



TOWN OF PALMER CONSERVATION COMMISSION

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

Meeting Minutes

Tuesday, May 16th, 2023 – 6:30 PM
LOCATION: Town Hall Meeting Room
4417 Main St Palmer MA

Members Present: Donald Blais, Jr.
Peter Izyk
Dave Cotter
Nick Zeo
Brenda Cole

Members Absent: Lucas McDiarmid

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

2. **Violations & Enforcement:**

352 Springfield St

The Agent stated she learned last week there was unauthorized filling occurring at 352 Springfield St. A portion of the property is located in the riverfront area. She stated it looks to be a pretty large project. She sent them a notice of violation via certified mail stated they should attend the next meeting.

An abutter, Steven Kaiacki of 358 Springfield St, stated he was concerned about the work occurring. He stated the area is rural residential zone with very small lots. He has known the property owner for a long time and knows he is trying to create commercial property on his lot. He is creating a new driveway and has brought fill in, in order to park his large commercial vehicles. He stated he feels as though it has reduced the value of his property. He is also worried about the wildlife within the riverfront area such as turtles.

3. **Signing of Documents (DOA, OOC, COC, Ext, Etc.):**

a. Thompson Lake Aquatic Management Program OOC Extension- DEP # 256-0323

The Agent stated this was originally issued in 2017 as a 5 year OOC, which was extended with the COVID order #42 provision. It allows treatment of the lake with herbicides and hydro raking to manage the nuisance vegetation. Present was Phil Anton, president of Thompson Lake Civic Association. He stated it is difficult to determine if there will be a need for algae treatment this year because everything is determined by the weather. He then stated that he has had discussions with MA DOT regarding the detention ponds off of the Ma Pike, which during heavy rain, overflow into the lake. He stated this is mainly where the algae blooms originate. He has sent photos of the detention ponds full of algae to the MA DOT. They agreed to do a “desk study” and water testing.

He stated there are precautions the association takes, such as limiting the types of fertilizers allowed. He then stated he is asking for an extension.

The Agent then stated she had a few concerns. She stated best management practices were supposed to be developed and implemented by 2022 to promote long term nutrient and sediment control. An action plan regarding stormwater was also supposed to be implemented. Anton then stated that the company they were working which has been extremely difficult to communicate with. They received no end of the year reports either. He then stated they were paid but never followed up, but the Lake Association has since changed companies they were working with.

The Agent asked how many times the hydro raking was done since the OOC was issued, to which Anton stated once.

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The Agent then stated she had concerns with how long the OOC has been open and recommended only a 1-year extension. Dorothy Lawrence then suggested granting the full 3-year extension but requiring yearly reports.

Dave Cotter made a motion to extend the Order of Conditions for DEP #256-0323, Thompson Lake Aquatic Management Program, until July 10th, 2026 with the additional conditions (yearly status reports)

Motion seconded by Peter Izyk.

Motion carries 6-0.

No further discussion.

7:00PM- Cont. Notice of Intent DEP #256- 0368-- Lot 1 Thompson St (Map 8-167): This applicant filed a Notice of Intent for activities associated with the construction of a single-family home with a driveway, private well, and private sanitary sewage disposal system. Work is proposed to occur within the 100' buffer zone to Bordering Vegetated Wetland (BVW).

Present was Don Frydryk of Sherman and Frydryk Land Surveying and Engineering. He stated Wetland Data Sheets were requested at the last hearing, which he handed out to the PCC. He said there were two sets of soil borings taken. He explained the results, which further substantiated the wetland delineation.

Nick Zeo made a motion to close the public hearing for DEP #256-0368 for the Notice of Intent submitted for the construction of a single family home with a private sewage disposal system at Lot 1, Thompson Street at 7:06 PM

Motion seconded by Dave Cotter.

Motion carries 6-0.

No further discussion.

Dorothy Lawrence made a motion to issue an Order of Conditions with special conditions and approved plans and documents for DEP #256-0368 for construction of a single family home with a private sewage disposal system at Lot 1, Thompson St at 7:06 PM

Motion seconded by Dave Cotter.

Motion carries 6-0.

No further discussion.

7:08 PM- Cont. Notice of Intent DEP #256-0369-- Ware River Gas Main: This applicant filed a Notice of Intent for activities associated with the proposed installation of a natural gas main beneath the Ware River. Work is proposed to occur within the 25' buffer to Riverfront.

Present were Paulina Saffarin and David Hallowell, both of SWCA, representing Eversource.

The Agent stated there were DEP comments, the reviewer recommended they file for an RDA and not an NOI. She then stated she went back and forth and stated she thinks an NOI is appropriate.

Brief discussion ensued.

Brenda Cole made a motion to close the public hearing for DEP #256-0369 for the Notice of Intent submitted for the installation of a Natural Gas Main beneath the Ware River at 7:12 PM

Motion seconded by Nick Zeo.

Motion carries 6-0.

No further discussion.

Dave Cotter made a motion to issue an Order of Conditions with special conditions and approved plans and documents for DEP #256-0369 for installation of a Natural Gas Main beneath the Ware River at 7:13 PM

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Motion seconded by Nick Zeo.

Motion carries 5-0-1 with Dorothy Lawrence abstaining due to stepping out.

No further discussion.

4. Minutes: 4/4/23

Nick Zeo made a motion to approve the minutes of 4/4/23 as amended.

Motion seconded by Dave Cotter.

Motion carries 4-0-2 with Dave Cotter and Brenda Cole abstaining.

No further discussion.

5. Violations & Enforcement:

b. L65 Bennett Street

The Agent stated the homeowner officially received the certified letter stating he is in violation of the Wetlands Act and Palmer Wetlands' Ordinance. She stated that a fine would be more appropriate due to the nature of the violation, as well as the amount of evidence compiled.

She stated that under the Palmer's Wetland Ordinance, a fine would have to be issued during an administrative hearing.

It will be added to the 6/6/23 agenda.

Chair, Member, Committee & Agent Reports:

There was discussion regarding the future Midura event. Nick Zeo brought up promoting the event via multiple outreach streams.

Nick Zeo stated he and Dave met with Matt Morse at the DPW on the blue trail, and discussed signage. He stated that there will hopefully be an opening event.

Dave Cotter state there is now a trash bin on First St by the gazebo.

Nick Zeo stated the MPIC has been making progress meeting with water departments. He also stated that at the last Town Council meeting Peter Izyk was appointed for another term, making over 40 years serving the Town.

a. **Adjourn:**

Motion made by Brenda Cole to adjourn at 7:35 pm.

Motion seconded by Dorothy Lawrence.

No further discussion.

Motion carries 6-0.