



# TOWN OF PALMER

Palmer Town Building  
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## CONSERVATION COMMISSION

### PALMER CONSERVATION COMMISSION MEETING TUESDAY JUNE 4, 2013 @ 7:00 PM

**Members Present:** Robert Ring (Chair)  
Donald Duffy  
Matt Trybus  
Dennis Cote  
Peter Izyk  
Angela Panaccione (Agent)

**Members Absent:**

**Meeting Opens:** 7:05 PM – Robert Ring (Chair)

**7:00 PM Administrative Matters: Minute Approval –May 21, 2013**

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**Motion made by Matt Trybus to approve the minutes from Tuesday May 21, 2013 as corrected**  
**Motion seconded by Dennis Cote**  
**No further discussion – vote taken: 4-0-1 (Peter Izyk abstains)**

**7:00 PM RDA – Mass Electric Co (MECo)/National Grid, 105 North Street in Palmer, MA**

Deelvena Goshe attended the meeting tonight, as representative for National Grid, to present the Request for a Determination of Applicability for the proposed non-exempt work that will entail the installation of one new utility pole (Pole 17-1) at 105 North Street in Palmer, MA. The proposed work will result in temporary disturbance of the 200-Foot Riverfront Area. The location of the proposed project is 105 North Street in Palmer, MA 01069, and is also known as: Map 23-21.

Palmer Solar, LLC has proposed the installation of a 2.0 MW photovoltaic generating system at 105 North Street. MECo plans to extend electrical service to the property from Palmer Road, and replace existing poles on local streets. In general, the project entails the replacement of 26 poles along Palmer Road, Bridge Street, Main Street and North Street, and the installation of four new poles and anchors within the limits of a privately-owned parcel (Palmer Solar, LLC: Book 16754/Page 364) located at 105 North Street. Much of the proposed work is outside jurisdictional wetland resource areas or is considered exempt from the MA Wetlands Protection Act.

The proposed non-exempt work will entail the installation of one new utility pole (Pole 17-1). The new pole (Pole 17-1) will be located within the 200-Foot Riverfront Area associated with a perennial stream located northwest of the Norbell Street/ North Street intersection (See Figure 3). All work will occur within an existing grass area along the existing access road into the parcel. The poles will follow the existing access road into the site. Installation of the poles will be accomplished using a truck-mounted auger to bore to the appropriate depth to set the new pole. Each pole will be installed to a depth of

approximately 8 feet below the surface grade. The disturbed area for each pole is anticipated to be minor in nature (approximately 18 inches in diameter), representing the footprint of a typical utility pole at its base. Some selective vegetation removal in the vicinity of the work may be required and any soils not used to stabilize the poles will be removed from site. It is anticipated that most of the work can be conducted from paved areas and/or upland areas and the work will take less than a day each to complete. Following the completion of construction, any disturbed soils or excess auger cuttings will be mulched with hay or straw.

No work is proposed within wetland areas. According to The Massachusetts Natural Heritage and Endangered Species Program (NHESP) Atlas (October 1, 2008) and MassGIS online (October 2008), the project area is not located within the limits of mapped Priority Habitats of Rare Species and Estimated Habitats of Rare Wildlife.

#### Approved Plans and Documents

1. Request for Determination of Applicability: Utility Line Maintenance Project - 105 North Street; Massachusetts Electric Company d/b/a/ National Grid, prepared by Tighe & Bond, dated May 20, 2013
2. Figures 1: USGS Site Locus Map; prepared by Tighe & Bond, dated May, 2013
3. Figures 2: Priority Resource Map; prepared by Tighe & Bond, dated May, 2013
4. Figures 3: Orthophotograph Site Plan; prepared by Tighe & Bond, dated May, 2013
5. Environmental Guidance: Access, Maintenance and Construction Best Management Practices (BMPs); prepared by National grid, dated August 8, 2012
6. Attachment C: Site photographs; prepared by Tighe & Bond; dated April 29, 2013

#### **Motion made by Dennis Cote to close the Public Meeting and issue a Negative Determination, Box 2 and 6**

**Motion seconded by Peter Izyk**

**No further discussion – vote taken: 5-0-0– Motion Carries**

#### **7:15 PM RDA – Mass Electric Co (MECo)/National Grid, River Street in Palmer, MA**

Deelvena Goshe attended the meeting tonight, as representative for National Grid, to present the Request for a Determination of Applicability for the proposed non-exempt work that will entail the installation of one new utility pole and push brace along River Street in Palmer, MA. The proposed work will result in temporary disturbance of the 100-foot buffer zone of Bank (Forest Lake) and Bordering Land Subject to Flooding (BLSF). The location of the proposed project is along River Street (near Bennett Road intersection) Palmer, MA 01069, and is a Roadway Right-of-Way.

The proposed work will entail the installation of one new utility pole (Pole 112-84) within the existing utility easement along the north side of River Street. Additionally, an existing pole (Pole 113) will be replaced within the same footprint (exempt per the MA Wetlands Protection Act) on the south side of River Street, and a new push brace (Pole 113-89) installed south of Pole 113. Installation of the new pole will be accomplished using a truck mounted auger to bore to the appropriate depth and set the new pole. The pole will be installed to a depth of approximately 8 feet below the surface grade. The disturbed area for the pole is anticipated to be minor in nature (approximately 18 inches in diameter), representing the footprint of a typical utility pole at its base. Some selective vegetation removal in the vicinity of the work may be required and any soils not used to stabilize the poles will be removed from site. It is anticipated that most of the work can be conducted from paved areas and/or upland areas and the work will take less than a day each to complete. Following the completion of construction, any disturbed soils or excess auger cuttings will be mulched with hay or straw.

The new pole will be located within the 100-foot buffer zone of Bank (Forest Lake). The work associated with the push brace is located within BLSF, will be installed within four feet of the Pole 113 and above the top of Bank of Forest Lake; and will take place approximately three feet from the bank of Forest Lake. All work will occur within the existing utility easement along the paved roadway and shoulder. According to The Massachusetts Natural Heritage and Endangered Species Program (NHESP) Atlas (October 1, 2008) and MassGIS online (October 2008), the project area is located within the limits of mapped Priority Habitats of Rare Species and Estimated Habitats of Rare Wildlife. However, the project is considered exempt from the MA Endangered Species Act regulations per 321 CMR 10.14(10): *installation, repair, replacement, and maintenance of utility lines (electrical) for which all associated work is within ten feet from the edge of existing paved roads.* No certified vernal pools are within the vicinity of the project.

Approved Plans and Documents

1. Request for Determination of Applicability: Electrical Distribution Line Project River Street Massachusetts Electric Company d/b/a/ National Grid, prepared by Tighe & Bond, dated May 20, 2013
2. Figures 1: USGS Site Locus Map; prepared by Tighe & Bond, dated May, 2013
3. Figures 2: Priority Resource Map; prepared by Tighe & Bond, dated May, 2013
4. Figures 3: Orthophotograph Site Plan; prepared by Tighe & Bond, dated May, 2013
5. Environmental Guidance: Access, Maintenance and Construction Best Management Practices (BMPs); prepared by National grid, dated August 8, 2012
6. Attachment C: Site photographs; prepared by Tighe & Bond; dated April 29, 2013

**Motion made by Don Duffy to close the Public Meeting and issue a Negative Determination, Box 2, 3 w/ conditions: 1) All work will be conducted within the maintained roadway right-of-way. 2) Following the completion of construction, any disturbed soils or excess auger cuttings will be mulched with hay or straw; and Box 6**

**Motion seconded by Matt Trybus**

**No further discussion – vote taken: 5-0-0– Motion Carries**

**7:30 PM Administrative Matters: Site Visit Reports**

The Commission discussed the site visit pertaining to the preliminary resource area delineations of parcels 13-14, 13-32, 19-32 and 19-37-1.

**7:40 PM Administrative Matters: Internship – Alex Marche**

Alex attended tonight’s meeting to update the commission on his progress. Alex has almost completed his project. Ring acquired the “No Unauthorized Motorized Vehicle” from the DPW and Alex installed them on Bacon Rd and Browns Road. Alex will photograph the sign locations for the Commission’s records. Alex also informed the commission the trails have been cleared of down branches and trees and are looking good. Ring suggested we schedule a time in the next few weeks to take a photo of the Alex, the trails and the commission for the paper.

**7:45 PM EO/Violation: 54 French Drive – Zach Cooper**

The Commission conducted a site visit at 9:00 AM on Friday May 24, 2013 to view the initial barrier wall that was installed. Cooper wished to use the equipment on site to complete the installation, but the commission denied the request. At the visit, the Commission granted permission to install the second wall. The Commission also permitted the removal of the primary silt fence and silt sock closets to the wall; while keeping and maintaining the silt fence closest to the water. The Commission also requests Mr. Cooper add erosion controls to the far

right section of the wall, where the black tube drains out, to prevent further sedimentation from entering the lake. The Commission was also concerned with the stockpile of soils at the top of the slope, by the house. Cooper stated he would be using those soils to spread in the area upon completion of the second wall, to be used as loam for grass to grow. Additionally, both slopes will have grass and flowers/vegetation planted near the wall to prevent soil washout.

**7:50 PM            Administrative Matters: Lamothe Update**

Ring informed the Commission the court date scheduled for Friday May 17, 2013 has been postponed again. Lamothe has hired a new attorney and a wetlands specialist and is now appearing to want to work with the commission. The wetlands specialist will delineate the entire property for the commission. Mr. Lamothe, his attorney and the wetlands specialist will attend the next meeting, on June 4, 2013.

**Motion made by Dennis Cote to enter an executive session at 7:50 PM**

**Motion seconded by Don Duffy**

**No further discussion – vote taken: 5-0-0 – Motion Carries**

**Motion made by Don Duffy to exit the executive session at 8:15 PM**

**Motion seconded by Peter Izyk**

**No further discussion – vote taken: 5-0-0 – Motion Carries**

**Next Meeting Date: Tuesday, June 18, 2013 at 7 PM**

**8:20 PM            Meeting Adjourned**

**Motion made by Don Duffy to adjourn**

**Motion seconded by Denis Cote**

**No further discussion – vote taken: 5-0-0 – Motion Carries**

Sincerely Submitted

Angela Panaccione, Agent