



TOWN OF PALMER CONSERVATION COMMISSION

Meeting Minutes

Tuesday, January 8, 2019 – 6:30 PM

LOCATION: Town Administrative Building Meeting Room

Donald Blais, Chair
David Cotter, Vice Chair
Peter Izyk
Nicholas Zeo
Brenda Cole
Dorothy Lawrence
Lucas McDiarmid

Angela Panaccione, Agent
Jeff Stanhope, Assistant

Members Present: Donald Blais, Jr.
David Cotter
Peter Izyk
Nicholas Zeo
Dorothy Lawrence
Angela Panaccione, Conservation Agent
Jeff Stanhope, Conservation Assistant

Members Absent: Brenda Cole
Lucas McDiarmid

Also Present: Donald Frydryk, Sherman & Frydryk
J.H., Longmeadow
Gerry Skowronek, Palmer DPW Director
Michael Marciniec, Palmer Planning Board

1. **Call to Order:** 6:30 PM – Donald Blais, Jr. (Chair)

2. **Chair, Member & Committee Reports:** No Chair, Member & Committee Reports.

3. **Review Phone/Mail/E-Mail Messages**
 - a. **FEMA – Watershed Study Meeting**

The Conservation Commission drew/circled on our FEMA map the new areas of flood concern they would like addressed by FEMA. The Commission will mail out our revised map as soon as possible so that FEMA will receive it prior to the 1/11/2019 deadline.

 - b. **National Grid: 2019 Yearly Operational Plan Public Notice**

The Conservation Commission received a notice letter from National Grid about their annual operational plan public notice. The Agent sent a letter about the trees National Grid cut on River Road/Street in regard to if they would donate the logs for our Community Wood Bank.

 - c. **Forest Cutting Plan (FCP) Review: 37 Juniper Drive**

The Conservation Commission received a Forest Cutting Plan (FCP) for 37 Juniper Drive. The Conservation Commission didn't find any issues with the proposed plan. The one and only stream crossing is planned to be a bridge type crossing.

d. Forest Lake Complaint & Records Request

The Agent received a couple of e-mails from Christina Pike about finding evidence of Forest Lake problems that went through the Conservation Commission way back in the day. Peter Izyk said a lot of the prior historical issues related to Forest Lake pertain to the Planning Board and not the Conservation Commission. He added the time frame of these issues was approximately 20 – 30 years ago. The Assistant will look in the basement for any old files associated with Forest Lake that pertain to the Conservation Commission. The Agent will respond and we will investigate/search for the old files on this. The other e-mail was about the possibility/potential of dredging the big culvert. The Agent said the culvert would be a DPW issue. Christina Pike said the channel has filled with sediment, therefore it should be returned to the normal flow. The Agent commented that the culvert flows into the lily pond that is filled with weeds because of the sediment that ends up in it. She added it is outside of the MS4.

4. Public Inquiries: No Public Inquiries Scheduled.

5. Approval of Minutes

a. December 18, 2018

Motion made by Nicholas Zeo to approve the minutes from December 18, 2018 as amended.

Motion seconded by Peter Izyk.

Peter Izyk abstains.

No further discussion – 4-0-1 – Motion Carries.

6. Approval of Payables: No Approval of Payables.

7. Signing of Documents (DOA, OOC, COC, Ext, Etc.): No Signing of Documents.

8. Schedule of Public Hearings

a. 6:30 PM Notice of Intent (NOI) DEP #256-0338: Altitude Organic – 1235 Thorndike Street (Map 73-58)

The applicant is requesting and Order of Conditions for the proposed development of a retail marijuana sales facility; including the demolition of existing building, new building construction and expansion of the parking area.

Notice of Intent Narrative

The project proposed Altitude Organic Corp. of Massachusetts consists of re-developing an existing residential/commercial property and developing a retail marijuana sales facility. The property improvements will also include reshaping and resurfacing the site, constructing a subsurface infiltration basin to manage the stormwater runoff, and connection to municipal utilities. The proposed improvements will take place at 1235 Thorndike Street, Depot Village, Palmer. (Map 73, Parcel 58).

Applicant proposes to develop a retail marijuana sales facility. The existing residential building closest to the roadway will be removed to provide parking for employees and customers. The proposed site improvements consist of reconstructing the rear building and constructing a paved parking area with 28 parking spaces. A gravel parking area behind the building will be maintained to provide space for three employee vehicles. The total building footprint will be 4,660 square feet consisting of retail space. The existing entrance off Thorndike Street will be improved for access to the site. The driveway entrance will consist of an entrance lane and two exit lanes dedicated to exclusive right and left turn only.

The existing building town water and sewer services will be maintained. The existing free-standing business sign will be relocated to the north side of the site entrance and meet the minimum setback requirement.

This project will include inlet structures to collect the runoff from the parking area and building. This project will also include the construction of a subsurface infiltration basin for stormwater mitigation. The stormwater management system has been designed to collect and infiltrate the runoff from the site impervious surfaces. Additional drainage information is included in the drainage report, which follows.

The project area is not within a Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife, as shown on the August 2017 Massachusetts Natural Heritage Atlas. The project area is not within the mapped area of the 100-year flood plain as shown on FEMA Community Panel # 25013C0262E, effective on 7/16/2013.

310 CMR 10.54 – Bank

The wetland elements in the proximity of the project do not include a channelized flow. No impacts to a bank are anticipated as part of this project.

310 CMR 10.55 – Bordering Vegetated Wetlands

No impacts to bordering vegetated wetlands are anticipated as part of this project.

Buffer Zone

The total area within the 100-foot buffer on the property is approximately 25,960 square feet. The proposed work will include a total of approximately 23,780 square feet of disturbance in the 100-foot buffer zone to the wetlands during the process of removing the existing building, reconstructing the existing building, and constructing the required parking lot on site. The proposed work will include a total of approximately 10,266 square feet of disturbance will take place within 50 feet of the wetland limit. All areas of disturbance will be stabilized and maintained as a meadow, or gravel access driveway.

310 CMR 10.57 – Bordering Land Subject to Flooding

The project area is not within the mapped area of the 100-year flood plain as shown on FEMA Community Panel # 25013C0266E, effective on 7/16/2013.

310 CMR 10.58 – Riverfront Area

The locus is not within a riverfront area. No disturbance within a riparian zone is proposed.

310 CMR 10.59 – Estimated Habitats of Rare Wildlife

The project area is not within a Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife, as shown in the August 2017 Massachusetts Natural Heritage Mapping.

Erosion Control and Mitigation

Mitigating measures for this project include the installation of fiber rolls as shown on the plan and details. The erosion controls shall be installed downhill of the proposed development area to provide sediment removal. All disturbed areas shall be loamed and seeded. All slopes greater than 4 to 1 shall be mulched.

Erosion controls shall be installed prior to any disturbance on the site. Erosion controls shall be maintained until the Palmer Conservation Commission approves removal of the controls.

Alternative Analysis

An "Alternative Analysis" has been prepared for proposed work within the 100-foot of the wetland buffer. This alternative analysis includes alternatives to the proposed construction of the underground stormwater management system, parking lot, and retail building.

As shown on the plan, a wetland element is delineated south and north of the property. The proposed work is located within the limits of the existing development and earth fill from the construction of the Mass Pike. Approximately 23,780 square feet within the 100-foot buffer area will be disturbed during the process of constructing the retail facility parking lot. The work will include placement of erosion controls at the limit of the tree pruning, debris removal, final grading, loam and seeding of the disturbed area. The proposed development results in the conversion of 2,407 square feet of impervious gravel surface within the 100-foot buffer area to low impact lawn.

An alternative approach is to fill a portion of the wetlands to construct a more compact efficient parking lot. This option will reduce the actual impervious surface within the 100-foot buffer area. This alternative will not reduce the disturbance within the 100-foot buffer area and require a wetland fill.

Based on the considerations for the site development as listed above, we feel there was no practicable and substantially equivalent economic alternatives to the proposed parking lot construction included in this project with less adverse effects on the Wetland Resource Areas.

Don Frydryk of Sherman & Frydryk was present at tonight's meeting. Sherman & Frydryk are the surveyors and site engineers of the project for Altitude Organic located at 1235 Thorndike Street in Palmer. The applicant is Altitude Organic Corporation and the owner of the property is New England Recreation and Health. The relative location of the project on Thorndike Street is just north of the Massachusetts Turnpike in the former Al's Cycle Shop building. The applicant is proposing redevelopment of the existing site into a retail marijuana sales facility. The existing conditions plan highlights a wetland to the south of the site and a wetland to the north of the site about in the middle of the property in terms of the property boundary lines. Their proposal is to remove the existing building at the front of the site and redevelop/remodel the existing building that's on and along the southerly side of the turnpike. They are also proposing a parking lot which will include 28 paved parking spaces along with 3 gravel employee parking spaces which is on the south easterly corner of the site. The entrance will remain off Thorndike Street and will have an 'in lane' as well as a 'left and right turn lane' onto Thorndike Street; approximately in the same area where the entrance is now.

Town water and sewer are available at the site; they've shown a new water line and proposed to reuse the sewer line. They have a closed drainage system; the drainage includes the entire paved area; there's an inlet on the south westerly corner of the parking lot, one towards the center of the parking lot, and one in the north westerly corner of the parking lot which all flow into a water quality unit before it's infiltrated in an underground infiltration system. If the system gets over a 100-year storm it overflows

out of the lower left catch basin and will flow overland along the bottom of the proposed parking lot into that inlet and then outlets back to the wetland to the north, so that the overflow does not flow to the street. Using the 3 inlets to the subsurface infiltration the water quality/drainage report shows a balanced preimposed flow within the site and was reviewed by the Planning Board's consultant and was approved as fully compliant with the stormwater management policy. As far as the wetlands go; they have no impact on Bank, they have no impact on Bordering Vegetated Wetlands (BVW), there is no Bordering Land Subject to Flooding (BLSF) on the site, there is no Riverfront Area on the site, and there is no Natural Heritage and Endangered Species on the site. The site is currently developed almost up to the wetland border/boundary in all places and there is already development within the 50-foot buffer (Buffer Zone); they are proposing to continue (to do) that with their proposed parking lot and the other development items. They have proposed to surround the property with erosion control; more specifically they are proposing to use straw wattles around the entirety of the property.

Dorothy Lawrence asked if they were discharging directly into the wetland and if it is just overflow that's going into the wetland. Don Frydryk answered correct; everything else is infiltrated. Peter Izyk asked if there is or was a brook somewhere buried from the turnpike, or if it is off the property. Don Frydryk believes what happened is that the turnpike filled through the brook that was there and stated that they found no evidence of a culvert connecting either one of the wetlands or out of the wetlands to the southerly side of the turnpike. He added if you look at the current USGS map, it doesn't show a stream in the area and it only shows one to the south. He believes what happened is that when the turnpike came through, there may have been a stream there at one point, but they filled over it.

The Agent's one concern with the alternative analysis and the stormwater is she feels other LID or green infrastructure/techniques could be applied to the site, given its close proximity to resource areas. She stated it would be a great project to maybe include impervious surface, bioretention cells, or raingardens in lieu of the overflow. Don Frydryk responded that part of the issue they have with the site is that it's very compact, therefore it does leave a very limited area; LID techniques would actually require a lot of space outside of the parking area; they're at the minimal amount of parking required under the Zoning Ordinance; if they had to make more room for bioretention areas or constructed wetlands or anything that would be associated with the LID he thinks they would quickly run out of space and would get even closer to the wetlands with some of that; part of the reason they went entirely with an infiltration system and not any direct outflows to the wetlands is that they felt they were improving the existing condition. The Agent stated that they still have a new point source within a jurisdictional area. Don Frydryk stated absolutely, but that it's only overflow and only if it's over a 100-year storm. The Agent said under the guidance it always says that an alternative analysis should be provided to include environmentally site designs and evaluate alternatives in which no point source or no stormwater discharge occurs. Don Frydryk said he's not sure if the overflow is considered a point source because it will only happen over a 100-year storm.

The Agent commented that the overflow would have already happened six times this year and even with the overflow, it's 3-feet away from the wetlands, so how can they ensure that there's not going to be scour or erosion. Don Frydryk commented that stormwater management is required to be shown up to a 100-year storm, which theirs does and it maintains the flows for pre and post development for a 100-year storm. The Agent added again how can they demonstrate that the overflow with the velocity of the given storms isn't going to scour or cause impacts to the wetland that's 3-feet away. Don Frydryk said they can certainly show an analysis of what the velocities would be there and if it's underneath 2.5-feet per second then it meets the requirement. He added they can certainly do the analysis, but they would have to analyze it for over a 100-year storm because it barely overflows during a 100-year storm. The Agent said she would like to see that analysis because she is skeptical that the project as proposed will

not result in wetland impacts. The Agent also had a question in regard to the fees; there should be a fee paid for the new discharge point. Don Frydryk said he will have to look into the regulations or talk to Mark Stinson because he doesn't know if an overflow is considered a discharge or not or if it's only an overflow of a 100-year storm. The Agent said she's always interpreted it as if it's a new pipe it's a new discharge regardless of how often it discharges, because it will still discharge at some point.

Peter Izyk said the previous use of the site was more detrimental to the wetlands than this current proposal is. The Agent asked what the roofs will be in for clarification that they wouldn't be installing metal roofs. Michael Marciniak said it's a balance of what you do require or don't require because the previous site use was a motorcycle repair shop without any stormwater or wetlands review, therefore this new site proposal is an improvement and much more beneficial to the environment. He also made a comment about the construction of permeable pavement because he believes when the company comes in they won't want to comment on it or want to deal with the liability of it based on the adjacent and close proximity to the wetlands. Don Frydryk said that if it was a sandy site away from wetlands and if it could seep into the underlying soil then they believe it would be much more of an issue that would require permeable pavement. He added the idea of permeable pavement is great, but that it may not be necessary for this type of site. Dorothy Lawrence asked about the planned location for storage of snow removal. Don Frydryk answered it would be in the southwest corner, back towards the employee parking. The new building has to stay within the same foot print because it's a nonconforming structure.

**Motion made by Dorothy Lawrence to continue the public hearing to January 22, 2019 at 7:00 pm.
Seconded by Nicholas Zeo.
No further discussion – 5-0-0 – Motion Carries.**

b. 7:00 PM Notice of Intent (NOI) DEP #256-0337: Palmer DPW Bulk Permit Road Maintenance – All Town Roads (Road ROW)

The applicant is requesting an Order of Conditions for proposed work on all Town owned roads in Palmer, MA (Road ROW). Work will include, but not be limited to: Maintenance and repair of existing roadways, vegetation removal, sediment removal, and replacing/repairing existing drainage structures.

Maintenance of all town roads: cutting of vegetation along the roadway right of way that have historically been cut, grading and maintenance of gravels roads, cleaning of drainage ditches, and settling pools, road side edging, cleaning and replacements of catch basins, cleaning and replacements of culverts, and paving.

Gerry Skowronek, DPW Director, was present at tonight's meeting. The Palmer DPW Bulk Notice of Intent (BNOI) is essentially a 5-year maintenance plan that the DPW organizes together with the help of the Agent. Gerry Skowronek said lately they've been doing a lot of roadway clearing, tree removal, digging swales out, as well as looking for areas that are starting to get filled in and getting those cleared out in order to keep the water off the roads. He added we haven't had a lot of snow this year, but they have been sanding and salting because of the high amount of rain we've had causing groundwater to be at an all-time high, therefore they are taking the proper steps to prevent the icing of the water puddling within the roadways.

- The objective of this Order is to achieve an operation and maintenance plan, streamline permitting requirements, and ensure that all maintenance work near wetlands and water bodies strictly adheres to regulatory performance standards and results in minimal disturbance of natural areas.

- The Natural Heritage and Endangered Species Program of the MA Division of Fisheries & Wildlife has determined that this project, as currently proposed 18-38298, **will not result in a prohibited “take”** of state-listed rare species (12/13/2018). Any culvert work or bridge repairs require a separate MESA filing.
- The DPW shall maintain and annually submit a tracking sheet to the Conservation Commission for the work done under this Order of Conditions.
- Work under this Order shall only occur in Buffer Zone, Bordering Land Subject to Flooding and/or Riverfront Area as defined in 310 CMR 10.04.
- Any stream crossing/culvert replacement requires a separate Notice of Intent filing and is required to meet the current 2014 stream crossing standards to the maximum extent practicable.
- This permit shall be valid for five (5) years

Work May Occur Within:

Riverfront Area

Land subject to flooding

Channels under no-flow conditions.

100-foot buffer zones

Work May **NOT** Occur Within:

Bordering Vegetated Wetlands (BVW)

Jurisdictional Banks (of ponds, lakes, streams, creeks, rivers)

Lands Under Water bodies (ponds, lakes, perennial streams, creeks, and brooks)

Stormwater Management Standards:

The following project types are examples of activities, which constitute redevelopment, and are permit as replacement of existing structures:

Road grading and resurfacing, limited to existing road widths

Replacement of culvert(s) that are used for the conveyance of storm water as long as the culvert does not increase or decrease in diameter

Catch basin replacement with a deep sump, hooded catch basin

Replacement/repair of stone or vegetated water quality swales, drainage ditches and channels

- Projects to be conducted under a Bundled Order of Conditions
- Road surface grading and resurfacing, including change of surface from gravel/dirt to oil & stone or pavement
- Repair of road surface deterioration (potholes, etc.)
- Ditch, and water quality swale, maintenance and grading; cleaning; mowing; replacement and repair of stone/vegetation of these structures; maintenance of water quality swales/drainage ditches/channels
- Permanent and temporary (stone, straw bale, silt fence) check dam construction and maintenance within existing ditches/swales
- Catch basin cleaning
- Planting of vegetative strips (native species only)
- Projects to be conducted under a Bundled Order of Conditions
- In-kind culvert replacement (only during no-flow conditions; no by-pass pumping, same length of pipe; same inverts; no increase/decrease in culvert diameter)
- Culvert end wall repair/replacement

- Culvert replacement within constructed drainage systems where the culvert is designed primary for the conveyance of stormwater and where the protection of fish, salamanders or other local wildlife is not required.
- Cleaning of existing culverts in no-flow conditions
- Maintenance and repair of structural conveyances and appurtenant structures such as headwalls, wingwalls, splash pads, etc., including removal of recent culvert/bridge blockages
- Removal of storm debris from stormwater structures conveyance structures
- Repair of turnouts (turnouts are extensions of ditches that direct water to filtering areas)
- Repair/maintenance of rock aprons/splash pad/plunge pools
- Repair/maintenance of rip-rap channels
- Repair, maintenance, and cleaning of beaver deceivers and associated structures.
- Vegetative embankment stabilization (seeding; hydroseeding; mulching) if related to a maintenance project
- Planting of native vegetation to stabilize embankments (e.g. trees and shrubs; bioengineering techniques including live fascines, wattles, bundles, live stakes, brush layering, plant plugs, etc.)
- Pruning of vegetation that is encroaching within road layout
- Grading of slopes, if related to maintenance project
- Cleaning and maintaining bridge decks and bridge abutments (including mortaring and pointing)
- Stone wall repair
- Jute mats/erosion control blankets/straw mulch/geotextile/silt fence/straw bale installation if related to maintenance project
- Level spreader repair/maintenance
- Waterbar installation and repair within existing road footprint
- Maintenance of extended detention basin
- Maintenance of water quality inlets/deep sump catch basins
- Cleaning/maintenance of sediment traps (forebays)
- Roadside sign and guardrail replacements

Projects **Not Permitted** under a Bundled Order of Conditions

- Projects undertaken within areas with a higher potential pollutant load (as described in Standard 5 of the MA Stormwater Policy)
- New roads
- Construction of new ditches (water conveyance for storm runoff)
- Conversion of grassed ditch/swale to stone or pavement
- New Stone riprap ditch/swale
- Construction of new berms (to intercept surface runoff)
- New culverts
- Culvert replacement in perennial streams or intermittent streams during non no-flow conditions.
- Any activity which will require bypass pumping
- New turnouts
- New rock aprons/splash pads/plunge pools
- Planting of non-native vegetation
- Grading in preparation for projects requiring individual NOI
- Gabion basket/cribwall installation
- Bridge deck replacement or widening of bridges
- Permanent and temporary sediment traps
- New level spreaders
- Subsurface drains
- Herbicide treatment

Work Protocol

Submission of Project List: The Department of Public Works shall submit a written list of the projects proposed for the upcoming years. The Conservation Agent shall review the project list based on the following Work Protocol.

Evaluation of Sensitive Areas: The Conservation Agent shall review the project sites and applicable documentation to verify that the project is not within

- An area of Estimated Habitat of Rare Wildlife and Certified Vernal Pools.
- An Area of Critical Environmental Concern
- Perennial Stream
- Outstanding Resource Water
- Priority Habitats and Estimated Habitats Map Effective August 1, 2017
- Massachusetts Department of Environmental Management list of Areas of Critical Environmental Concern
- USGS Quad Map
- Work Protocol

On-Site Meeting: The Conservation Agent and the Highway Department Superintendent shall meet at the individual sites at a mutually agreed upon time to review the proposed work activity and resource areas prior to any work beginning.

- The delineation and flagging of the resource area boundary shall be performed by the Conservation Agent.
- At the onsite meeting the Conservation Agent
- At the on-site meeting the Highway Department shall present the erosion control plan as submitted in the BNOI work activity narrative.

Public Notification: The public shall be notified of the time and date of a Public Hearing to review the projects proposed by the DPW each year. The new projects must follow the Bundled Order of Conditions and must meet the criteria for inclusion in the BNOI. The work protocol shall be followed to track and monitor the projects.

- Work Protocol

Notification of the Conservation Agent: The Highway Department Superintendent shall notify the Conservation Agent by telephone within 48 hours prior to the anticipated start of work on any project included in this BNOI. The Conservation Agent shall be informed of the project location, project tracking number, anticipated commencement time and completion time.

Site Review at Start of Work: The Conservation Agent shall visit the site prior to work in order to ensure that erosion controls have been properly installed and that all criteria of the BNOI have been met. The Conservation Agent shall determine if there are any reasons why the work should not proceed at the given time (weather conditions, etc.). If so, the Agent shall notify the Highway Department prior to the start of work.

Project Completion Review: The specific project description shall include the length of time required to complete the project. Upon completion of the project the Conservation Agent shall inspect the site for proper procedure and stability of the disturbed soils.

- Work Protocol

Erosion and Sediment Controls: The Highway Department shall have adequate erosion and sediment controls available at all times while on any of the job sites included under the Order of Conditions. This refers to having additional straw bales and/or silt fence in close proximity or on site during work. At the Conservation Agents discretion, additional sediment and erosion control may be requested at any time on a site specific basis.

Stockpiled Materials: Any stockpiled materials such as soils, mulch, or equipment shall be stockpiled within the road right-of-way. All unused materials shall be removed from the site promptly. Any materials to remain on site overnight shall be properly covered and surrounded by a straw bale barrier or otherwise protected from potential erosion.

Site Stabilization: The site and disturbed soils shall be returned to the original conditions or improved conditions as proposed by the Highway Department and approved by the Conservation Agent. Erosion and sediment control measures shall remain in place until vegetation has been reestablished on sites with a potential for erosion into resource areas. The Conservation Agent shall notify the Highway Department at the time at which erosion controls shall be removed.

Formal Approval of Work by Conservation Agent: At the regularly scheduled meeting of the Conservation Commission the Agent shall include an inspection report. Given the nature of the BNOI, no Certificate of Compliance will be issued. The Conservation Agent shall endorse its approval of the individual work activity in the meeting minutes.

MESA Requirements

According to the Massachusetts Endangered Species Act (MESA) the work activities included in the BNOI are exempt from the requirements of (321 CMR 10.18 through 10.23).

As stated in MESA “the maintenance, repair or replacement, but not widening, of existing paved roads, shoulder repair that does not exceed 4 feet from an existing travel lane, paved driveways, and paved parking areas, but not including parking areas on barrier beaches, coastal beaches, coastal dunes, or salt marshes, as defined by the Massachusetts Wetlands Protection Act (c. 131 § 40 and 310 CMR 10.00), and not including actions that are likely to result in changes in storm water drainage” shall be exempt from the requirements.

- Activity must be associated with the repair, replacement or maintenance of existing, properly maintained stormwater detention basins or other stormwater management systems
- Activity must be within 4ft of a paved traveled lane and not resulting in an increase of pavement. Any work **outside** 4ft from the traveled lane, or increase in pavement will require a MESA filing.

Motion made by David Cotter to close the public hearing at 7:42 pm.

Seconded by Peter Izyk.

No further discussion – 5-0-0 – Motion Carries.

- c. 7:00 PM Notice of Intent (NOI) DEP #256-0336: Forest Lake Seasonal Cottages – Off River Street & Forest Lake Road (Map 36-86, 31-1-1, 30-11-5)

The applicant is requesting an Order of Conditions for proposed site development of a Seasonal Cottage Resort with lake front amenities; including the construction of canoe/kayak launch & beach restoration. Work is proposed within Forest Lake, within the Riverfront Area of the Ware River and associated buffer zones.

Motion made by David Cotter to continue the public hearing to January 22, 2019 at 7:30 pm.

Seconded by Dorothy Lawrence.

No further discussion – 5-0-0 – Motion Carries.

9. **Requests for Certificate of Compliance:** No Requests for Certificate of Compliance.

10. Project Monitoring

- a. DEP #256-0331: 271 Breckenridge Street Solar

The applicant dug a 3-foot deep trench along the road. The Agent stated it's an illicit discharge to a municipal system and DPW would fine if need be. She mentioned water is still escaping and running

off, as well as the fact that it's a stormwater violation and not a wetlands violation. The Agent believes they need to build up the berm more in order to contain the water with a higher barrier. She added they have the option to dig it deeper and add more rock or add earthen/dirt piled up. The Agent said it's stopping dirt and sediment, but it's a safety hazard because of the icing that will occur on the roadway causing a high safety risk.

b. DEP #256-0324: Upper Bondsville Dam

The Agent stated work is done on our side, but not on the Belchertown side. The dry hydrant is done, which is an improvement for use, since we didn't get the canoe/kayak portage. They still have to get grass growing in the spring.

c. L12 River Street Solar

The Agent stated they asked for a final and she said no, not until they finish the work that she had requested they complete in order to get a final approval.

11. Violations & Enforcement

a. DEP #256-0312: MA DOT Turnpike

The Agent was hoping to have an update today, but she did not receive any update whatsoever.

b. Enforcement Order – DEP #256-0332: L12 Breckenridge

The Agent lifted the stop work order on Friday. She added the restoration work has been completed. The Conservation Commission will have to investigate the mysterious green color in the water found on site immediately.

c. L65 Bennett Street

The Agent sent L65 Bennett Street a violation notice because they cut about 20 or more decent sized trees.

**Motion made by Dorothy Lawrence to authorize the Agent to issue an Enforcement Order for L65 Bennet Street to be ratified at the next Conservation Commission meeting on January 22, 2019.
Seconded by David Cotter.
No further discussion – 5-0-0 – Motion Carries.**

12. New/Old Business

a. Trail Grant Update – Gazebo

The Conservation Commission received a building permit for the gazebo. The Agent still can't get a hold of the gazebo guy in order to schedule a site visit, which we need so that we know what to do to prep the site in preparation for the gazebo construction. The gazebo guy already cashed the check too.

b. MVP Community Resilience Building Workshop Friday 2/1/2019 at 8:00 am

Members of the Conservaiton Commission will be getting formal e-mail invitations from the Town Manager soon in regard to the MVP Community Resilience Building Workshop scheduled for 2/1/2019.

c. Other Grants Updates

The Agent said any day now the DCR will announce the receipients of the LAND Grant funding.

d. FY 2020 Budget Request

The Agent stated the only thing we are going to increase is the Expense Account because of having so many new members, more specifically having a full board with the majority being new members. She added the plan is to double the Expense Account from \$1,500 to \$3,000 in order to compensate for the increase in conference and training costs that will be accrued.

e. MACC Annual Conference 3/2/2019

The MACC Annual Spring Conference will be held 3/2/2019 at Holy Cross in Worcester, Massachusetts. Save the date. The Agent will run a workshop; MS4.

f. Notes

There will be a Conservation Commission Booth for TRAC in Three Rivers.

The Agent applied for a grant; 'Neighborhood Outreach Pilot Project.' The Grant Request was sent in to Paul Catanzaro of UMass Amherst for a BBQ & T-Shirts for Midura.

13. Office Closed: Wednesday, January 9, 2019.

14. Set Next Meeting Date: Tuesday, January 22, 2019 @ 6:30 pm.

15. Meeting Adjourned: 8:41 PM

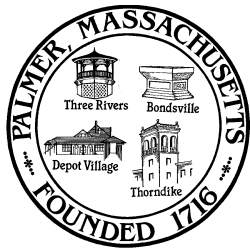
Motion made by Dorothy Lawrence to adjourn at 8:41 PM.

Motion was seconded by Peter Izyk.

No further discussion – 5-0-0 – Motion Carries.

Sincerely Submitted,

Jeff Stanhope
Palmer Conservation Assistant



TOWN OF PALMER CONSERVATION COMMISSION

Meeting Documents

Tuesday, January 8, 2019 – 6:30 PM

LOCATION: Town Administrative Building Meeting Room

Donald Blais, Chair
David Cotter, Vice Chair
Peter Izyk
Nicholas Zeo
Brenda Cole
Dorothy Lawrence
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.	Approval of Meeting Minutes: 1/8/2019	Approval of Meeting Minutes	Retained in 2019 Minutes binder in office
2.	FEMA Watershed Study Notification	Review Mail/Phone Messages	Retained in 2019 Mail in office
3.	Forest Cutting Plan Review: 37 Juniper Drive	Review Mail/Phone Messages	Retained in Forest Cutting Plans by Street in office
4.	National Grid: 2019 Yearly Operational Plan Public Notice	Review Mail/Phone Messages	Retained in 2019 Mail in office
5.	Forest Lake: Complaint & Public Records Request	Review Mail/Phone Messages	Retained in file for DEP # 256-0336
6.	Notice of Intent (NOI), site plans & associated documents: DEP # 256-0338 – 1235 Thorndike Street (Map 73-58); Altitude Organics	Schedule of Public Meetings & Hearings	Retained in file for DEP # 256-0338
7.	Notice of Intent (NOI), site plans & associated documents: DEP # 256-0337 – Palmer DPW Bulk Permit; Road Maintenance	Schedule of Public Meetings & Hearings	Retained in file for DEP # 256-0337
8.	Notice of Intent (NOI), site plans & associated documents: DEP # 256-0336; Forest Lake Seasonal Cottages – Off River Street & Forest Lake Road (Map 36-86, 31-1-1, 30-11-5)	Schedule of Public Meetings & Hearings	Retained in file for DEP # 256-0336
9.	Monitoring Reports: DEP # 256-0331; 271 Breckenridge Street (Map 19-60)	Project Monitoring	Retained in file for DEP # 256-0331
10.	Monitoring Reports: DEP # 256-0324 – Upper Bondsville Dam	Project Monitoring	Retained in file for DEP # 256-0324