk
Dennis Cote
Tharyn Nein-Large
Sean O'Donnell
Sarah Brodeur

Agent: Angela Panaccione

Telephone: (413) 283-2611
FAX (413) 283-2637

MEETING MINUTES

TUESDAY JANUARY 20, 2015 @ 7:00 PM

Meeting Location: Palmer Police Station Conference Room, 4419 Main Street, Palmer MA

Members Present: Robert Ring (Chair)
Donald Duffy (Vice Chair)
Dennis Cote
Peter Izyk
Angela Panaccione (Agent)

Members Absent: Sarah Brodeur
Tharyn Nein-Large
Sean O'Donnell

Also Present: Nickolas DiGregorio Jr., DiGregorio & Son Excavating
Joseph Duda, 3205 Main Street

Meeting Opens: 7:00 PM – Robert Ring (Chair)

7:00 PM Request Determination of Applicability (RDA): Palmer Motorsports Park; West Ware Rd

❖ Donald Duffy recuses himself from the proceedings and left the room during this discussion.

A Request for Determination was submitted by Palmer Motorsports Park, LLC, for the proposed installation of a septic system to service Palmer Motorsports Park and associated amenities. The proposed work will occur within the 100-foot buffer zone of a Bordering Vegetated Wetland (BVW) of an intermittent stream. The location of the proposed project is on West Ware Road Palmer, MA 01069, and is also known as: Map 49-4.

The applicant proposes to construct septic facilities to service the Palmer Motorsports Park racetrack and associated amenities. The facilities will provide sanitary services for the various buildings to be built on the Site, including offices, club house, shower house, maintenance building, pro shop, concession pavilion, and garages. The Board of Health and Title 5 (310 CMR 15.00) compliant system includes construction of two leach fields (A and B) located along the southwestern edge of the race track. Leach Field A is sited within an area of upland forest adjacent to the racetrack. Leach Field B, sited within the limit of work for the racetrack, and sited partially beneath a proposed access road that extends to the northern part of the Site (the “North Paddock” area). The leach field locations were determined based on site constraints (i.e., bedrock and topography) and suitable soils

for percolation. The proposed system also includes associated infrastructure- force mains, polyvinyl chloride (PVC) piping, septic tanks, pump chambers, and man holes- sited primarily within previously developed areas. Silt fence is proposed between the work areas and the wetland to prevent sedimentation.

The applicant requested a continuance due to DEP comments on the project.

Motion made by Peter Izyk to continue the Public Hearing until Tuesday February 3, 2015 at 7:00 pm

Motion seconded by Dennis Cote

No further discussion – vote taken: 3-0-0 – Motion Carries

7:01 PM Request Determination of Applicability (RDA): Palmer Motorsports Park; West Ware Rd

❖ Donald Duffy recuses himself from the proceedings and left the room during this discussion.

A Request for Determination was submitted by Oxbow Associates c/o Palmer Motorsports Park, LLC, for the proposed improvement of an existing wood road for the purposes of installing a water supply well including work within the buffer zone for the installation of electrical conduit and water line within the existing wood road, and grading of existing wood road. The location of the proposed project is on West Ware Road Palmer, MA 01069, and is also known as: Map 49-4.

The applicant proposes to improve an existing wood road for purposes of installing a water supply well. A portion of the access improvements are proposed within buffer zone, however, the well site is located within an upland area beyond the buffer zone. The proposed buffer zone work includes installation of a 2 inch electrical conduit (to provide electricity to the well pump) and installation of a 1.5 inch water line (to bring water from the well to the Motorsports Park) within the existing wood road. Minor grading of the access route is also proposed to allow access of construction and maintenance vehicles. Silt fence is proposed along the wood road between the work area and the wetland to prevent sedimentation toward the wetland.

The applicant requested a continuance due to DEP comments on the project.

Motion made by Dennis Cote to continue the Public Hearing until Tuesday February 3, 2015 at 7:00 pm

Motion seconded by Peter Izyk

No further discussion – vote taken: 3-0-0 – Motion Carries

7:02 PM Notice of Intent: Palmer Motorsports Park; West Ware Road – North Paddock Access

❖ Donald Duffy recuses himself from the proceedings and left the room during this discussion.

A Notice of Intent submitted Oxbow Associates c/o Palmer Motorsports Park, for the proposed construction located at West Ware Road of a 20 foot wide paved roadway with associated drainage of the northern part of the site, termed the “North Paddock”. The project entails tree cutting and grading within the 100 foot buffer zone, laying of asphalt a top crushed stone and gravel base, installing two foot wide crushed stone shoulders, and construction of a one drop inlet and level spreader. Bridge abutments are proposed outside the wetland at the narrowest wetland constriction. The project also includes cutting seven trees within the vegetated wetland for the construction of the bridge. The location of the proposed project West Ware Road, Palmer, MA 01069, and is also known as: Map 49-4, 51-1.

The applicant proposes to construct a 20 foot wide paved roadway with associated drainage the northern part of the Site, termed the “North Paddock”. The proposed access road alignment closely follows an existing wood

road. Where the access road leaves the main racetrack development, it passes between two wetland systems (Wetland A and Wetland J), and parallels Wetland A, before spanning this wetland, which contains an intermittent stream drainage, to gain access to the North Paddock. The current stream crossing contains corduroy logs and a 16 inch diameter metal culvert.

The project entails tree cutting and grading within 100 foot buffer zone to achieve suitable road width and grades. The asphalt will be laid on top of a crushed stone and gravel base. Runoff will generally be infiltrated within two foot wide crushed stone shoulders, however, the use of one drop inlet and level spreader are proposed where the proposed access road leaves the main racetrack development. The bridge abutments are proposed outside of the wetland at the narrowest wetland constriction. Seven trees need to be cut within the vegetated wetland for bridge and the area subject to shading beneath the bridge is 686 square feet.

The applicant requested a continuance due to DEP comments on the project and the issuance of a “No File Number”.

Motion made by Peter Izyk to continue the Public Hearing until Tuesday February 3, 2015 at 7:00 pm

Motion seconded by Dennis Cote

No further discussion – vote taken: 3-0-0 – Motion Carries

7:02 PM Administrative Matters: Minute Approval – January 6, 2015

Motion made by Peter Izyk to accept the minutes from Tuesday, January 6, 2015 as corrected

Motion seconded by Dennis Cote

No further discussion – vote taken: 3-0-1 (Donald Duffy abstains)

7:06 PM Administrative Matters: Member Reports

1. Osprey Sighting: Robert Ring informed the Commission he has seen an osprey several times on the Ware River
2. 2014 Open Space Plan Final Approval: The Agent informed the Commission the 2014 Open Space and Recreation plan had received final approval from the Executive Office of Energy and Environmental Affairs (EEA). The plan is valid for 7 years (until 2021). Duffy would like to see the OSRP used to present a unified inventory of where our open space is and to clear up the issue of who manages it and makes decisions on its use. He wants it to be clear who has control of the property since there is an issue with the assessors records; where the land is recorded as Town of Palmer land when it should specify it is Conservation Commission Land. Duffy previously supplied a list of lands donated, along with their date of acceptance by the town (either town council or by a town meeting vote) and wanted to make sure it was still on file. The Agent informed him she did still have it.

7:09 PM Administrative Matters: MACC Payable \$115.00

Motion made by Donald Duffy to approve the payable to the Massachusetts Association of Conservation Commissions (MACC) in the amount of \$115.00, for the 2015 conference fee for Angela Panaccione

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0

7:10 PM Administrative Matters: MACC Payable \$65.00

Motion made by Donald Duffy to approve the payable to the Massachusetts Association of Conservation Commissions (MACC) in the amount of \$65.00, for the 2015 conference fee for Sarah Brodeur

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0

7:10 PM Administrative Matters: Palmer Conservation Trust Fund

The Town Treasurer, Linda St. Onge, inquired with the Commission about the Palmer Conservation Trust Fund and requested any documents we may have on it. Donald Duffy stated it was created by special enabling legislation covering the sale of forest products by the Conservation Commission. The Commission had two cuts and the money went into a separate account. Most of it was spent purchasing the Pendrak Property. He also provided a copy of the enabling legislation.

7:15 PM Request for Certificate of Compliance (COC) DEP # 256-0025: Flynt Street

The Commission received a request for a Certificate of Compliance from Adam Skowyra for the work completed on Flynt Street, under the Order of Conditions for DEP # 256-0025. The project was for the development of the road and associated drainage. The Original Order of Conditions was issued in 1980 to the Palmer Board of Selectmen and was recorded against Mr. Skoyra's property.

Motion made by Donald Duffy to issue a Complete Certificate of Compliance for the work performed under the Order of Conditions for DEP # 256-0025

Motion seconded by Dennis Cote

No further discussion – vote taken: 4-0-0

7:10 PM Administrative Matters: Tax Title Land

There are several parcels in town on the tax title list and a few of them are located either beside Conservation land or are located off Conservation Roads in the Shaw District. The agent will get a copy of the land in tax title and will review the list with Donald Duffy Tuesday January 27, 2015 at 9am. The Commission will generate a list of land they are interested in and will petition Town Council to acquire said land for conservation purposes.

7:24 PM Public Inquiry: Joseph Duda, 3205 Main Street Bondsville – Beaver Dam

Joseph Duda, of 3205 Main Street attended the meeting to discuss the possibility of breaching a beaver dam. A site visit was conducted on Thursday January 15, 2014 at 9am with Conservation Agent Angela Panaccione, Chair Robert Ring and Board of Health Agent Joshua Mathieu. It was determined on site the dam poses a threat to human health and safety through beaver-caused flooding of drinking water wells, septic systems and leach fields. There was a noticeable smell of sewage at the site visit and the brook present was severely flooded. The BOH and Conservation Commission will issue an Emergency permit for the dam removal at the same time.

Mr. Duda hired Nickolas DiGregorio, of DiGregorio & Son excavation to perform the work. The beaver dams shall be removed in a controlled manner so that there are no downstream impacts and the dams should be breached in the morning to allow water to flow all day. Additionally, only the minimum necessary work to abate the immediate public health threat is permitted. All work will be performed using either a tractor or truck mounted excavators to remove debris from the beaver dam. Mr. DiGregorio will submit to the Commission a written narrative of the proposed work and the sequence of the dam removal.

Motion made by Donald Duffy to authorize the Conservation Agent to issue an Emergency Permit for the full breach of the beaver dam located at 3205 Main Street, Bondsville; which the Commission will ratify at their next regularly scheduled meeting

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0

7:50 PM New NOI: Sherwood Lumber, 24 Third Street

The Commission received a new NOI for development off Third Street. Sherwood Lumber Corp. proposes to construct a railroad siding through several parcels owned by the company at the end of Third Street. The siding will begin at the existing New England Central Railroad Spur and extend across the Third Street cul-de-sac, and end at the southern side of the property for a distance of approximately 2,700 feet. There are several wetland resource areas located on the properties, including Bordering Vegetated Wetland, Bank and Riverfront. There is also a mapped FEMA flood plain associated with the Swift River. The applicant is proposing 1,406 square feet of permanent BVW alteration, 1,071 square feet of temporary BVW alteration with 1,758 square feet of replication and 14,641 cubic feet of flood storage lost with 15,945 cubic feet replaced. There are no proposed Riverfront impacts, as these parcels are considered densely developed and no impact are occurring within 25-feet of the Swift River. The project will also require additional review NHESP for its location within priority habitat and a MESA filing as well.

The Conservation Commission also discussed a third-party review due to the time of year restraints for confirming wetland delineations and the scope of the project in its entirety . The agent will send requests for proposals to Tighe & Bond, VHB and New England Environmental (NEE). The Agent also stated she would like to get the same reviewer as planning for the stormwater, which is VHB. The Commission will continue this discussion at the February 3, 2015 meeting.

Next Meeting Date: Tuesday February 3, 2015 at 7pm @ Location TBA

Meeting Adjourned: 8:01 PM

Motion made by Dennis Cote to adjourn at 8:01 pm

Motion seconded by Donald Duffy

No further discussion – vote taken: 4-0-0– Motion Carries

Sincerely Submitted,
Angela C Panaccione, Conservation Agent