

TOWN OF PALMER CONSERVATION COMMISSION

Meeting Minutes

Tuesday, June 2nd, 2020 – 6:30 PM

LOCATION: Town Administrative Building Meeting Room

Donald Blais, Chair
Dorothy Lawrence, Vice Chair
David Cotter
Peter Izyk
Nicholas Zeo
Brenda Cole
Mike Swiatek

Angela Panaccione, Agent
Sarah Fortune, Assistant

Members Present: Donald Blais, Jr.
Dorothy Lawrence
Peter Izyk
David Cotter
Nicholas Zeo
Mike Swiatek
Brenda Cole

Members Absent: None

Also Present: Angela Panaccione, Conservation Agent
Sarah Fortune, Conservation Assistant

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

- a. Roll call attendance:
 - i. **Donald Blais, Jr. – present**
 - ii. **Dorothy Lawrence – present**
 - iii. **Peter Izyk – present**
 - iv. **David Cotter – present**
 - v. **Nicholas Zeo – present**
 - vi. **Mike Swiatek – present**
 - vii. **Brenda Cole - present**

2. **Review Mail/Phone Messages**

- a. WQC Replacement of the US 20 bridge on the Monson-Palmer town line over Quaboag River

The PCC received the Water Quality Certification (WQC) issued by the Army Corps of Engineers for the MassDOT project to replace the bridge on Park Street/US Route 20 over the Quaboag River on the Monson-Palmer town line. The WQC authorizes wetland fill to be placed into the Quaboag River in order to replace the bridge abutments.

- b. DEP & Governor Declaration on Permitting

The declaration issued by the Governor and by MassDEP on permitting states that the PCC has the ability to table the issuance of permits until 45-days after the end of the current Emergency Declaration due to COVID-19.

- c. Columbia Gas Repair – South Main Street at Stone Street

The PCC received notification pertaining to maintenance of the Columbia Gas line along the Quaboag River in

late March of 2020, which is now complete. The maintenance work is an exempt activity under the MA WPA Regulations.

d. MCER 2020 YOP VMP

The PCC received notification from the Massachusetts Central Railroad (MCER) pertaining to their Yearly Operational Plan (YOP) that includes herbicide application to manage vegetation along the railroad in June to July 2020. The notification is a component of MCER's Yearly Operational Plan (YOP) as a component of their five (5) year Vegetation Management Plan (VMP).

e. NECR 2020 YOP VMP

The PCC received notification from the New England Central Railroad (NECR) pertaining to their Yearly Operational Plan (YOP) that includes herbicide application to manage vegetation along the railroad in June to July 2020. The Yearly Operational Plan (YOP) as a component of their five (5) year Vegetation Management Plan (VMP).

3. Approval of Minutes

a. 3/17/2020

Motion made by Nick Zeo to approve the meeting minutes from 3/17/2020 as amended

Motion seconded by Brenda Cole

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – abstain; Nicholas Zeo – aye; Brenda Cole – aye; Mike Swiatek - aye

No further discussion – 6-0-1 - Motion carries (David Cotter abstained)

4. New/Old Business

a. 2020 Bac-T Sampling Dates

Keith Davies of the Chicopee 4 Rivers Watershed Council (C4R) was present to discuss the 2020 Bac-T sampling program, reporting that the sampling lab used by the Connecticut River Conservancy (CRC) will open on 6/2/2020 for sample analysis. The 2020 sampling season will consist of six (6) sampling events and will commence on 7/2/2020. The PCC will collect bacteria samples at Forest Lake, First Street and Bennett Street (the Bennett Street sampling location may be adjusted to the State Street bridge, TBD). Samples will be collected early on Thursday mornings as in previous years, with volunteers meeting at First Street at approximately 8 or 8:15 AM to collect the samples so that they may be delivered to the CRC lab in Greenfield for analysis. The C4R also intends to sample some sites on the lower Quaboag River through a grant received from MassDEP to help determine the source of the high bacteria levels there. Nick Zeo and Dave Cotter volunteered to collect samples for the season. The PCC normally approves between \$600 and \$700 for sampling expenses per sampling season, but the cost will probably be less than in previous years due to the shortened sampling season.

Motion made by Nick Zeo to approve but not exceed \$600 to \$700 for bacteria sampling with the Chicopee 4 Rivers Watershed Council for the 2020 sampling season

Motion seconded by Dave Cotter

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Brenda Cole – aye; Mike Swiatek - aye

Vote was Unanimous – Motion carries

b. Forest Lake beach

The PCC has received several complaints about vehicles parked on the beach at Forest Lake which, in combination with a recent extreme storm event, has resulted in severe erosion of the beach and sedimentation of the lake. The Agent conducted an inspection on 6/2/2020 with Environmental Police, State Police, and MassWildlife to discuss enforcement and signage that stated ‘no swimming’ was posted to prevent further erosion of the beach and sedimentation of the lake. Approximately 2-feet of erosion to the beach was observed during the inspection on 6/2/2020. The Agent issued an Emergency Certification to MassWildlife Department of Fish & Game Office of Boating & Fishing Access that will allow for the beach to be restored while also addressing both public safety and environmental concerns.

The Emergency Certification authorizes the following work: the removal of sediment that eroded into the lake; placing 2 to 3-inches of crushed stone above the bank of the lake to provide beach stabilization; and, filling and regrading above the bank of the lake to restore the beach area. A designated area will also be created for cars with boats to have access to the lake, which will help reduce beach erosion and sedimentation of the lake while also reducing the risk of vehicle and pedestrian accidents. The work is estimated to take approximately one (1) day to complete, and the Emergency Certification start date is 6/3/2020.

Motion made by Dorothy Lawrence to issue an Emergency Certification to the Department of Fish & Game Office of Boating & Fishing Access authorizing the removal of sediment that eroded into the Forest Lake; placing 2 to 3-inches of crushed stone above the bank of the Forest Lake to provide beach stabilization; and, filling and regrading above the bank of the Forest Lake to restore the beach area

Motion seconded by Brenda Cole

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; David Cotter – aye; Nicholas Zeo – aye; Brenda Cole – aye; Mike Swiatek - aye

Vote was Unanimous - Motion carries

5. Schedule of Public Meetings & Hearings

- a. 7:11 PM Notice of Intent (NOI) DEP #256-0343 – 116 Nipmuck Street (Map 2 Lot 52): The applicant submitted a Notice of Intent for activities associated with the construction of a detached garage and extension of a driveway with associated site work. The work is proposed within the 100-foot Buffer Zone to Bordering Vegetated Wetland (BVW), and the locally protected 50-foot vegetated buffer strip to BVW.

Donald Blais, Jr. re-opened the public hearing at 7:11 PM and Jason Dubois of DC Engineering & Survey, Inc. was in attendance to present the proposed project, stating that the work involves the construction of a 28-foot by 36-foot garage and driveway extension within the existing lawn area at 116 Nipmuck Street. The project also proposes stormwater mitigation due to the increase in impervious surface on the site, and will consist of a 12-foot by 12-foot crushed stone diaphragm drip line/trench along the downhill side of the driveway and garage.

The Agent asked Jason Dubois to address DEP comment #1, which states that the BVW on the site appears to be mowed over the years, and asked if soil borings had been done in that area. Jason reported that soil borings have not been done, and that he is not aware of the

history of the site relative to mowing the BVW. The Agent asked Jason to address DEP comment #2, which pertains to a structure within the pond and whether or not it has been permitted by the PCC. Jason reported that he did not know definitively what the structure is but believes it could be an old outfall structure from the pond. Peter Izyk added that there is a series of manmade ponds on this site, but that he was not sure how long the BVW has been mowed there. Jason proceeded to conduct a quick review of historical aerial imagery and reported that the BVW has been mowed for about the last 15-years.

The Agent did not have any additional questions about the project, and informed the PCC that she would be comfortable with the issuance of an Order of Conditions for the project.

Donald Blais, Jr. opened the hearing for additional questions and comments from the PCC and the general public; no one wished to comment further on the project at this time.

Motion made by Dorothy Lawrence to close the public hearing for DEP # 256-0343 for 166 Nipmuck Street (Map 2 Lot 52) at 7:26 PM

Motion seconded by Nick Zeo

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

Motion made by Dorothy Lawrence to issue an Order of Conditions with Findings of Fact, Special Conditions for DEP # 256-0343 for 166 Nipmuck Street (Map 2 Lot 52)

Motion seconded by Brenda Cole

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

- b. 7:29 PM Notice of Intent (NOI) DEP #256-0344 –319 River Street (Map 30 Lot 72): The applicant submitted a Notice of Intent for activities associated with the construction of a SFH with associated site work (well, septic). The work is proposed within the 100-foot Buffer Zone to Bordering Vegetated Wetland (BVW), and the locally protected 50-foot vegetated buffer strip to BVW.

Donald Blais, Jr. opened the public hearing at 7:29 PM, and Donald Frydryk of Sherman & Frydryk, LLC and applicant Henry Quenneville were in attendance to present the proposed project to the PCC. The project includes the construction of a single family home and associated site work within the buffer zone to BVW and the local No Disturb Zone pursuant to the Palmer Wetlands Protection Ordinance.

The Agent expressed her concern about the lack of proposed erosion controls and potential for washout due to the steep topography of the site and the slope of the raised septic system toward the road. She requested that erosion controls be added to the northwest corner of the site and extend along the gravel driveway to loop around the septic system. She also requested that an erosion control blanket be placed upon the septic system to prevent washout until it is stabilized with vegetation. The Agent instructed the Assistant to incorporate these erosion control considerations as conditions into the Special Order of Conditions.

The Agent proceeded to ask if the septic system had been approved by the Board of Health. Henry Quenneville reported that the septic system had been approved by the Board of Health.

Donald Blais, Jr. opened the hearing for public comment and abutter Thomas Mega wished to comment on the project, and expressed his concern about the project resulting in flooding on River Street. He also asked if the proposed septic system was over 150-feet from his well; Donald Frydryk informed him that the septic system is 150-feet from the well, which is a requirement for Title V. No other members of the general public had questions or comments on the project at this time.

Donald Blais, Jr. asked the PCC if they had additional questions or comments on the proposed project; there were no further questions or comments at this time.

Motion made by Brenda Cole to close the public hearing for DEP # 256-0344 for 319 River Street (Map 30 Lot 72) at 7:51 PM

Motion seconded by Dorothy Lawrence

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

Motion made by Nick Zeo to issue an Order of Conditions with Findings of Fact, and Special Conditions, specifically that: erosion controls be added to the northwest corner of the site and extend along the gravel driveway to loop around the septic system; and that an erosion control blanket be placed upon the septic system for DEP # 256-0344 for 319 River Street (Map 30 Lot 72) at 7:51 PM

Motion seconded by Dave Cotter

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

- c. 7:54 PM Request for Determination (RDA) – CSX 5 Year VMP (CSX Right-of-Way): The applicant is requesting confirmation of wetland boundaries along the railroad Right-of-Way mainline in Palmer in order to avoid wetland impacts during vegetation management under the railroad's Vegetation Management Plan. No work is proposed within 10-feet of wetland resource areas.

Donald Blais, Jr. opened the public meeting at 7:54 PM and Steven Herzog was in attendance to present the proposed project to the PCC, stating that the applicant is requesting a confirmation of the delineation along the CSX railroad right-of-way to avoid wetland impacts during vegetation management under the railroad's 5-year Vegetation Mangagment Plan. Steven informed the PCC that the wetland delineation has not changed in the 5-years since the last delineation confirmation was requested. The Agent informed Steven that the PCC will still review the delineation to confirm that it in fact has not changed in the last 5-years, and requested that a site visit be scheduled. Steven informed the PCC that he is waiting for approval from CSX to allow a site visit to occur due to conerns regarding COVID-19, but that he will push CSX for approval. The Agent asked if Steven would be amenable to a continuance of the public meeting until 6/16/2020 to allow him to obtain site visit approval

from the railroad; Steven said that it is unlikely to get approval by the next meeting due to COVID-19, but that he would be amenable to continuing the meeting until 7/7/2020 at 7:00 PM.

The Assistant asked when the vegetation management work is scheduled to occur. Steven reported that it is anticipated to commence in the end of June and occur in July, but that is dependent upon COVID-19 and social distancing guidelines.

Motion made by Dorothy Lawrence to continue the public meeting for the Request for Determination of Applicability submitted for CSX, Inc. 5-year VMP (CSX Right-of-Way) until 7/7/2020 at 7:00 PM

Motion seconded by Dave Cotter

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

- d. 8:00 PM Request for Determination (RDA) – 44 French Drive (Map 68 Lot 63): The applicant is requesting a determination to see if the work associated with the removal of seven (7) trees is subject to the Wetlands Protection Act and the Palmer Wetlands Protection Ordinance.

Donald Blais, Jr. opened the public meeting for the RDA submitted for 44 French Drive at 8:00 PM and property owner/applicant Donald Martel was present to discuss the proposed project includes the removal of seven (7) trees that are deteriorating and posing a threat to his home. Five (5) trees are located in the buffer zone to Bank of Lake Thompson, while the other two (2) trees are located on the bank of the lake. The trees will be removed using a crane which will be staged between the road and the house, and then loaded onto a log truck to be removed from the site. No stump grinding has been proposed.

The Agent had no further questions or concerns about the project as proposed. Donald Blais, Jr. opened the meeting for questions and comment from the PCC and the general public; no one wished to comment on the project at this time.

Motion made by Dorothy Lawrence to close the public meeting for the Request for Determination of Applicability submitted for 44 French Drive (Map 68 Lot 63) at 8:09 PM

Motion seconded by Nick Zeo

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

Motion made by Dorothy Lawrence to make a Negative Determination, Box 2 stating that work described within the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent

Motion seconded by Nick Zeo

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

Motion made by Dorothy Lawrence to make a Negative Determination, Box 3 stating that 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 Special Conditions

Motion seconded by Dave Cotter

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

Motion made by Dorothy Lawrence to make a Negative Determination, Box 6 stating that area/work described within the Request is not subject to review and approval pursuant to the Palmer Wetlands Protection Ordinance, Chapter 168

Motion seconded by Dave Cotter

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

- e. 8:16 PM Notice of Intent (NOI) DEP #256-0345 – MA DOT 250 & 358 Shearer Street (Map 12 Lot 32 & Map 13-68): The applicant submitted a Notice of Intent for activities associated with emergency repairs to the Mongo Pond dam to avoid additional damage to the I-90 access ramp roadway embankment. The work is proposed within Bank, Land Under Water, and the 100-foot Buffer Zone to Bordering Vegetated Wetlands associated with Dumplin Brook.

Donald Blais, Jr. opened the public hearing at 8:16 PM and representatives Erika Klinkhammer and Greg Berube of Pare Corporation in addition to Robert Natario of MassDOT were present to discuss the proposed project. Wetland resource areas on the site include BVW associated with Dumplin Brook, Bank of Mongo Pond, and Bank of an intermittent stream; buffer zone is also associated with these resource areas. A culvert on the site spans over 200-feet, so Riverfront Area is parallel to the headwall of the culvert and extends north-south.

The Agent asked why Riverfront Area was delineated from north-south rather than east-west. The Agent also asked why the Notice of Intent did not address impacts to BVW or Riverfront Area resulting from the I-90 on ramp failure, as required by the Emergency Certification issued by the PCC on 12/9/2019. Erika stated the Regulations state that Riverfront Area starts at the culvert outlet and extends horizontally because the culvert is over 200-feet in length. Erika also stated that there is no sediment in the BVW associated with Dumplin Brook, and that it was delineated as open water, but that there is some sediment in the convergence of the intermittent stream and Dumplin Brook. The Agent argued that there was sediment in the cattails in the BVW, and that the Emergency Certification required that impacts to resource areas (i.e. sedimentation) be quantified so that appropriate restoration could be conducted.

Greg Berube proceeded to show pictures of the site. The Agent asked for clarification from the representatives that the resource area was delineated as Land Under Waterbodies and Waterways (LUWW) and not as BVW. Erika pointed to a flag in one of the site photos and stated that it delineates the edge of BVW and LUWW, but that the BVW restoration was not proposed. The Agent reiterated her point that there is in fact BVW on the site that contains

sediment, and that the applicant is required to quantify the amount of sediment and remove it from resource areas. The Agent requested to do a site visit with the representatives during the week of 6/8/2020, TBD.

Erika Klinkhammer continued to review impacts to resource areas, stating that approximately 35-feet of bank was altered due to the construction of a gravel burrough to provide stabilization to the stream bank. Additional impacts to the bank of the intermittent stream resulted from the construction of the new flared end section at the new culvert outlet, but that these are 'minor' impacts. Downstream impacts are temporary and the area will naturally revegetate. The new water control structure will create permanent impacts to LUWW. A coffer dam will be utilized to allow for dewatering and for the installation of the new water control structure. The new outlet structure will create new Bank and new LUWW.

The representatives requested a continuance of the public hearing until 6/16/2020 to allow for new information to be developed (i.e. quantification of permanent resource area impacts, quantification of new resource areas created) and so that a site visit can be conducted with the Agent.

Motion made by Dorothy Lawrence to continue the public hearing for DEP # 256-0345 for MA DOT 250 & 358 Shearer Street until 6/16/2020 at 7:00 PM

Motion seconded by Nick Zeo

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

- f. 9:05 PM Notice of Intent (NOI) DEP #256-0346 – Bondsville Water District Thorndike Street/RT-181 (Map): The applicant submitted a Notice of Intent for activities associated with the installation of a new water main and pressure reducing valve along Sykes Street and Fuller Road. The work is proposed within the Riverfront Area to the Ware River, within the 100-foot Buffer Zone to wetlands, and within and the locally protected 50-foot vegetated buffer strip to wetlands. The project site is located at Palmer Street in Palmer, MA 01069, and is also known as: Map 24 Lot N/A.

Donald Blais, Jr. opened the public hearing at 9:05 PM and Robert Sims of Tata & Howard, Inc. was in attendance to present the proposed project. The BFWD is proposing to install approximately 5,100 feet of 12-inch diameter ductile iron water main along Route 181 and Fuller Road, and approximately 180 feet of new 8-inch high density polyethylene (HDPE) pipe will be installed through an existing 12-inch diameter sleeve beneath the Ware River. The project also includes the installation of a below ground vault on Route 181 to house a PRV. This project is intended to create a reliable interconnection between the BFWD and the Three Rivers Water District. The pressure reducing valve is required since the water districts have different hydraulic gradelines. Work below ground would include a concrete vault housing the pressure reducing valves and piping. The only above ground structure would be a hatch to the vault. Minimal new impervious area is proposed. Work is anticipated to commence in August or September, will shut down for winter, and will begin again in April of 2021.

The Agent stated that there was no quantification of impacts to Riverfront Area and Bordering Land Subject to Flooding (BLSF) included in the Notice of Intent, and requested that the

impacts be quantified because although the impacts may be temporary, the exemptions for BLSF and RA cancel each other out.

The Agent informed the PCC that a majority of the work is either exempt under the Regulations or is covered under the Highway Bundled Notice of Intent, and that she is comfortable with the issuance of an Order of Conditions. Robert Sims asked if the PCC would prefer to include a time-of-year restriction in the Order of Conditions, and if so, it will be included in the construction specs for the project. The Agent stated that NHESP issued a no-take determination, which will be included in the Order of Conditions as necessary.

Donald Blais, Jr. opened the public hearing for further questions or comments by the PCC or the general public. No one wished to comment further on the project at this time.

Motion made by Dorothy Lawrence to close the public hearing for DEP # 256-0346 for Bondsville Water District Thorndike Street at 9:28 PM

Motion seconded by Dave Cotter

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

Motion made by Dorothy Lawrence to that the proposed project meets the Limit Project Provisions of 310 CMR 10.53(3)(d), being: The construction, reconstruction, operation and maintenance of underground and overhead public utilizes, such as electrical distribution or transmission lines, or communication, sewer, water and natural gas lines, may be permitted in accordance with the following general conditions and any additional conditions deemed necessary by the Issuing Authority:

1. The Issuing Authority may require a reasonable alternative route with fewer adverse effects for a local distribution or connecting line not reviewed by the Energy Facilities Siting Council;
2. Best available measures shall be used to minimize adverse effects during construction;
3. The surface vegetation and contours of the area shall be substantially restored; and,
4. All sewer lines shall be constructed to minimize inflow and leakage.

Motion seconded by Dave Cotter

The Agent asked the PCC if they were amenable to waiting to issue the Order of Conditions until 6/16/2020 so that the applicant can provide the calculations on temporary impacts to Riverfront Area and Bordering Land Subject to Flooding. The PCC was amenable to this recommendation.

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

6. Requests for Certificates of Compliance

- a. DEP # 256-0331: 271 Breckenridge Street – Borrego Solar

Brandon Smith and Will Paragoy of Borrego Solar were present to discuss the Request for Certificate of Compliance submitted for DEP # 256-0331 for the construction of a large-scale solar array at 271 Breckenridge Street, which was submitted in Spring of 2020. The project created stormwater management issues which

resulted in runoff from the driveway onto Breckenridge Street. The stormwater management issues were mitigated by the installation of a dry well and associated drainage pipes, which occurred in 2019, but the Agent informed the applicant that the runoff issues are still occurring. The applicant is now proposing to increase the size of the stormwater management system to solve the runoff issues so that a Certificate of Compliance may be issued. The Agent reported that the DPW requested that a Certificate of Compliance not be issued until the stormwater management issues have been permanently solved. Possible solutions include expanding the system in place or installing a completely different stormwater management system. The DPW would also be amendable to connecting the stormwater management system into the municipal system due to the small amount of runoff draining from the site onto Breckenridge Street.

The PCC conducts a final site inspection with the full commission prior to the issuance of a Certificate of Compliance for large-scale development projects. The final inspection which is scheduled to occur on 6/8/2020 at 10 AM. The PCC did not take any further action on this agenda item.

b. DEP # 256-0234: 573 Old Warren Road (Map 21 Lot 7)

The PCC received a Request for Certificate of Compliance (COC) for the aforementioned DEP file number in April 2020, but was unable to act on the Request due to the COVID-19 pandemic. The Agent performed the final site visit to inspection for compliance with the Order of Conditions and found no issues of non-compliance. The Agent provided a letter to the applicant's attorney reporting that there are no issues of non-compliance and that she would recommend the PCC issue a full COC, but that she was unsure when the PCC would meet next to issue a COC due to COVID-19.

Motion made by Dave Cotter to issue a full Certificate of Compliance for DEP # 256-0234 for 573 Old Warren Road

Motion seconded by Nick Zeo

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

c. DEP # 256-0236: 573 Old Warren Road

The PCC received a Request for Certificate of Compliance (COC) for the aforementioned DEP file number in April 2020, but was unable to act on the Request due to the COVID-19 pandemic. The Agent performed the final site visit to inspection for compliance with the Order of Conditions and found no issues of non-compliance. The Agent provided a letter to the applicant's attorney reporting that there are no issues of non-compliance and that she would recommend the PCC issue a full COC, but that she was unsure when the PCC would meet next to issue a COC due to COVID-19.

Motion made by Dorothy Lawrence to issue a full Certificate of Compliance for DEP # 256-0236 for 573 Old Warren Road

Motion seconded by Dave Cotter

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

d. DEP # 256-0210: 26 Homestead Street (Map 8 Lots 64-70 & 64-71)

The Agent reported that this site originally contained two (2) parcels of land that were combined after the issuance of an Order of Conditions, so the Order was recorded on only one (1) of the parcels. A Certificate of Compliance was issued in 2009 for the project, but it was also recorded for only one (1) of the two (2) parcels, so the current Request for COC is procedural to remove the lien on the deed for the second lot.

Motion made by Dorothy Lawrence to issue a full Certificate of Compliance for DEP # 256-0210 for 26 Homestead Street

Motion seconded by Dave Cotter

No further discussion

Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Dave Cotter – aye; Peter Izyk – aye;

Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek – aye

Vote was Unanimous - Motion carries

7. Project Monitoring

a. L65 Bennett Street

The site visit to L65 Bennett Street was canceled due to COVID-19. The Agent will invite the property owner to participate in the next PCC Zoom meeting to reschedule the site visit.

8. Violations & Enforcement

a. DEP # 256-0332: 153 Breckenridge Street

The Agent conducted an inspection to 153 Breckenridge Street and reported that the erosion is increasing and that sediment levels, which had accumulated to a depth of several inches, are now accumulated to a depth of several feet.

b. Faragon Ave: Dock

The Agent reported that she is investigating a complaint pertaining to a dock or deck structure off Faragon Ave on Lake Thompson to determine if there is a violation. An enforcement notice has not been issued to date.

c. 104 Beech Street

The Agent discovered a violation at 104 Beech Street pertaining to the installation of a chicken coup and enclosed animal pen within the buffer zone and 50-foot No Disturb Zone to bank of the intermittent stream on the site. The Agent required the property owner to move the structures outside of the NDZ and file an after-the-fact Request for Determination of Applicability so the PCC can review and approve their installation.

d. MVP Grant 2020

The Agent reported that she received a one (1) year extension on the MVP grant.

9. New/Old Business

a. Master Plan Update

Dorothy Lawrence reported that the next meeting of the Master Plan Update Committee will occur in July 2020.

10. Set Next Meeting Date

- a. The next meeting of the PCC is scheduled to occur on Tuesday, June 16, 2020 at 6:30 PM.

11. Meeting Adjourned: 10:01 PM

Motion made by Dorothy Lawrence to adjourn at 10:01 PM

Motion was seconded by Dave Cotter

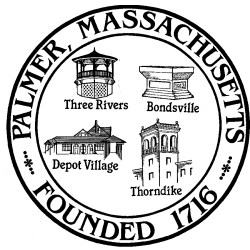
Role call vote: Donald Blais, Jr. – aye; Dorothy Lawrence – aye; Peter Izyk – aye; Dave Cotter – aye; Nick Zeo – aye; Brenda Cole – aye; Mike Swiatek - aye

Vote was Unanimous - Motion carries

Sincerely Submitted,

Sarah A. Fortune

Palmer Conservation Assistant



TOWN OF PALMER CONSERVATION COMMISSION

Meeting Documents

Tuesday, June 2nd, 2020 – 6:30 PM

LOCATION: Town Administrative Building Meeting Room

Donald Blais, Chair
Dorothy Lawrence, Vice
Chair
David Cotter
Peter Izyk
Nicholas Zeo
Brenda Cole
Mike Swiatek

Angela Panaccione, Agent
Sarah Fortune, Assistant

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.	Meeting Minutes: 3/4/2020	Approval of Minutes	Retained in 2020 minute binder in office
2.	DEP # 256-0343 – 116 Nipmuck Street: DEP file comments	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0343
3.	DEP # 256-0343 – 116 Nipmuck Street: Notice of Intent	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0343
4.	DEP # 256-0343 – 116 Nipmuck Street: Local Conservation Permit Application	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0343
5.	DEP # 256-0343 – 116 Nipmuck Street: Site Plan	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0343
6.	DEP # 256-0344 – 319 River Street: DEP file comments	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0343
7.	DEP # 256-0344 – 319 River Street: Notice of Intent	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0344
8.	DEP # 256-0344 – 319 River Street: Site Plan	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0344
9.	DEP # 256-0345 – MA DOT Shearer Street: DEP Comments	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0345
10.	DEP # 256-0345 – MA DOT Shearer Street: Site Plan	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0345
11.	DEP # 256-0345 – MA DOT Shearer Street: Revised Site Plans 5/8/2020	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0345
12.	DEP # 256-0345 – MA DOT Shearer Street: Minimum Information and Documentation for Dewatering Plans	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0345
13.	DEP # 256-0345 – MA DOT Shearer Street: Notice of Intent	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0345
14.	DEP # 256-0345 – MA DOT Shearer Street: Army Corps of Engineers Construction General Permit Information AE-2020-01040	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0345
15.	DEP # 256-0346 – Bondsville Water Line: Notice of Intent	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
16.	DEP # 256-0346 – Bondsville Water Line: Local Application for Conservation Permit	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
17.	DEP # 256-0346 – Bondsville Water	Schedule of Public	Retained in file for DEP

	Line: Project Narrative	Meetings & Hearings	#256-0346
18.	DEP # 256-0346 – Bondsville Water Line: Stormwater Report	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
19.	DEP # 256-0346 – Bondsville Water Line: Appendix A, Resource Areas	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
20.	DEP # 256-0346 – Bondsville Water Line: Appendix B, Site Plans	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
21.	DEP # 256-0346 – Bondsville Water Line: Appendix C, Environmental Protection Conditions	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
22.	DEP # 256-0346 – Bondsville Water Line: Appendix D, Abutter Notification and Certified Abutters List	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
23.	DEP # 256-0346 – Bondsville Water Line: Appendix E, NHESP Correspondence for Priority Habitat	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
24.	DEP # 256-0346 – Bondsville Water Line: Appendix F, MESA Filing	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
25.	DEP # 256-0346 – Bondsville Water Line: Appendix G, Site Photos	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
26.	DEP # 256-0346 – Bondsville Water Line: Appendix H, EcoTec Wetlands Report	Schedule of Public Meetings & Hearings	Retained in file for DEP #256-0346
27.	CSX Transportation, Inc. – Vegetation Management Plan: Request for Determination of Applicability	Schedule of Public Meetings & Hearings	Retained in RDA file for CSX Transportation, Inc.
28.	44 French Drive – Tree Removal: Request for Determination of Applicability	Schedule of Public Meetings & Hearings	Retained in RDA file for 44 French Drive – Tree Removal
29.	44 French Drive – Tree Removal: Site Photos	Schedule of Public Meetings & Hearings	Retained in RDA file for 44 French Drive – Tree Removal
30.	DEP # 256-0331 – 217 Breckenridge Street – Borrego Solar: Request for Certificate of Compliance	Requests for Certificate of Compliance	Retained in file for DEP #256-0331
31.	DEP # 256-0234 – 573 Old Warren Road: Request for Certificate of Compliance	Requests for Certificate of Compliance	Retained in file for DEP #256-0234
32.	DEP # 256-0236 – 573 Old Warren Road: Request for Certificate of Compliance	Requests for Certificate of Compliance	Retained in file for DEP #256-0236