



# TOWN OF PALMER CONSERVATION COMMISSION

## Meeting Minutes

Tuesday, August 15<sup>th</sup>, 2023 – 6:50 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  
Heidi Mannarino, Agent

**Members Present:** Donald Blais, Jr.  
Peter Izyk  
Dave Cotter (arrived at 7:00 PM)  
Brenda Cole

**Members Absent:** Dorothy Lawrence  
Nick Zeo  
Lucas McDiarmid

**Also Present:** Christina Pike  
Andrew St. George  
Donald Labare

1. **Call to Order:** 6:50 PM – Donald Blais, Jr. (Chair)
2. **New/Old Business:**
  - a. Midura Event

The Chairman welcomed Andrew St. George the recreation director and said that he is here to discuss the upcoming event at the Midura Family Conservation Area on August 26<sup>th</sup>. Andrew started by informing the Commission that he attended the Town Council meeting on August 14<sup>th</sup>, and they officially voted to approve the allocation of funds for the LAND Grant to acquire the property off Barker St.

Andrew passed around flyers for the upcoming event and listed roles that were available if any Commissioners are willing to take them. He described that parking would be in the second meadow, and the event will take place in the first meadow and will include several fire departments and state police. Andrew stated that the department received some materials donated from Home Depot to build nesting boxes for Eastern Bluebirds, which will be an activity at this event as well as a guided hike. Andrew added that there will be food and live music as well. Dave Cotter arrived and Chairman Blais requested they attend to other business since the Commission was now at quorum.

3. **Signing of Documents (DOA, OOC, COC, Ext, Etc.):**
  - a. **Certificate of Compliance (COC) for DEP #256-0283 52 Pinney Street**

The Agent asked Don Labare to come to the microphone and began introducing the history of the site. She stated that the initial Order of Conditions was issued in 2009 and the project has been long since completed. The Agent mentioned that there is no as-built plans since the original Special Conditions did not require them, however the consultant Don Frydryk provided some notes of what differs from the as-built plans. She added that she conducted the site visit on August 7<sup>th</sup>.

Mr. Frydryk included in his notes that the cape cod berm was never added to the sides of the driveway to prevent erosion. Mr. Labare stated that the pavers never returned to finish that part of the project as they had August 15<sup>th</sup>, 2023

promised. The Agent pointed out that the edge of the drive was stabilized with stone by Mr. Labare and has seemed to work as needed since the order was issued. Mr. Frydryk's notes also included that the drywell shown in the plans was found to be in poor condition, so a new drywell was installed by the SW corner of the house, within the limit of work.

The Agent added that the catch basin on the plans was installed approximately 15 feet from the proposed location. She noted that during her site inspection it was raining substantially, and she could observe that the catch basin was functioning properly, and had no issues with built up sediment.

Mr. Frydryk's notes included that the wall on the west side of the property was shortened by 25 ft, the gravel access path had become over-grown with vegetation, the concrete platform on the plans now has a deck, and there is now a concrete path from the existing stairs to the drive, all of which was within the limit of work. The Agent stated that she would recommend a complete certificate of compliance as everything seems to have been done satisfactorily. There were no further questions from the Commission.

**Brenda Cole made a motion to issue a complete Certificate of Compliance for DEP #256-0283**

**Motion seconded by Dave Cotter.**

**Motion carries 4-0-0.**

**No further discussion.**

**4. Minutes: 8/1/23**

**Brenda Cole made a motion to approve the minutes of 8/1/23.**

**Motion seconded by Peter Izyk.**

**Motion carries 4-0-0.**

**No further discussion.**

## **5. Violations & Enforcement:**

a. 9 Fuller Road DEP #256-0358

The Agent stated that she documented several violations at this site during a routine site inspection, most urgently the failure of the erosion controls. She included pictures of the violations within the Commissioner's packets. Agent Mannarino noted that the silt fence and straw wattles were being drastically overtopped by sediment, the stockpiles of topsoil were not protected from rain and wind with controls, and the flags marking the limit of work have either been removed or have fallen.

The Agent added that the previous lead on this project has since left the company and she has been having issues contacting the new management. She recommended that the Commission issue an enforcement order to ensure that this problem gets resolved as soon as possible.

**Motion made by Dave Cotter to ratify the enforcement order for 9 Fuller Road DEP #256-0358 for failure to maintain erosion controls and limit of work.**

**Motion seconded by Peter Izyk.**

**Motion carries 4-0-0.**

**No further discussion.**

August 15<sup>th</sup>, 2023

**New and Old Business (continued):**

a. Midura Event (cont.)

Andrew St. George returned to the microphone and continued summarizing the activities that will be taking place at this event. He mentioned that he had contacted Palmer Police Department about having an officer present to help direct parking and keep visitors safe. Dave Cotter asked if volunteers would need high visibility clothes for coordinating parking, to which Andrew agreed saying that it would be a matter of safety.

Dave Cotter asked whether they would have trail maps at the event, to which the Agent responded there will be maps and info on Midura and the other conservation areas in town. Andrew added that this event will be a great opportunity to get the community familiar with these trails.

The Chairman reiterated that the Town Council had approved the funding for the LAND grant, which will be reimbursed 70%. Andrew noted that the total cost was about \$20,000 more than the sale price with recording fees, title certification, and survey, but ultimately would be about \$6,000 more after reimbursement from the grant.

No further discussion.

**6. Correspondence:**

a. Forest Cutting Plan: Old Warren Road (Map 27-6)

The Agent mentioned that she does not see anything that concerns her on this plan. Peter Izyk mentions that this plan is on the other side of King's Brook in relation to the Midura Conservation Area. Dave Cotter added that the plan is only for 8 acres of harvesting. The Agent added that the last day for comment on this plan will be August 17<sup>th</sup>.

There was no further discussion.

**Violations and Enforcement (cont.):**

b. Sherwood Lumber DEP #256-0327

The Agent began by stating that the construction occurring at Sherwood Lumber recently is not within the Commission's jurisdiction because there is a 25ft riverfront area at this portion of the Swift River. She did find that the Order of Conditions that exists for this property included plans for a boardwalk that could be used to cover the water pumping station that Sherwood has located on Town property, which was never constructed. Dave Cotter mentioned that he had stopped in and asked about the pressure treated lumber they had stored on their site, but no one currently working there knew about it.

No further discussion.

**New and Old Business (cont.):**

b. Update on Fishing Platform DEP #256-0365

The Agent stated that the fishing platform has been completed except for a few landscaping measures that cannot be implemented until there is a final decision on whether there will be a donation of a gazebo. The Agent added that the dedication plaque has been ordered and there will be a ceremony for the opening of this platform

sometime in the Fall. Commissioner Cole asked if it was a usable area at this point, to which the Agent replied that it is usable and she has seen kids using it.

No further discussion.

c. Forest Lake Watershed Based Plan

The Agent summarized the background of the process of the 604b grant and the next step being a 319 grant to implement some of the recommendations given in this Watershed plan. The Agent mentioned that a major point of this plan calls out the phosphorus loading in Forest Lake, as the watershed exceeds the desired limit in many areas. The Agent added that this is concerning because higher levels of phosphorus can lead to increased likelihood of algae blooms and increased numbers of rooted plants. The consultant had reported 4 invasive plants within Forest Lake, including fanwort and milfoil.

The Agent noted that the dissolved oxygen levels have drastically decreased from the Cullinan Report which was written in the 1980's. She stated that it was recommended in the report to closely look at the unnamed tributary which contains Roger Reed Fish Hatchery and Lake Thompson to pinpoint where the phosphorus loading is primarily happening in this area.

The Agent pointed out that many recommendations given in the report will involve some cooperation with the State, who will have a vested interest in the report especially since decreased dissolved oxygen could suppress trout populations in Forest Lake. There was some discussion about how the Town and State may better utilize the bioretention basin by the boat launch and redirecting sheet flow from Route 32.

Christina Pike noted from the audience that there are public rights-of-way that need to be improved because stormwater is discharging from these areas right into Forest Lake.

Commissioner Cotter asked how this information will be relayed to the State, to which the Agent replied that once the report is no longer in draft form, there will need to be a conversation about this.

Christina Pike mentioned that during the Town Council meeting there were questions about E-Coli testing at the lake, but there has been testing twice a month for several years during the summer through C4R. The Agent added that the result of these tests can be found on the town website.

No further discussion.

d. **Set Next Meeting Date: 9/5/2023**

e. **Adjourn:**

**Motion made by Brenda Cole to adjourn at 7:45 PM.**

**Motion seconded by Dave Cotter.**

**Motion carries 4-0-0.**

**No further discussion.**

Sincerely Submitted,

Heidi Mannarino  
Conservation Agent

August 15<sup>th</sup>, 2023