



TOWN OF PALMER CONSERVATION COMMISSION

Meeting Minutes

Tuesday, April 5th, 2022 – 6:30 PM
LOCATION: Town Hall Meeting Room
4417 Main St Palmer MA

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

Sarah Fortune,
Conservation Agent

Members Present: Donald Blais, Jr.
Brenda Cole
Peter Izyk
Nicholas Zeo
Lucas McDiarmid
Dave Cotter

Members Absent: Dorothy Lawrence

Also Present: Joseph Rogers- Division of Fisheries and Wildlife
Clayton Sudla-
Dan Nitzsche- Senior Wetland Scientist of GZA
Terry Smith- MA. Dept of Fish & Game – Fishing & Boating Access

1. **Call to Order:** 6:32 PM – Donald Blais, Jr. (Chair)

2. **Review Mail/Phone Messages**

The PCC received a notice regarding the 271 Breckenridge Street (DEP) 256-0331 solar array. Donald Blais Jr stated that the PCC had received the inspection report. The agent stated that there does not seem to be any areas of erosion or silt build up, but there are areas of rutting. The photos received on the report are all outside of the area of concern, which is outside of the security fence- adjacent to wetlands. The COC is tabled to May 6th.

3. **Approval of Minutes**

a. 3/1/2022

Motion made by Lucas McDiarmid to approve the minutes from 3/1/2022 as amended

Motion seconded by Dave Cotter

Motion Caries 6-0-0

No further discussion

b. 3/15/2022

Motion made by Lucas McDiarmid to table the minutes from 3/15/2022 to 4/19/2022 at 6:30pm.

Motion seconded by Brenda Cole

No further discussion

Motion Caries 6-0-0

4. **Violations/Enforcements:**

a. 4 Springfield St:

The agent stated she received complaints about a pile of scrap wood at the roadside of 4 Springfield St, which previously was contained but had been thrown down towards the river and also towards the adjacent roadway. She reached out to the property owner, who ignored her request to contain the wood, leading to an enforcement notice being issued. Dave Cotter asked if the wood had been removed from the river. The Agent stated that she was unsure but will follow up to make sure it happens if necessary.

b. First St:

Lucas McDiarmid asked if there has been any follow up on the dirt biking on First St. the agent stated that she has been playing phone tag with the Environmental Police officer. He did state at one point previously that he would patrol the area. The agent will follow up.

5. New/Old Business:

a. Earth Day Event- 4/23/2022 9-12 at Laviolette Field

The Agent stated that registration for the event begins at 8:30am. She is encouraging folks to come register, even if they are cleaning elsewhere. The rain date is 4/30/22.

b. Grant Updates – FEMA HMGP:

The quarterly report has been submitted. A proposal has been received for bid assistance and construction administration/oversight. The agent stated that the earliest work could be started would be this winter, but most likely looking at next summer.

c. Grant Updates – 604(b) Grant:

The Agent reported that the quarterly report has been submitted. Abutters have been notified in regard to sewer mapping being done. The Agent requested an extension of the grant contract due to COVID-19 and will report back when the extension request has been approved, which would extend the contract until 6/30/2023.

6. Schedule of Public Meetings/Hearings:

a. Cont. Notice of Intent (NOI) 190 Emery St- Vegetation Removal/Floating Dock:
DEP#256-0359

Chairman Donald Blais opened the hearing at 7:00pm. Dan Nitzsche, Senior Wetland Scientist of GZA was present on behalf of the applicant.

Dan stated there will be tree and vegetation clearing to install a floating dock to use for fishing. The disturbance area will be roughly 2,100 sq ft. There will be stump grinding to accommodate the addition of turf grass.

The Agent then stated she had concerns with Oriental Bittersweet, and with the addition of more sunlight and the disturbance event, she thinks the Bittersweet will grow excessively in the no disturb zone. She will state in the conditions of the permit, the Bittersweet can be pulled by hand by the root. She stated that if herbicide needs to be used the applicant can come before the PCC again, as she is not comfortable issuing the allowance of herbicide at this time.

The Agent asked how big the dock would be- to which she was told 6' wide by 20' maximum.

Motion made by Lucas McDiarmid to close the hearing for DEP # 256-0359 at 7:19 pm

Motion seconded by Peter Izyk

No Further Discussion

Motion carries 6-0-0

Motion made by Lucas McDiarmid to issue an Order of Conditions with Findings of Facts, Approved Plans and Documents for DEP # 256-0359

Motion seconded by Dave Cotter

No Further Discussion

Motion carries 6-0-0

Motion made by Peter Izyk to issue a waiver of the No Disturb Zone provision of the Palmer Wetlands Protection Ordinance, Chapter 143

Motion seconded by Dave Cotter

No Further Discussion

Motion carries 6-0-0.

b. Cont. Notice of Intent (NOI) Forest Lake-Fisherman Access Project: DEP #256-0360

Terry Smith from Massachusetts Department of Fish and Game, Division of Fishing and Boating Access was present. He stated that in reference to comment #1, there was a little mix up, but the book and page are correct. For comment #2, he stated that the NHESP determination was received on 3/22/22.

Comment #3 he stated the wetland delineation info is called out on site plans. Comment #4, for work in parcel four, the plan was updated to include the note about removal of car-top boat launch on revised plans. He then moved onto comments regarding Stormwater. He stated he provided a Stormwater report with all the calculations for various flood storms. Regarding Standard 6, land use with higher pollutant loads, he stated that it is not applicable. For standard 7, mixed use/ redevelopment. Standard 8: Construction Stormwater Pollution Prevention Plan, he stated there will be SWPPP on site. Standard 9- O&M plan (operation and maintenance plan) is included in the NOI.

He then stated that there are revised plans because the Agent asked for an updated Stormwater Report. He stated when he designed it originally, he based it on a 10-year storm. When he ran 100-year storm calculations, the original Stormwater would discharge to lake, but he added an additional Stormwater basin to prevent that. The addition of a Stormwater basin will require additional tree removal. He then stated that because it is a water dependent use project it is deemed a limited property gives PCC the ability to provide flexibility if meeting the Stormwater standards to the maximum extent practicable.

The agent asked if there will be removal of car top launch, if so, there should be some erosion sediment control. Terry Smith stated that the pavement will be peeled off, and sand will be brought in the same day. The new facility will be constructed and stabilized before removal of the current car top.

Motion made by Lucas McDiarmid to continue the hearing for DEP # 256-0360 to 4/19/22 at 7pm

Motion seconded by Dave Cotter

No Further Discussion

Motion carries 6-0-0

7. Adjourn:

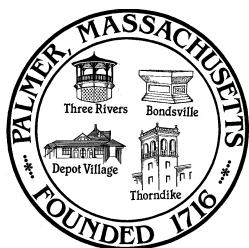
Motion made by Brenda Cole to adjourn the meeting at 7:47 pm

Motion seconded by Lucas McDiarmid

No Further Discussion

Motion carries 6-0-0

Sincerely Submitted,
Sarah A. Fortune
Palmer Conservation Agent



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Meeting Documents

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

Sarah Fortune, Agent

**LOCATION: Town Administration Building
4417 Main Street, Palmer, MA 01069**

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.	Minutes: 3/1/2022	Approval of Minutes	Retained in file for 2022 Agendas and Minutes
2.	Minutes: , 3/15/2022 Executive Session Minutes: 4/6/2021, 7/20/2021	Approval of Minutes	Approval tabled until 4/19/2022 at 6:30 PM
3.	Notice of Intent: DEP # 256-0359 190 Emery Street	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0359
	DEP file comments: DEP # 256-0359 190 Emery Street	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0359
4.	Site Plans: DEP # 256-0359 190 Emery Street	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0359
5.	Order of Conditions with Findings of Fact, Approved Plans & Documents, & Special Conditions: DEP # 256-0359 190 Emery Street	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0359
6.	Notice of Intent: DEP # 256-0360 Forest Lake Fisherman Access Project	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0360
7.	Order of Conditions: DEP # 256-0360 Forest Lake Fisherman Access Project	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0360
8.	Stormwater Report: DEP # 256-0360 Forest Lake Fisherman Access Project	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0360
9.	NHESP Determination Letter: DEP # 256-0360 Forest Lake Fisherman Access Project	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0360
10.	Order of Conditions with Findings of Fact, Approved Plans & Documents, & Special Conditions: DEP # 256-0360 Forest Lake Fisherman Access Project	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0360
11.	Site Plans: DEP # 256-0360 Forest Lake Fisherman Access Project	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0360
12.	DEP file comments: DEP # 256-0360 Forest Lake Fisherman Access Project	Schedule of Public Meetings/Hearings	Retained in file for DEP # 256-0360