



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 6, 2015 @ 7:00 PM

Meeting Location: Palmer High School Library, 4105 Main Street, Palmer, MA 01069

Members Present: Robert Ring (Chair)
Dennis Cote
Peter Izyk
Sarah Brodeur
Angela Panaccione (Agent)

Members Absent: Donald Duffy (Vice Chair)
Tharyn Nein-Large
Sean O'Donnell

Also Present: Brian Roberts, 368 Lyon St., Ludlow, MA 01056
Don Roberts, 450 Springfield Street
Sheryl Jyringi, 70 West Ware Road
Debbie Sourdif, 385 Rondeau Road
Marcus Nutter, 385 Rondeau Road
Douglas Farmer, Turley Publications, Palmer
Brian Sullivan, 66 Peterson Road
Joseph Duda, 3045 Main Street

Meeting Opens: 7:27 PM – Robert Ring (Chair)

7:29 PM Determination of Applicability (RDA): Palmer Motorsports Park; West Ware Rd

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 Peter Izyk to continue the Public Hearing until Tuesday January 20, 2015 at 7:00 pm

Motion seconded by Sarah Brodeur

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

7:30 PM Determination Applicability (RDA): Palmer Motorsports Park; West Ware Rd

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 Dennis Cote to continue the Public Hearing until Tuesday January 20, 2015 at 7:00 pm

Motion seconded by Peter Izyk

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

7:31 PM Notice of Intent: Palmer Motorsports Park; West Ware Road – N. Paddock Access

A Notice of Intent submitted by Pioneer Environmental c/o Palmer Motorsports Park, to revise portions of the motorsports park facility that is currently under construction. Revisions are proposed to the track layout, stream crossings, pit lane location and paddock locations. A drinking water supply well and septic system have been designed and new work includes the construction of clubhouses with parking and the filing of a previously crossed wetland. 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 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 by Sarah Brodeur to continue the Public Hearing until Tuesday January 20, 2015 at 7:00 pm

Motion seconded by Peter Izyk

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

7:32 PM Violation: 450 Springfield Street – Donald Roberts

Mark Stinson from the MASS DEP notified the Conservation Commission of a potential violation of the Wetlands Protection Act. The violation was observed via aerial photographs and appeared as the filling of a wetland and potential vernal pool. A site visit occurred on December 30, 2014 at 10:00 AM with property owners Don & Brian Roberts and Conservation Agent Angela Panaccione and Tharyn Nein-Large.

Don Roberts stated the violation is the result of a loader getting stuck and removed from the wetland area. The loader was used to move manure to storage in close proximity to the edge of the BVW. Roberts had no intention of “filling the wetland” and stated it was an accident. The loader was removed and the area was re-graded. Roberts has agreed to do what is needed to restore the damages. Roberts will seed and loam the disturbed area.

There is also a manure pile located within 10-feet of the BVW. The Agent recommended it be moved, and Roberts agreed to move. Currently the manure is at the back of the property, away from property lines. Roberts stated he would add a barrier of bark mulch between the manure pile and the BVW to prevent manure from reaching the wetlands. Roberts also said he would move the pile up front if needed, closer to the neighbors. The Agent strongly recommended the pile be moved due to the run off reaching the resource areas. Robert Ring stated the manure could stay where it was located to avoid complaints from the neighbors. The Agent stated additional measure would be needed for manure management. The runoff from the manure pile can easily enter the BVW to a brook, which is a tributary to the Chicopee River. Roberts said he would add concert block as an additional barrier for the manure pile. He will contact the Commission when complete.

The site is an active farm in 61A status. There are 16 to 25 cows on the property, along with several goats and chickens. The Cows are butchered and the meat is sold to Randall's Farm in Ludlow. This site may be covered under an Agricultural Exemption under the WPA. The Agent recommended Roberts contact NRCS and develop a conservation plan.

The Agent will inspect the site in the spring for manure management and to see the damaged area restored. The Agent will also contact DEP to notify them of the status of the violation and the Commissions recommendations for resource area restoration.

7:52 PM Violation: 66 Peterson Road – Brian Sullivan

Brian Sullivan is in violation of the Enforcement Order issued to property owner Jane Bramucci, and renter, Brian Sullivan on May 1, 2014. He has not met the required deadlines issued by the Conservation Commission. He attended tonight meeting to discuss the violation.

Mr. Sullivan claimed he completed the required planting and sent pictures vis email this past fall. The Commission never received the email. Mr. Sullivan stated he cannot resend the photos because they were on his old phone he lost. Denis Cote informed him if they were sent by his yahoo account they would still be in the server in the sent file. Mr. Sullivan will look for the email and resend it if located.

When the Agent asked to conduct a site visit to view the restoration plantings, Mr. Sullivan stated it would be impossible to tell which trees were planted because they are all dead now due to winter. The Agent will go out in the spring to re-evaluate the area.

The Commission also explained to Mr. Sullivan the process for appealing the fine. The Fine is set at a fixed fine of \$100.

7:52 PM Public Inquiry: Joseph Duda – 3205 Main Street Bondsville

Joseph Duda, of 3205 Main Street attended the meeting to discuss the possibility of breaching a beaver dam. Mr. Duda has already received a permit from the BOH to trap two beavers on site. The problem now is the dam. Water is backing up and affecting neighbors septic systems and leach fields. Mr. Duda has received several complaints from neighbors over the water problem. The Commission will conduct a site visit to determine the status of the dam and how to proceed. The Agent will coordinate with the BOH for the visit. If it is determined the dam poses a threat to human health and safety, the BOH and Conservation Commission could issue an Emergency permit for the dam removal.

8:17 PM Administrative Matters: Minute Approval December 16, 2014

Motion made by Sarah Brodeur to accept the minutes from Tuesday, December 16, 2014

Motion seconded by Dennis Cote

No further discussion – vote taken: 3-0-1 (Peter Izyk abstains)

8:17 PM Administrative Matters: Member Reports

1. Quorum Issues: Robert Ring discussed quorum issues with the Commission. Donald Duffy is no longer attending meeting where Palmer Motorsports Park is on the agenda due to a conflict of interest. Also, Sarah Brodeur will not be available for meetings until May due to a Tuesday night

class at UMASS. The Agent will contact Sean O'Donnell and Tharyn Nein-Large to be sure they are available for meetings and stress the importance of attendance.

2. 2015 MACC Conference: The Agent notified the Commission of the MACC conference to be held on Saturday February 28, 2015 at Holy Cross in Worcester. She requested Commissioners register if they wish to attend and have MACC invoice the Commission for payment.

8:17 PM Administrative Matters: Mileage Approval – Angela Panaccione \$160.20

Motion made by Dennis Cote to approve the mileage payable for \$160.20, to Angela Panaccione for site visits from August to December of 2014

Motion seconded by Peter Izyk

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

Next Meeting Date: Tuesday January 20, 2015 at 7pm @ Location TBA

Meeting Adjourned: 8:31 PM

Motion made by Dennis Cote to adjourn at 8:31 pm

Motion seconded by Peter Izyk

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

Sincerely Submitted,

Angela C Panaccione, Conservation Agent