



TOWN OF PALMER CONSERVATION COMMISSION

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Robert Ring, Chair
Donald Duffy, Vice Chair
Peter Izyk
Dennis Cote
Tharyn Nein-Large
Sean O'Donnell

Agent: Angela Panaccione

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MEETING MINUTES

TUESDAY AUGUST 5, 2014 @ 7:00 PM

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

Members Absent: Tharyn Nein-Large
Sean O'Donnell

Also Present: George Bousquet, 33 Onley Road
Tony Wonseski, SVE Associates
Elaine Williamson

Meeting Opens: 7:24 PM – Robert Ring (Chair)

7:24 PM Request for Determination (RDA): Peterson Road Solar; Peterson Road/Mason Street

Robert Ring re-opened the public meeting for the Request for Determination (RDA), submitted by SVE Associates c/o of Peterson Road Solar, LLC, for a proposed Solar Array, located at Peterson Road/Mason Street Turnaround, Palmer, MA and is also known as: Map 15-7. The proposed work will include installation of a 3.6 MW ground mounted solar array; including the clearing of 28 acres. Work will occur within the buffer zone of resource areas protected under the Wetlands Protection Act and the Town of Palmer Wetlands Ordinance. Representative Tony Wonseski, of SVE Associates was present.

Wonseski presented the revised site plans, dated July 29, 2014, showing the 40-acre lease required by the Planning Board in order to fully encompass the access road.

The revised plans also incorporated the erosion and sediment controls on the access road, around the panels and under the paneling. Additional sediment traps were also incorporated to catch water before it is discharged. Additionally, the plans incorporated the conduit trenching for electrical wiring (to a depth of 18"-32").

The historic orchards on site are also shown as protected in perpetuity as part of the lease agreement with the property owners.

Per the request of the Commission, Wonseski authorized the Commission to have site access for inspections as needed and was amenable to incorporating site access as a condition for work.

Other Conditions include:

1. Any changes to the proposed access road, including enlarging, widening, filling, paving or relocating will require the filing of a Notice of Intent. Additionally, if the existing culvert on site fails or is found to require replacement, the filing of a Notice of Intent will be required.
2. The portion of the access road that currently transects the Wetland A and Wetland B will be re-enforced with timber matting. Additionally, the sides of the access road bordering the wetlands will be protected by silt fence armored with straw bales or equivalent, to prevent erosion into the wetlands.
3. Siltation barriers and erosion controls shall be installed according to the site plan entitled Peterson Road Solar Array: Erosion Control Plan (Sheet C01.4), prepared by SVE Associates, Inc.; Signed by Anthony Wonseski, Jr., revised 7/29/2014; and shall remain in place until all disturbed areas are re-vegetated and stabilized. The Commission will be notified upon installation and an inspection shall be scheduled.
4. All Erosion control measures shall be inspected, cleaned or replaced during construction and shall remain in place until stabilization of all areas that may impact resource areas is permanent. These devices shall also be inspected to assure that the maximum control has been provided, and maintained or reinforced as necessary. Any entrapped silt shall be removed to an area outside the buffer zone and resource areas, and maintained or reinforced as necessary.
5. The applicant shall immediately control or correct any erosion problems that occur at the site and shall immediately notify the Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary.
6. Only upon completion of this project, *and* when The Commission and/or its Agent is assured that there is complete stabilization of all areas, shall erosion control measures be removed.
7. All exposed soils and other fills shall be permanently stabilized at the earliest practicable date. Excavated areas and stockpiled material shall be located at the furthest possible distance from all resource areas to prevent erosion into wetland areas. Material shall be removed from the site shall be properly disposed of per all local, state and federal regulations.
8. Catch basin inlets will be protected by silt fence armored with straw bales or equivalent.
9. All top soil stock pile areas will be protected by silt fence armored with straw bales or equivalent.
10. The Storm Water Pollution Prevention Plan (SWPPP) and all corresponding monitoring reports shall be submitted to the Commission upon completion.
11. The contractor shall be provided a copy of this Determination, and the Conservation Commission shall be notified of the name, address, phone number, and the contact person of the contractor.

Motion made by Donald Duffy to close the Public Meeting

Motion seconded by Dennis Cote

No further discussion – vote taken: 4-0-0 – Motion Carries

Motion made by Don Duffy to issue a Positive Determination, Box 2(a), confirming the wetland boundaries WFA 1 - WFA15, WFB1 - WFB38, WFC9 - WFC21, only within the 40-acres leased section of the 161-acre parcel, also known as Map 15-7.

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0– Motion Carries

Motion made by Don Duffy to issue a Positive Determination, Box 2(b), not confirming any resource areas outside of the designated 40-acres leased section of the 161-acre parcel, also known as Map 15-7.

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0– Motion Carries

Motion made by Don Duffy to issue a Negative Determination, Box 3 with conditions; finding the work is within the buffer zone but will not alter an area subject to either the WPA or the PWO

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0– Motion Carries

7:40 PM Public Inquiry: George Bousquet – Onley Road ATV Access

George Bousquet attended tonight meeting to request motorized access to Onley Road. Bousquet is a disabled vet who lives on Onley Road and wished to access the area and town property for hunting and mushroom picking. Bousquet supplied the Commission with his Veterans Identification Card, as well as his handicap tags for his vehicle.

Motion made by Donald Duffy to grant George Bousquet, of 33 Onley Road, motorized access to conservation lands, through conservation roads

Motion seconded by Dennis Cote

No further discussion – vote taken: 4-0-0 – Motion Carries

The Agent will send Mr. Bousquet a letter confirming the Commission's decision

7:46 PM Administrative Matters: Interim Agent Interview – Elaine Williamson

The Commission discussed the Agent leaving on Maternity Leave and the hiring of an Interim Agent. Panaccione expects to leave around the middle of September (if all goes well her last day will be September 12) for 12 weeks. Elaine Williamson attended the meeting to discuss the position with the Commission. Williamson is the Administrator for the Hampden and Hampshire Conservation Districts as well as the owner of her own sustainable landscape design and land use planning business. She is very familiar with the administrative aspects of the job (minute taking, agenda posting, office management), though she is not very familiar with permitting under the Wetlands Protection Act. She also informed the Commission she does not have much experience with site visits either. Ring stated he would conduct site visit while Panaccione is gone. Panaccione will begin training Williamson on August 19th at 9am.

Motion made by Donald Duffy to hire Elaine Williamson as the Interim Agent while Angela Panaccione is on Maternity Leave

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0 – Motion Carries

8:02 PM Administrative Matters: Minute Approval July 15, 2014

Motion made by Donald Duffy to accept the minutes from Tuesday July 15, 2014

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0

8:10 PM Administrative Matters: Lamothe Discussion

The Commission discussed the status of the Lamothe violation, at 103 Water Street. The Agent had emailed Lamothes representative, Daniel Nitzsche of GZA consultants, two weeks ago regarding a status update and has yet to hear back. A site visit is scheduled for Thursday August 14, 2014 at 10am to evaluate the progress of the settlement agreement. The Commission also instructed the Agent to craft a letter to the Town Manager regarding Lamothes non-compliance with the settlement agreement and request the town seek further court action for enforcement of the settlement agreement.

8:21 PM Administrative Matters: New Commissioner – Sarah Brodeur

Conservation Intern & Palmer Resident Sarah Brodeur has expressed interest in becoming a Conservation Commissioner. She has sent a letter of inquiry to Charlie Blanchard, Town Manager and interviewed with him last week about the opening. Sarah has been an intern for the Commission over the past two years and is a UMASS student majoring in Environmental Science. Her appointment will be before Town Council at the Monday August 11, 2014 meeting. Currently there is one open space on Commission.

Motion made by Donald Duffy to recommend the appointment of Sarah Brodeur, as a Conservation Commissioner, to the Town Manager & Town Council

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0

8:25 PM Administrative Matters: Conservation Restriction – End of Summer Street

The Donaldson Family Trust owns a 117-acre parcel of land that is in the final stages of being accepted as a CR by the state. The negotiation surrounding the parcel have been on going since mid 2000's and the Commission is familiar with the property. The objective is to permanently protected the land as part of the settlement agreement surrounding the contamination at the former Water Street Oils Refinery. The property is off Summer Street, and abuts the Ware River for 1,800-feet. The CR will be held by the New England Foresrty Foundation and just needs to be accepted by the town. Currently, a vast trail system runs through the parcel and once the CR is accepted the easement will allow for passive public recreation. The Agent has walked a small protion of the property already, and discussed setting up a visit with the rest of the commission. A site walk is tentatively scheduled for Wednesday August 20, 2014 at 9am.

Next Meeting Date: Tuesday August 19, 2014 at 7pm

Meeting Adjourned: 8:30pm

Motion made by Donald Duffy to adjourn

Motion seconded by Peter Izyk

No further discussion – vote taken: 4-0-0– Motion Carries

Sincerely Submitted,
Angela Panaccione, Agent