



# TOWN OF PALMER CONSERVATION COMMISSION

Palmer Town Building  
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Tharyn Nein-Large, Chair  
Donald Duffy, Vice Chair  
Peter Izyk  
Sarah Brodeur  
David Cotter

Agent: Angela Panaccione

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## MEETING MINUTES

**TUESDAY APRIL 19, 2016 @ 7:00 PM**

**Members Present:** Tharyn Nein-Large (Chair)  
Peter Izyk  
Dave Cotter  
Donald Duffy  
Angela Panaccione (Agent)

**Members Absent:** Sarah Brodeur

**Also Present:** Mark Nutter, 385 Rondeau Road  
Debbie Sourdiff, 385 Rondeau Road  
Trevor Hermance, (New Britain CT)

**Meeting Opens:** 7:00 PM – Tharyn Nein-Large (Chair)

### **7:00 PM Request for Determination (RDA): NE Central Railroad; Delineation Confirmation**

A Request for Determination, submitted by Keith Morris c/o New England Central Railroad (Railroad ROW) to confirm the precise boundaries of jurisdictional resource areas, which have been delineated along the New England Central Railroad right-of-way, for the application of herbicides. The proposed work involves the application of herbicides to control “target vegetation” along the Railroad in accordance with the Rights of Way Management regulations (333 CMR11 .00) and the Yearly Operational Plan (YOP). The location of the proposed project is the New England Central Railroad (Railroad Right-of-Way).

Tharyn Nein-Large opened the hearing. The applicant was not present and no public was present.

The Applicant has requested a continuance until a site visit with the Agent can be completed to confirm the delineations.

**Motion made by Donald Duffy to continue the hearing for the Request for Determination for the New England Central Railroad until May 3, 2016 at 7:00 PM.**

**Motion seconded by Peter Izyk**

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

### **7:07 PM Administrative Matters: Approval of Payables – Mileage \$281.84**

**Motion made by David Cotter to pay the mileage totaling \$281.84.**

**Motion seconded by Peter Izyk**

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

**7:09 PM Administrative Matters: Approval of Payables – MSMCP \$30.00**

**Motion made by Peter Izyk to pay the Massachusetts Society of Municipal Conservation Professionals (MSMCP) \$30.00 for the payment of the fee, for the 2016 Annual Conference.**

**Motion seconded by Donald Duffy**

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

**7:10 PM Administrative Matters: Approval of Payables – UMASS \$283.84**

**Motion made by Donald Duffy to pay UMass \$283.84 for the Agent to attend the Fish Passage Conference, scheduled for June 19 – June 24, at UMASS Amherst. The agent will be attending seminars & workshops focusing on the stream continuity project and culvert assessment.**

**Motion seconded by Peter Izyk.**

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

**7:16 PM Administrative Matters: Other Projects, Monitoring, Enforcement and Violations**

1. Special Enabling Legislation submitted to MA Senate for Turnpike Parcel: The Agent gave an update. The legislation has been assigned bill # HR4115. It is currently in the Senate and a public hearing should be scheduled soon.
2. Violation Update – Brown Road: This violation included the unauthorized tree removal along discontinued road. Donald Duffy met with John Desantis, and they walked Brown's Road. Mr. Desantis was unaware of the rules and regulations for the discontinued roads, and assumed the roads were part of his land (since he abuts the roads on both sides. Duffy provided Desantis with a copy of the special enabling legislation passed in the 1980's, discontinuing the roads as town Right-of-ways and transferring the ownership of said roads to the Conservation Commission. Overall, Duffy settled matter. Four (4) trees were removed from the side of Brown's Road, but Mr. Desantis has concurred it is town land and he will not alter the roads again.
3. Violation Update – Bennett Street: This violation included recently placed gravel fill from a parking lot eroding into Forest Lake. The Agent sent a letter requesting the property owners install erosion and sediment controls along the edge of the parking area to prevent further erosion. The erosion controls have been installed and are currently in place.
4. Violation Update – Peterson Road: This violation included the removal & restoration of an unpermitted wetlands crossing. Currently, there is no update. Restoration has been completed and the Commission is waiting for the submission of an NOI.
5. Violation Update – 538 Old Warren Road: The Agent conducted a final inspection of a Conservation Land encroachment. The property owner has removed all the yard waste from the Norther Midura parcel. The Agent will contact the DPW to go in and remove the unidentified contains on site.
6. Illegal ATV Use of Conservation Land: The Commission discussed pursuing grants to hire law enforcement for ATV patrols of Conservation Lands. The Agent will also reach out to Mass Environmental Police for assistance, as they have conducted patrols of Midura in the past.
7. Violation Update – 35 Cedar Hill Road: This was a violation that resulted from the excavated soils from an in-ground pool being dumped into a nearby wetland, thereby filling the wetlands.

Property owner Mario Bigiatti completed the required removal of the fill and the area was left to revegetate naturally. Currently much of the vegetation has naturally regrown. The Agent will inspect the area again in July and October.

8. PRA First Street Land Transfer: PRA meeting cancelled due to no quorum.

**8:08 PM      Cont. Administrative Hearing – Violation: Palmer Motorsports Park**

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*\* Donald Duffy recused himself from the proceeding and left the meeting at 8:08 PM*

Tharyn Nein-Large re-opened the Administrative hearing.

At this point the Agent had no new updates on the site work. The well area restoration has been completed, but work on the septic system has yet to begin.

The Commission also discussed their concerns with the new “Security Gate”, which is on Conservation Property and restricts the Commission from access to their own property. Nowhere in the agreement the Commission signed did it allow or even mention granting PMP the ability to install a giant electric security fence on our property. The Agent will speak with the Attorney regarding this and see what can be done to require the gate be relocated to PMP property.

**Next Meeting Date:** May 3, 2016 at 7pm

**Meeting Adjourned:** 8:30 PM

**Motion made by Sarah Brodeur**

**Motion seconded by Dave Cotter**

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

Sincerely Submitted,  
Angela C Panaccione, Conservation Agent