



# 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 2nd, 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:** Dorothy Lawrence – arrives late  
Lucas McDiarmid

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

2. **Minutes:** 1/3/23, 1/17/23, 2/7/23, 3/21/23

**Nick Zeo made a motion to approve the minutes of 1/3/23 as written.  
Motion seconded by Peter Izyk.  
Motion carries 3-0-2 with Dave Cotter and Brenda Cole abstaining.  
No further discussion.**

**Nick Zeo made a motion to approve the minutes of 1/17/23 as written.  
Motion seconded by Peter Izyk.  
Motion carries 5-0.  
No further discussion.**

**Nick Zeo made a motion to approve the minutes of 2/7/2023 as amended.  
Motion seconded by Dave Cotter.  
Motion carries 5-0.  
No further discussion.**

**Dave Cotter made a motion to approve the minutes of 3/21/2023 as written.  
Motion seconded by Nick Zeo.  
Motion carries 4-0-1 with Brenda Cole abstaining.  
No further discussion.**

3. **Approval Of Payables:**

**a. R.M. Nietupski Enterprises Inc.- \$600.00: Dumpster for Earth Day Event**

Nick Zeo made a motion to approve the payable to R.M. Nietupski Enterprises Inc in the amount of \$600.00 from the conservation expense account.

Motion seconded by Peter Izyk.

Motion carries 5-0.

No further discussion.

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**b. Heidi Mannarino- \$36.84: Remaining cost of donuts for Earth Day Event**

Brenda Cole made a motion to approve the payable to Heidi Mannarino in the amount of \$36.84 from the conservation expense account.

Motion seconded by Peter Izyk.

Motion carries 5-0.

No further discussion.

**c. Heidi Mannarino- \$39.15: Nitrile gloves for Earth Day Event**

Peter Izyk made a motion to approve payable to Heidi Mannarino in the amount of \$39.15 from the conservation expense account.

Motion seconded by Nick Zeo.

Motion carries 5-0.

No further discussion.

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

**a. Certificate of Compliance (COC) for the Forest Lake – Public Boat Access project (DEP File # 256-0360)**

The Agent explained that the digital file was unable to be found, but she did in fact find it and it has already been signed. No action is needed on this agenda item.

**5. Violations & Enforcement:**

**a. 132 Flynt St:**

The Agent stated there had been complaints of trees being cut within 50ft of Lake Thompson. A letter of violation had been sent to the property owner. The owner came to the office to talk to the Agent and he stated they were hazardous trees. She stated normally it would be an administrative approval. He was not aware of the bylaw and an “after the fact” approval was issued.

**6. New/Old Business:**

**a. Earth Day debrief:**

The Chair stated he wanted to acknowledge and thank Big Y for supplying 10 volunteers who helped take part in the event. He then thanked everyone who volunteered their time and effort. The Agent stated that more organizations participated this year than in years past. She stated there was coverage in the Journal Register. She then stated for next year, bigger trash bags need to be supplied, as this year’s were small. She also stated next year the Chamber of Commerce would like to be included. She also suggested having a preregistration next year to have a better idea of expected turnout.

**b. Midura Event:**

The Chair stated he and the Agent met with Recreation Director Andrew St. George and they came to the conclusion that for the sake and ease of planning, to only host the event at Midura, rather than a town wide event. It was suggested to involve geocaching and letterboxing. The preregistration will start on June 1<sup>st</sup>. It is scheduled for August 26<sup>th</sup> from 10-2. It was mentioned that advertising will be a big effort, and it will be posted on all the local channels. Blais then stated he thanked everyone for participating.

**7. Hearings:**

- a. **7:00PM- Request for Determination of Applicability (RDA)-- 148 Flynt St (Map 8-167-2)**: This applicant filed an RDA for the replacement of collapsed well with a new artesian well within 100' from Bank of Thompson Lake.

The Agent stated she, Donald and Peter went to the site and spoke with the gentleman who will be drilling the well. It was stated the previous well is in the basement of the house. The new proposed well is as far off the property as possible. It was stated there is no other way to get water to the site.

The property owner Sophia stated she and her parents bought the house last year and originally tried to put a tankless pump in the well, but the well is only 16ft deep causing collapsing issues. It was suggested to them to place an artesian well. The Agent then passed around the plans.

The agent asked about erosion control measures.

**Brenda Cole made a motion to close the public meeting for the RDA submitted for 148 Flynt St for activities associated with the replacement of a well at 7:11 PM.**

**Motion seconded by Dave Cotter.**

**Motion carries 5-0.**

**No further discussion.**

**Peter Izyk made a motion to make a negative determination, box 3, stating that the work described within the request is within the buffer zone, as defined by the regulations, but will not alter an area subject to protection under the act. Therefore, said work does not require the filing of a Notice of Intent, subject to the standard order of special conditions.**

**Motion seconded by Nick Zeo.**

**Motion carries 5-0.**

**No further discussion.**

**New/Old Business- Continued:**

**c. IMI Adaptas Volunteer Work:**

The Agent stated she was approached about IMI wanting to help with a cleanup event on First St. She mentioned they are looking at invasive species cleanup. It was stated around 220 employees are available to help. It was mentioned to invite them to the next meeting to discuss potential.

**Chair, Member, Committee & Agent Reports:**

Peter Izyk asked if there was an update on the Bennett St violation. The Agent stated not yet, as they have until the 16<sup>th</sup> to respond/take action.

Nick Zeo stated on the Blue Trail there are woodchips down, and looking to get the parking space stabilized. He stated that for the Masterplan Implementation Committee, there have been discussions with the water departments.

**Hearing:**

**7:30PM- 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 were Don Frydryk of Sherman and Frydryk Land Surveying and Engineering, as well as Steve Aldrich from Hampden Homebuyers.

He stated the bordering vegetated wetlands is within right of way of the powerlines which run through the property. The project includes construction of single-family home with a garage on the easterly side of house, as well as septic and well service.

**Dorothy Lawrence arrived.**

There is no work proposed within the 50' buffer zone. He stated the local ordinance requires the leech field to be at least 100ft from the wetlands. He stated there is no endangered species, no natural heritage sites and no riverfront areas.

He then stated there was some DEP comments submitted on 4/26/2. The first comment was that the abutter notification list needs to be updated – to which the Agent stated she has since updated it, and posted to the website.

The second comment was that the PCC should review and contrast the 2019 and 2021 aerial photos which appear to show grading occurring in the BZ.

The third comment was questioning what was occurring on Lot 3.

Comment 4 was that it should be looked into if there should be more than one erosion and sediment control line that is required due to the topography.

The Agent stated she had concerns with the wetlands being closer than on the submitted plans, and then inquired about the soil report from 2021 when the wetlands were delineated. Don Frydryk stated he was unsure.

The Agent then asked about the tree clearing in the buffer zone, and if there was a number of trees or where exactly that would be taking place. He stated about 10 trees would be cleared.

The floor was then opened up to the public for questions.

An abutter stated that he was concerned about building in the wetlands.

Another abutter stated she was concerned about turtles being in the area.

There was then discussion regarding soil testing.

The Agent then recommended continuing the hearing until they receive soil report to confirm the delineation is accurate.

**Dorothy Lawrence made a motion to continue the public hearing for DEP File #256-0368 for the Notice of Intent for the construction of a single-family home with a private sewage disposal system at Lot 1, Thompson St until May 16th, 2023 at 7:00 PM.**

**Nick Zeo seconded.**

**Motion carries 6-0.**

**No further discussion.**

**8:00PM- Request for Determination of Applicability-- Lot 2 Thompson St:** This applicant filed an RDA for the proposed 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.

Present were Don Frydryk of Sherman and Frydryk Land Surveying and Engineering, as well as the applicant Steve Aldrich from Hampden Homebuyers.

He explained a single-family home is being proposed on this lot, as well as a private well and sanitary sewage. Brief discussion ensued.

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**Dorothy Lawrence made a motion to close the public meeting for the RDA submitted for 148 Flynt St for activities associated with the replacement of a well at 8:04 PM.**

**Motion seconded by Dave Cotter.**

**Motion carries 6-0.**

**No further discussion.**

**Dorothy Lawrence made a motion to make a negative determination, box 3, stating that the work described within the request is within the buffer zone, as defined by the regulations, but will not alter an area subject to protection under the act. Therefore, said work does not require the filing of a Notice of Intent, subject to the standard order of special conditions.**

**Motion seconded by Brenda Cole.**

**Motion carries 6-0.**

**No further discussion.**

**8:30pm: Notice of Intent-- 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 Saffer of SWCA and Oren Anderson of Tremont Engineering on behalf of Eversource. She stated the project is between Church St and Center St intersection and stretches down to 4145 Church St, Palmer.

There are no priority or estimated habitats, no certified or potential vernal pools in the area, and no natural heritage sites.

Eversource is proposing to install 531 liner feet of 8" diameter steel pipe using the Horizontal Directional Drilling Method, which limits the surface disruption. It allows the installation of a gas main without any permanent or temporary alterations of resources or buffer zones.

Once the work is complete, disturbed areas will be repaved. There will be no tree removal or change in grade.

An environmental control officer will be conducting weekly inspections.

Mid may/June begin and take 6 weeks to complete.

Peter Izyk asked when they plan on starting, to which Oren stated May/June.

**Nick Zeo made a motion to continue the public hearing for the proposed installation of a natural gas main under the Ware River on Church Street until May 16th, 2023 at 7:00 PM.**

**Motion seconded by Dave Cotter.**

**Motion carries 6-0.**

**No further discussion.**

d. **Adjourn:**

**Motion made by Brenda Cole to adjourn at 8:38 pm.**

**Motion seconded by Nick Zeo.**

**No further discussion.**

**Motion carries 6-0.**