

TOWN OF PALMER CONSERVATION COMMISSION

Meeting Minutes

Tuesday, November 5th, 2019 – 6:30 PM

LOCATION: Town Administrative Building Meeting Room

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.
David Cotter
Peter Izyk
Nicholas Zeo
Dorothy Lawrence
Brenda Cole
Angela Panaccione, Conservation Agent
Sarah Fortune, Conservation Assistant

Members Absent: Dorothy Lawrence
Mike Swiatek

Also Present: None

1. **Call to Order:** 6:36 PM – Donald Blais, Jr. (Chair)

2. **Chair, Member & Committee Reports:**

a. 11/2/19 Workday at First Street with BSA Troop 164

Donald Blais, Jr., Dave Cotter, Nicholas Zeo and Peter Izyk attended the workday with BSA Troop 164 at the unversally accessible loop trail off First Street in BondsVille on Saturday, 11/2/2019 from 8 AM to 3 PM. The work consisted of spreading mulch to a depth of 6-inches along the inside of the loop trail to suppress the growth of Poison ivy. Work was also done to the parking area to reduce the drop off between the edge of the parking area and trail area.

b. Community Gardens

The Agent reported that there is renewed interest in developing a community garden in Palmer, and that there are two (2) meetings scheduled to discuss this initiative with the public. The meetings are scheduled to occur on 12/10/2019 and 12/12/2019 at 6 PM. The community garden will likely be located in the cul-de-sac at First Street in BondsVille due to existing utilities such as water and electricity.

c. Board reorganization

The PCC discussed reorganization of the board, which has not happened in several years. Donald Blais, Jr. expressed his interest in continuing to serve as Chair. David Cotter expressed his interest in stepping down from the Vice Chair position. Dorothy Lawrence, although not present at the meeting, expressed her interest in serving as Vice Chair.

Motion made by Nicholas Zeo to appoint Dorothy Lawrence as Vice Chair of the PCC

Motion seconded by Peter Izyk

No further discussion – 5-0-0 – Motion carries

3. Review Mail/Phone Messages

a. Elms College land donation

Elms College has offered to donate a 16-acre parcel of land located off Baptist Hill Road to the PCC. The PCC can accept the donation in lieu of payment of property taxes, which has not recently been paid on this property due to the possible donation.

Motion made by Peter Izyk to accept the donation of 16-acres of land off Baptist Hill Road from Elms College in lieu of payment of property taxes

Motion seconded by Brenda Cole

No further discussion – 5-0-0 – Motion carries

b. Flynt Street land donation

The family of long-time Conservation Commission Chair David Johnson has offered to donate a 36.49-acre parcel of land off Flynt Street to the PCC. This parcel of land is identified as a priority parcel for acquisition in the Open Space and Recreation Plan due to its cultural and environmental resources such as a “quaking bog” (which shakes when stepped on). The PCC would likely install a kiosk or a bench to memorialize David Johnson’s work for the PCC. The PCC would continue to allow the Johnson family to access the land for hunting purposes.

Motion made by Peter Izyk to accept the donation of 36.49-acres of land off Flynt Street in honor of David Johnson

Motion seconded by David Cotter

No further discussion – 5-0-0 – Motion carries

c. 292 Emery Street land donation

The property owner of 292 Emery Street has offered to donate the property to the PCC due to the inability to develop the parcel due to a lack of road frontage. The property is approximately 16.36-acres in size.

Motion made by Brenda Cole to accept the land donation of the property located at 292 Emery Street

Motion seconded by David Cotter

No further discussion – 5-0-0 – Motion carries

d. Baltazar FCP

The PCC received an a letter regarding the harvest of the Baltazar property off Old Warren Road, informing them that additional wetlands have been added to the forest stand and harvest boundary map and that more wetlands are proposed for harvest. The PCC has not received a response to the initial comments made on the FCP. The forest stand and harvest boundary map still depicts a skid trail connecting private properties that have no obvious purpose with respect to the timber harvest. Harvesting is also proposed in wetlands that abut PCC land at the base of an extremely steep slope without any clear consideration for preventing erosion and sedimentation of the wetlands during harvest.

e. FEMA letter

FEMA will be conducting a hydrologic study of most Palmer to review flood risk hazards for the purpose of updating flood zone mapping. The hydrologic study is the result of the amount of input provided to FEMA by the Agent in response to their request for information on flood risks in town.

4. New/Old Business

a. MVP Grant

The MVP grant application to apply for funding for the engineering and design of the Route 181 culvert replacement project is due on 11/14/2019. Culvert assessments conducted with volunteers through the North Atlantic Aquatic Connectivity Collaborative (NAACC) will constitute the match portion of the grant application. The Agent and the Assistant will be conducting culvert assessments through NAACC throughout the fall because of a lack of vegetation and low-flow conditions are ideal for identifying and assessing road-stream crossings.

5. Approval of Minutes

a. 10/15/2019

Motion made by Nicholas Zeo to approve the meeting minutes from 10/15/2019 as amended

Motion seconded by Peter Izyk

No further discussion – 5-0-0 – Motion carries

6. Approval of Payables

a. Big Y: \$40.75

Motion made by Brenda Cole to approve the payable to Big Y in the amount of \$40.75 from the ordinance account

Motion seconded by Peter Izyk

No further discussion – 5-0-0 – Motion carries

b. United Rentals: \$108.00

Motion made by Nicholas Zeo to approve the payable to United Rentals in the amount of \$108.00 from the ordinance account

Motion seconded by Peter Izyk

No further discussion – 5-0-0 – Motion carries

c. Squires: \$202.52

Motion made by David Cotter to approve the payable to Squires in the amount of \$202.52 from the ordinance account

Motion seconded by Nicholas Zeo

No further discussion – 5-0-0 – Motion carries

d. Mileage: \$182.70

Motion made by Peter Izyk to approve the payable to Angela Panaccione for mileage in the amount of \$182.70 from the ordinance account
Motion seconded by Brenda Cole
No further discussion – 5-0-0 – Motion carries

- e. Mileage: \$82.94

Motion made by Brenda Cole to approve the payable to Donald Blais, Jr. for mileage in the amount of \$82.94 from the ordinance account
Motion seconded by Nicholas Zeo
No further discussion – 4-0-1 – Motion carries (Donald Blais, Jr. abstained)

7. Signing of Documents (DOA, OOC, COC, Ext., Etc.)

- a. Ratify Emergency Permit: CSX beaver dam removal

The Agent issued an Emergency Certification to CSX for the removal of a beaver dam that was undermining railroad tracks and posing a threat to public health and safety on 10/31/2019.

Motion made by David Cotter to ratify the Emergency Certification issued to CSX on 10/31/2019 for the removal of a beaver dam posing a threat to public health and safety
Motion seconded by Peter Izyk
No further discussion – 5-0-0 – Motion carries

- b. Request for Certificate of Compliance: DEP # 256-0169 – Breton Estates, 29 Cedar Hill Street

The Agent conducted the final inspection of 11/5/2019 and found that the site was in substantial compliance with the Order of Conditions. The PCC would issue a partial Certificate of Compliance to release 29 Cedar Hill Street, and the remainder of the subdivision will continue to be regulated under the Order of Conditions.

Motion made by David Cotter to issue a partial Certificate of Compliance for DEP # 256-0169 for 29 Cedar Hill Street
Motion seconded by Peter Izyk
No further discussion – 5-0-0 – Motion carries

8. Project Monitoring

- a. DEP # 256-0327: 24 Third Street

The Agent reported that the wetland restoration and replication areas have been constructed at 24 Third Street but that the final inspection will wait until the spring of 2020 because it is too late to identify wetland vegetation and confirm the success of the restoration and replication work.

9. Violations & Enforcement

- a. DEP # 256-0248: Quaker Lane, Flynt Street

Work continues to occur on Quaker Lane off Flynt Street although the Order of Conditions for this project expired on 9/28/2018. The Riverfront Area mitigation has not occurred and the PCC has not yet been provided

with land for a Conservation Restriction, both of which were required actions incorporated into the Order of Conditions.

Motion made by Nicholas Zeo to issue an Enforcement Order for DEP # 256-0248 for Quake Lane off Flynt Street for working under an expired Order of Conditions

Motion seconded by David Cotter

No further discussion – 5-0-0 – Motion carries

b. DEP # 256-0257: Condominiums at Knox Pond

The PCC received a construction monitoring reported dated 10/4/2019 pertaining to ongoing work at the aforementioned project site. The applicant requested an extension of the Order of Conditions which was denied by the PCC in January of 2019 yet the applicant continues to work under an expired Order of Conditions. The project is an earth removal operation to develop a subdivision and is located across from the cemetery next to Converse Middle School off of Route 32.

Motion made by Nicholas Zeo to issue an Enforcement Order for DEP # 256-0257 Condominiums at Knox Pond for working under an expired Order of Conditions

Motion seconded by David Cotter

No further discussion – 5-0-0 – Motion carries

c. DEP # 256-0312: MA DOT I-90 Ramps

The I-90 ramps have been stabilized and all required plantings have been installed. The PCC continues to receive complaints regarding sediment washing into culverts adjacent to the I-90 ramps although the ramps are stabilized.

d. 21 Robinson Road

The Agent reported that a road has been constructed at 21 Robinson Road without required permits and approvals, such as a land disturbance permit or a curb cut permit from the DPW. The construction of the road may also constitute a wetlands violations due to the proximity of nearby wetland resource areas, but the extent of that aspect of enforcement has yet to be determined. The Agent will update the PCC on the status of possible wetlands violations on site at the next meeting. The PCC is conducting joint enforcement with the DPW for this violation.

e. 115 Burlingame Road

The property owner did not obtain a land disturbance permit prior to the start of work which has now resulted in stormwater violations. A stop-work order has been issued to the property owner.

f. 205 Peterson Road

The property owner did not obtain a land disturbance permit prior to the start of work which has now resulted in stormwater violations. A stop-work order has been issued to the property owner.

g. 166 Peterson Road

There is no update on this enforcement issue.

10. Schedule of Public Meetings & Hearings

No public hearings or meetings scheduled.

11. New/Old Business

a. Forest Lake Site visit with Department of Fish & Wildlife

The PCC conducted a site visit to the Kerrigan property off Forest Lake with the Department of Fish & Wildlife on 11/7/2019. The site visit was conducted in preparation for the public hearing on the Notice of Intent submitted for the demolition of the houses and associated facilities on the Kerrigan property.

b. 604(b) Grant

The contract and scope of work for the 604(b) grant to fund a watershed study of Forest Lake has now been finalized. The watershed study will commence in the spring of 2020.

c. Tree City USA

The Agent will attend an upcoming Town Council meeting on 11/18/2019 to request that they adopt the Shade Tree Ordinance, which is the final component of the Tree City USA program. It is possible that the PCC's local forest management policy could be used in place of the Shade Tree Ordinance if Town Council does not adopt the Shade Tree Ordinance.

12. Set Next Meeting Date

The next meeting of the Palmer Conservation Commission is scheduled to occur on Tuesday, November 19, 2019 at 6:30 PM.

13. Office Closed

The Agent will be on vacation from 11/25/2019 to 11/29/2019. The office will close for Thanksgiving from 11/27/2019 to 11/28/2019.

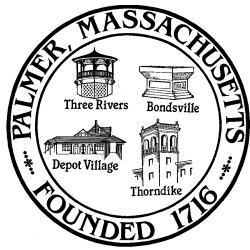
14. Meeting Adjourned: 7:48 PM

Motion made by Brenda Cole to adjourn at 7:48 PM

Motion was seconded by Nicholas Zeo

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

Sincerely Submitted,
Sarah A. Fortune
Palmer Conservation Assistant



TOWN OF PALMER CONSERVATION COMMISSION

Meeting Documents

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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.	Meeting Minutes: 10/15/2019	Approval of Minutes	Retained in 2019 minute binder in office
2.	Ratify Emergency Permit: CSX; beaver dam removal	Signing of Documents	Retained in 2019 Emergency Certification file for CSX
3.	Request for Certificate of Compliance: DEP # 256-0169 – Breton Estates; 29 Cedar Hill Street	Signing of Documents	Retained in file for DEP # 256-0169
4.	Issue Enforcement Order: DEP # 256-0248 – Condominiums at Knox Pond	Signing of Documents	Retained in file for DEP # 256-0248
5.	Issue Enforcement Order: DEP # 256-0257 – Condominiums at Knox Pond	Signing of Documents	Retained in file for DEP # 256-0257