



# TOWN OF PALMER CONSERVATION COMMISSION

## Meeting Minutes

Tuesday, March 6<sup>th</sup>, 2018 – 6:30 PM

Donald Blais, Chair  
David Cotter, Vice Chair  
Peter Izyk  
Nicholas Zeo  
Brenda Cole

Angela Panaccione, Agent

**Members Present:** Donald Blais, Jr.  
David Cotter  
Peter Izyk  
Nicholas Zeo  
Brenda Cole

**Members Absent:**

**Also Present:** Robert Natario, MA DOT  
Brian Nunes, Sherwood Lumber  
Tommy McLean, Sherwood Lumber  
Tim Lemire, GPI  
Ray Lavoie, GPI

1. **Call to Order:** 6:30 PM – Donald Blais, Jr (Chair)
2. **Chair, Member & Committee Reports:**
  - a. **Chairman's Report:** Chairman Donald Blais, Jr would like to thank the Belchertown Conservation Commission for hosting our joint hearing last Monday February 26, 2018.
  - b. **Midura offer:** – Dave Cotter to schedule a cleanup day & volunteer appreciation day with Pizza.
3. **Review Phone/Mail/Email Messages:**
4. **Public Inquiries:** None
5. **Approval of Minutes: February 6, 2018**

Motion made by David Cotter to approve the minutes from February 6, 2018

Motion seconded by Peter Izyk

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

6. **Approval of Payables:** None
7. **Signing of Documents (DOA, OOC, COC, Ext, Etc.):** None
8. **Schedule of Public Hearings:**
  - a. **7:00PM Notice of Intent (NOI) DEP #256-0331: 271 Breckenridge Street (Map 19-60, 61 & 62) – Borrego Solar:** The applicant has submitted a Notice of Intent for a 6.4 MW Solar Array where the work associated with the installation of it is subject to the WPA & PWO.

Donald Blais opened the public hearing on the NOI at 7:00pm. The project as currently proposed is located outside of all resource areas and does not propose any buffer zone disturbance, but due to the Commission's concerns with the accuracy of the wetlands delineation on site as well as the presence of potential vernal pools on site the applicant elected to withdraw their previous Request for Determination (RDA) filing and proceed with an NOI instead. The Commission will conduct a site inspection to verify

the resource area delineations on March 2, 2018 and has continued the public hearing for the NOI until Tuesday March 6, 2018 at 7:00pm.

Steve Long, of Borrego Solar requested a continuance of the Public Hearing until March 20, 2018

A Site Visit has been scheduled for 10am on Friday March 16, 2018

**Motion made by David Cotter to continue the Public Hearing until 7:00pm on Tuesday March 20, 2018**

**Motion seconded by Peter Izyk**

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

**9. Certificates of Compliance (COC): None**

**10. Project Monitoring: None**

**11. Violations & Enforcement**

- a) DEP #256-0312 - MassDOT Toll Booth Removal: Robert Natario, MA DOT attended tonight's meeting to stay in contact with the Commission discuss the outstanding violations on the I-90 Tool Plaza. The Agent conducted a site visit w/ Denis Lowery ACOME last week. Currently a Restoration Plan is due on March 20<sup>th</sup> and MA DOT is on target with that. The Agent detailed the findings of her site visits and discussed the areas that need to be restored at site visit. At some point over the past two weeks the pond below the wash out drained through the culvert, resulting in large amounts of sediments being deposited on other side of the ramp. Restoration will include not only the impacted BVW, but also two large sections of the stream channel on the opposite side that have been impacted from the washout. The culvert will need to be cleaned out as well (as it is over 50% full with sediment) and the required plantings from NOI will need to also be installed. Finally, the entire area will need to be re-seeded.

Robert Natario followed up with some general information from what he has also seen on his inspections. The cross culvert is over 30-feet long, and flows north to south. DOT will need to clean the entire culvert all out to restore the proper hydrology back to the area. He went up and down ramps, and noted that on the North side there is steel sheet pilings that were installed during the original I-90 construction to hold the slope of the ramp back. The sheet piling does not go all the way to the culvert, so it was not there to retain the failed slopes. He also noted excessive amounts of stormwater discharges entering the stream from Rt32, the apartments across the street and parallel to the pike, as well as point source discharges from the Shell Station as well. He commented the stream channel there is getting a lot more flow than previously. From his observations the entire area surrounding the pike on/off ramp is a mix of various resource areas including streams, BVW, small ponds and isolated pocket wetlands.

- b) DEP #256-0327: Sherwood Lumber Replication: Brian Nunes and Tommy McLean, of Sherwood Lumber; as well as their environmental consultants Ray Lavoie & Tim Lemire GPI attended tonight's meeting to discuss the violations that have occurred during the new railroad spur construction. GPI has been out to the site a few times since our last visit with the most recent being today.

Lavoie stated GPI documented the compensatory storage area washed out this past October. The Contractor was notified and required to regrade it immediately. Against the advice of the environmental consultants, the contractors waited to re-grade the area and due to the time of year failed to establish any vegetation in the area. Moving forward they will have to regrade it again and establish growth with appropriate seed for the type of slope present. GPI also instructed the contractor to install a berm along the top of the slop to prevent further erosion and to stop the continued scouring of the slope.

Lavoie stated from the moment he came on site he knew that was a problem. The asphalt driveway currently on site is acting like a funnel and is channeling the stormwater directly down into the newly

loamed/seeded area. He did request the area be reloaded & re-seed, but it was too late in season for any plantings to be viable. The Agent asked about the old foundation that is still in the middle of the compensatory storage area, as it was supposed to be removed during construction. Lemire said they decided to leave it there because they were unsure of what it was and its historic importance. As a rule of thumb, if you don't know what it is don't touch it. Lavoie said its presence is not interfering with flood storage or hydrologic connectivity. Lavoie also said they have a goal of May 15<sup>th</sup> as a button up date, and he will be on site during all work and will notify the Commission prior to commencement for an inspection.

The Commission then discussed the violations that have occurred in the replication area. The Agent supplied pictures to the Commission and GPI also supplied more recent photos from their site visit today. It was agreed the access road is serving as a funnel for sediments, and directing them from the yard directly into the BVW. The BVW replication area was done well, but access road was not grubbed, graded or reseeded as the plans had called for. The result was the road to the replication area was left exposed.

GPI did inspect the area today check area and now that the water level went down, there are positive signs of plantings and materials are in place. They did not find as much accumulated sediment as expected and stated the sediment they did observe was fines vs sand, and comparable to the natural materials existing on site. Because the majority of sediments that entered the area are fines they most likely won't need to be removed as removal could cause more damage than leaving them there.

Brian Nunes has developed a snow disposal/plowing plan to ensure snow is no longer being plowed or stored along the access lane closest to the river. He will email the snow disposal procedures to the Commission for review.

Moving forward, the Commission has required the following from Sherwood Lumber:

- 1) A monitoring report by April 24<sup>th</sup> for the replication area in accordance w/ special condition 53.
- 2) Brian Nunes to send the snow disposal/plowing plan to the Commission ASAP
- 3) The Compensatory Storage/flood plain mitigation area to be regraded & reseeded by May 15<sup>th</sup>

Sherwood Lumber representatives will also attend the April 17<sup>th</sup> meeting at 7pm to update Commission on restoration progress.

Also, due to safety concerns Sherwood Lumber has requested Commissioners to stop by Main Building before site visit now that yard running & construction is complete.

- c) DEP #256-0309: Boston Road Solar: The Agent conducted a site visit today with NexSun representatives. Restoration work to be completed was discussed and due to the time of year they have request an extension for the required work. The Agent recommended an extension to May 1, 2018 and that the Commission conducts a site visit Friday April 27, 2018 at 10am. Restoration work will include reseeded the entire area, cleaning the drainage swales and detention basin, as well as stabilizing the identified area of erosion within the basin itself.

**Motion made by Nick Zeo to extend the deadline for restoration work to Friday April 27, 2018, and request attendance May 1, 2018 meeting**

**Motion seconded by Peter Izyk**

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

- d) 96 Rondeau Road: Peter Levesque, of Wetland Consultant, Inc. we would like to conduct the delineation at 96 Rondeau Road with some evidence of spring vegetation visible. We believe this is important do to the fact that there may have been impact to the resource area and restoration may be necessary. We would like to schedule the delineation for the beginning of April.

**Motion made by Brenda Cole to extend the deadline for the existing conditions plan to May 1, 2018**

**Motion seconded by Nick Zeo**

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

- e) 1 Aspen Circle: The Commission will wait until the next scheduled Administrative Hearing on March 20, 2018 to schedule site visit.
- f) Unauthorized OHV Use Midura: The Agent has issued a \$100 fine for the illegal use of an OHV on the Town of Palmer Conservation Land. She was contacted by a local resident who retrieved a license plate from site, which she now has in the office. After running the plates with the Palmer Police Department, the Agent was able to get the owners information based on the vehicles registration. She mailed the owner a \$100 fine as well as some information about why OHV use is restricted from Conservation lands in Town. ATVs or ORVs are inherently damaging to most environments in which they are operated and it is illegal to operate any motorized vehicle on any land owned by the Town of Palmer or any property in Palmer owned or controlled by the Department of Fisheries and Wildlife. It is also illegal to operate motorized vehicles on most state park and state forest lands, and it is illegal to operate them on private lands without the written permission of the landowner.

**12. New/Old Business**

- a) Town Manager's Records Request: The Agent has requested help to get the requested files together and Commissioner Brenda Cole offered to help. This Friday is a possibility.
- b) Administration of 2017 MA Trails Grant: Palmer DPW will construct the parking lot soon. The Agent will put together a notebook for David Cotter so he can track/log his volunteer hours on the project. Sarah Brodeur will also still be taking a lead role in the administration of the grant as she is still a member of the land management committee. She will organize the Scouts and their volunteer work contributions. Also AmeriCorps has scheduled their work time (10 days) to be from July 16-July 25. This would mean the Scout troops will be scheduled after July 25<sup>th</sup>. The Agent will also contact Northern Tree to get them out there to do the stump grinding early spring and will also schedule Broder Fence to install the decorative fencing sometime after the parking lot is completed. A site visit is scheduled w/ AmeriCorps on May 3<sup>rd</sup>. We will go to Fort River first to meet with Andrew French, and then go to First Street to review the project site. The Agent will also reach out to the company next door about property lines and the proposed project.
- c) 2018 Culvert Replacement Grant: The Agent attended a grant workshop this past Monday w/ Joey from DPW. She will be working with the Palmer DPW on a culvert replacement grant for the stream crossing located on Rt-181/intersection Thorndike Street. The workshop was held at PVPC workshop, and she was able to discuss the project at length with the grant coordinator Carrie Banks.
- d) Joint Committee Hearing w/ Belchertown on UBD Repairs: Friday March 16, 2018 at 3pm
- e) 1237 Park: No update, Mr. Shah is out of country and the person currently managing the store in his absence will notify the Commission when contractor comes to do work.
- f) Joint Site Visit Upper Bondsville Dam Repairs: Friday 3/16/2018 at 3:00pm. Send Brenda power point presentation of BLT UBD repairs.
- g) 2277 Baptist Hill Road: The Commission received a complaint about recent land clearing occurring and stormwater is now transporting the exposed sediments into the neighbor's lawn. The Agent conducted a site visit and contacted the abutting property owner who did the land clearing and request they immediately install proper erosion and sediment controls to prevent further runoff from entering the neighbor's yard and Baptist Hill Road. They were supposed to install the ESC last week, but a follow up inspect conducted today revealed it has yet to be completed. The Agent will follow up again.
- h) 1129 Thorndike Street: The Agent was contacted by the property owner about excessive flooding on her property. After a site visit and a review of the records she recommended the property owner install a French drain system to deal with the runoff from the hill.

**13. Upcoming Events, Conferences & Trainings**

- a) MACC Annual Conference Saturday 3/3/2018 at Holy Cross in Worcester
- b) MLTC Annual Conference Saturday 3/24/2018 at Worcester Technical High School
- c) Three Rivers TRACK Fair Saturday 5/5/2018 from 10am to 3pm – Tabling/Enviroscape Demo

14. **Office Closed:** Monday 3/12/2018

15. **Set Next Meeting Date:** Tuesday March 20, 2018 @ 6:30pm

16. **Meeting adjourned:** 8:45 PM

**Motion made by Nicholas Zeo to adjourn at 8:45 PM**

**Motion was seconded by Peter Izyk**

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

Sincerely Submitted,

Angela Panaccione  
Palmer Conservation Commission Agent



# TOWN OF PALMER CONSERVATION COMMISSION

Donald Blais, Chair  
David Cotter, Vice Chair  
Peter Izyk  
Nicholas Zeo  
Brenda Cole

LOCATION: Town Administrative Building Meeting Room  
4417 Main Street, Palmer MA 01069

Angela Panaccione, Agent

## Meeting Documents

Tuesday, March 6<sup>th</sup>, 2018 – 6:30 PM

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

#	Description	Agenda Item	Retained
2(b)	Email from Amber offering to coordinate a clean-up of Midura	Review Phone/Mail/Email Messages	FY 18 Minutes Binder
5	Meeting Minutes: 2/6/2018	Approval of Minutes	FY 18 Minutes Binder
8(a)	WPA Form 3: Notice of Intent – Proposed Solar Array 271 Breckenridge Street; prepared by Borrego Solar Systems Inc; dated 12/8/2017	Schedule of Public Hearings	DEP #256-0330 File Folder
8(a)	Notice of Intent Narrative – Proposed Solar Array 271 Breckenridge Street; prepared by Borrego Solar Systems Inc; dated 12/8/2017	Schedule of Public Hearings	DEP #256-0330 File Folder
8(a)	Wetlands Delineation Report 271 Breckenridge Street, Palmer, MA, prepared by SWAC Environmental Consultants, Inc., dated 10/5/2017	Schedule of Public Hearings	DEP #256-0330 File Folder
8(a)	Wetland Determination Data Forms and Site Photographs, prepared by SWAC Environmental Consultants, Inc., dated 7/26/2017	Schedule of Public Hearings	DEP #256-0330 File Folder
8(a)	Site Plan Review 271 Breckenridge Street Project Number: 905-0811 (Sheets 1-5); prepared by Borrego Solar Systems Inc.; dated 12/8/2017	Schedule of Public Hearings	DEP #256-0330 File Folder
8(a)	Stormwater Management Report 271 Breckenridge Street; prepared by Borrego Solar Systems Inc; dated 12/8/2017	Schedule of Public Hearings	DEP #256-0330 File Folder
11(a)	Notice of retained environmental consultant: ACEOM Consultants, Inc.; dated 2/13/2018	Violations & Enforcement	DEP #256-0312 File Folder
11(a)	Erosion Control sketch I 90 Ramp; dated 2/18/2018	Violations & Enforcement	DEP #256-0312 File Folder
11(a)	MassDOT Progress Report to Date 2/20/2018 – I-90 Toll Booth Removal; Dated 2/20/2018	Violations & Enforcement	DEP #256-0312 File Folder
11(b)	Snow Removal Standard Operating Procedures Sherwood Lumber; Prepared by Brian Nunes; Dated 3/6/2018	Violations & Enforcement	DEP #256-0327 File Folder
11(c)	Request for Extension; Email from Brian Hancz; dated 3/5/2018	Violations & Enforcement	DEP #256-0309 File Folder

11(d)	Request for Extension of Existing Conditions Plan; Email from Pete Levesque; dated 3/5/2018	Violations & Enforcement	96 Rondeau Road Violation File Folder
11(f)	Notice of Palmer Conservation Land Violation & Fine – Midura Family Conservation Land; Issued to Jacob Larose; dated 2/27/2018	Violations & Enforcement	2/27/2018 OHV Violation – Midura File Folder
11(f)	Copy of Town of Palmer Violation Notice/\$100 Fine Ticket # A 0387; Issued to Jacob Larose; dated 2/27/2018	Violations & Enforcement	2/27/2018 OHV Violation – Midura File Folder
12(b)	2017 MA Trails Grant Agreement Contract Forms	New/Old Business	2017 MA Trails Grant File
12(c)	2018 MA DER Culvert Replacement Grant Application – Acquisition of MA DOT Turnpike Parcel (Map 15-14)	New/Old Business	2018 MA DER Culvert Replacement Grant File
12(g)	Property Complaint - Siltation/Sediment originating from property abutting 2277; email by Thomas Murry; dated 2/27/2018	New/Old Business	Baptist Hill Rd Erosion Complaint File Folder
12(g)	Email to Helder Nunes Re: Siltation/Sediment originating from property abutting 2277 w/ conditions for erosion controls & site stabilization; dated 3/1/2018	New/Old Business	Baptist Hill Rd Erosion Complaint File Folder