



TOWN OF PALMER CONSERVATION COMMISSION

Meeting Minutes

Tuesday, August 7th, 2018 – 6:30 PM

LOCATION: Town Administrative Building Meeting Room

Donald Blais, Chair
David Cotter, Vice Chair
Peter Izyk
Nicholas Zeo
Brenda Cole

Angela Panaccione, Agent
Jeff Stanhope, Clerk

Members Present: Donald Blais, Jr.
David Cotter
Peter Izyk
Nicholas Zeo
Brenda Cole
Angela Panaccione, Conservation Agent
Jeff Stanhope, Conservation Assistant

Also Present: Trevor Hermance, New Britain, CT
Brandon Ruotolo, Attorney, 1 Aspen Circle
Richard Bernard, 1 Aspen Circle
Lorri McCool, 110 Griffin Street

1. **Call to Order:** 6:40 PM – Donald Blais, Jr (Chair)
2. **Chair, Member & Committee Reports:** None
 - a. **Clerk Position Filled:** Jeff Stanhope
 - b. **Interested New Commissioner:** Alex Florence, no longer interested because of a time conflict. 2 openings still remain on the Con Comm.
3. **Review Phone/Mail/Email Messages:**
 - a. **Request for Comments Subdivision: Breckenridge Street (Map 7-10, 7-11, 7-12, 7-13, 5-28, 56-54 & 59-29)**
 - b. **Request for Comments Subdivision: State Street (Map 87-12, 87-13, 87-14, 89-15 & 89-32)**
4. **Public Inquiries:** None
5. **Approval of Minutes:**
 - a. **June 19, 2018**

Motion made by David Cotter to approve the minutes from June 19, 2018 as amended
Motion seconded by Nicholas Zeo
No further discussion – 4-0-1 (Peter Izyk abstains) – Motion Carries
6. **Approval of Payables:**
 - a. **Mileage Reimbursement – Angela Panaccione: \$240.52**

Motion made by Nicholas Zeo to approve the payable to Angela Panaccione in the amount of \$240.52, for the reimbursement of travel expense of site visits for June 2018, from the Con Com Ordinance Expense Account

Motion seconded by Peter Izyk
No further discussion – 5-0-0 – Motion Carries

- b. Mileage Reimbursement – Angela Panaccione: \$342.26

Motion made by Peter Izyk to approve the payable to Angela Panaccione in the amount of \$342.26, for the reimbursement of travel expense of site visits for July 2018, from the Con Com Ordinance Expense Account

Motion seconded by David Cotter
No further discussion – 5-0-0 – Motion Carries

- c. LAND Grant Appraisal – Ellen Anderson: \$2,500.00

Motion made by Nicholas Zeo to approve the payable to Ellen Anderson in the amount of \$2500.00, for the payment of the appraisal of the MA DOT parcel for the LAND Grant application, from the Con Com Ordinance Expense Account

Motion seconded by Peter Izyk
No further discussion – 5-0-0 – Motion Carries

- d. Lowe's: \$14,592.56

Motion made by David Cotter to approve the payable to Lowe's in the amount of \$14592.56, for the payment of trail frame materials for Swift River Trail Project, from the Trail Grant Account

Motion seconded by Nicholas Zeo
No further discussion – 5-0-0 – Motion Carries

- e. Palmer Paving (Invoice #196764): \$1718.19

Motion made by Peter Izyk to approve the payable to Palmer Paving in the amount of \$1718.19, for the payment of gravel for Swift River Trail Project, from the Trail Grant Account

Motion seconded by David Cotter
No further discussion – 5-0-0 – Motion Carries

- f. Squires Lumber (Invoice #5495): \$3.77

Motion made by Nicholas Zeo to approve the payable to Squires Lumber in the amount of \$3.77, for the payment of supplies for Swift River Trail Project, from the Trail Grant Account

Motion seconded by David Cotter
No further discussion – 5-0-0 – Motion Carries

- g. Panaccione Woodworking (Invoice #2018-45): \$400.00

Motion made by Peter Izyk to approve the payable to Panaccione Woodworking in the amount of \$400.00, for the payment of trail tie construction for Swift River Trail Project, from the Trail Grant Account

Motion seconded by Nicholas Zeo
No further discussion – 5-0-0 – Motion Carries

- h. United Site Services (Invoice #114-7052293): \$233.90

Motion made by David Cotter to approve the payable to United Site Services in the amount of \$233.90, for the payment of portable toilets for Swift River Trail Project, from the Trail Grant Account

Motion seconded by Peter Izyk
No further discussion – 5-0-0 – Motion Carries

- i. MACC FY19 Dues: \$505.00

Motion made by David Cotter to approve the payable to MACC in the amount of \$505.00, for the payment of FY 19 dues & handbook subscriptions, from the Con Com General Expense Account

Motion seconded by Nicholas Zeo

No further discussion – 5-0-0 – Motion Carries

j. MSMCP FY19 Dues: \$20.00

Motion made by Peter Izyk to approve the payable to MSMCP in the amount of \$20.00, for the payment of FY 19 dues, from the Con Com General Expense Account

Motion seconded by Nichols Zeo

No further discussion – 5-0-0 – Motion Carries

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

a. Ratify Emergency Permit Quaboag Valley Co-op Tree Removal: The removal of one significantly hazardous tree from the steep banks of the Quaboag River. The Tree shall be cut flush with the ground and the root ball is to remain in place. All chipping and cutting of the tree will occur away from the banks and all materials shall be removed from site.

Special Conditions Include:

- 1) The tree shall be cut flush to the ground, and stumps and root balls are to remain in place.
- 2) No wood chips shall remain on site.
- 3) No brush shall remain on site.

Following a recent severe storm, additional erosion occurred on the river bank causing the tree to be even less rooted and secured than before; therefore it became a high risk for falling into a home. Tree Solutions, Inc. was hired to perform the work and the work has already been completed. The Agent will follow up with a final check.

Motion made by Peter Izyk to ratify the Emergency Permit issued to Quaboag Valley Co-Op

Motion seconded by David Cotter

No further discussion – 5-0-0 – Motion Carries

b. Ratify Emergency Permit Palmer DPW – Bridge #P-01-006 Palmer Road Bridge (GPS Coordinates 42.17333, -72.346111): Work shall include the emergency repair of a hole in the Bridge. The damaged area is to be sawcut out, remove rebar, chip deteriorated area to semi-sound concrete in order to install temporary patching material (estimated 6-foot X 10-foot), form repair area, install rebar, pour concrete from MADOT approved list w/ peastone. The Bridge is located within NHESP Priority Habitat but is exempt under 321 CMR 10.14(12).

Special Conditions Include:

- 1) All work (pavement repair) will be conducted from the deck of the bridge, within the existing bridge right-of-way
- 2) No work is allowed outside of the paved bridge ROW. No work is permitted from under the bridge
- 3) There will be no staging or stockpiling of materials outside of the road ROW,
- 4) All disturbed road shoulders are stabilized within 72 hours of completion of the resurfacing
- 5) No work on the drainage system is permitted and catch basin inlets must be protected,
- 6) No other adjustments and/or repairs to respective structures within the roadway are permitted outside the patching of the hole

Motion made by David Cotter to ratify the Emergency Permit for the Bridge #P-01-006 Palmer Road Bridge (GPS Coordinates 42.17333, -72.346111) issued to Palmer DPW on July 26, 2018

Motion seconded by Peter Izyk

No further discussion – 5-0-0 – Motion Carries

- c. Request for an Extension Palmer Motorsports Park (PMP) DEP #256-0307: North Paddock Road hasn't been constructed yet and PMP is uncertain of when they will begin a plan to build it. They want to keep the permit open just in case, in order to avoid reapplication for another permit. The extension will last a period of no more than 3 years, therefore is in effect until February 19th, 2021.

Motion made by David Cotter to issue the extension permit for DEP #256-0307

Motion seconded by Peter Izyk

No further discussion – 5-0-0 – Motion Carries

8. Schedule of Public Hearings:

- a. Request for Determination (RDA): 110 Griffin Street (Map 91) – Septic Replacement: Donald Blais opened the public hearing at 7:01 pm

The applicant is requesting a determination to see if the work associated with the installation of a replacement septic system is subject to the Wetlands Protection Act and the Town of Palmer Wetlands Ordinance.

Property owner Caliber Realty Services has hired Lorri McCool to plan a septic system repair at 110 Griffin Street.

The work description of the plan as noted on the RDA is as follows.

Repair existing septic system. Requires a new 1500 gallon septic tank & 1000 gallon pump chamber in area of existing components. Install a new distribution box & 15' x 30' leach field in rear yard.

No additional wetland resources exist that would be impacted by the project. The proposed locations for components of the septic system are necessary to maintain 100' separation/50' separation from SAS & tank components respectively. All access of equipment & machinery will be conducted in constrained areas as noted by silt fencing locations.

According to the 2017 Edition of the Massachusetts Natural Heritage Atlas, the site does not fall within estimated and priority habitat of the Massachusetts Natural Heritage and Endangered Species Program (NHESP). According to the MA GIS Flood Insurance Rate Map overlays the site does not fall within the 100-year and 500-year flood plains. See Figure 4 for the Flood Plain Map.

The proposed work consists of the replacement of a failed subsurface septic system in compliance with the MA Title 5 regulations. The plan submitted to the Commission is entitled Proposed Sub-Surface Sewage System: 110 Griffin Street (Sheets 1-4); and was prepared by Lorri McCool. Scale 1" = 30'. Work proposed within the 50-100 foot wetland buffer zone includes SSDS installation, site access and a material staging. A siltation fence is proposed between the wetland and the driveway, access area and material staging area. No alteration of the BVW is proposed. Erosion control barriers consisting of entrenched siltation fencing that will remain in place between the wetland and all access and work areas until approval from the Commission to remove them has been obtained. The siltation fence / limit of work line has been depicted on the enclosed plan. All bare earth shall be loamed and seeded as soon as possible.

Potential erosion and sedimentation are important concerns based on the proximity of work to the wetland. Erosion control barriers consisting of entrenched siltation fencing will remain in place between the wetland and all access and work areas until approval from the Commission to remove them has been obtained. The siltation fence / limit of work line has been depicted on the enclosed plan. All bare earth shall be loamed and seeded as soon as possible.

General Project Construction Sequence:

1. Stake by survey the limits of the septic system.
2. Install erosion controls per the approved site plan.
3. Excavate for the new septic system.
4. Install the new septic system.
5. Establish a vegetative cover on all exposed soil immediately upon completing grading.

General Construction Performance Standards: The following performance standards shall serve as limits for revisions, which will not require Conservation Commission review:

1. No alteration to wetland resource areas shall occur.
2. All approved activity shall employ at a minimum the erosion control precautions shown on the plans. The on-site contractor shall employ additional erosion controls as required to prevent sedimentation.
3. The on-site supervisor shall be authorized to request additional erosion control measures, as he or she deems necessary to ensure the protection of all identified resource areas

Motion made by Nicholas Zeo to close the Public Hearing at 7:13 pm

Motion was seconded by Peter Izyk

No further discussion – 5-0-0 – Motion Carries

Motion made by Peter Izyk that the proposed subsurface sewage disposal system (SSDS), fully complies with Wetlands Program Policy 86-1: Presumptions for Subsurface Sewage Disposal Systems That Meet Title 5 or More Stringent Local Board of Health Requirements (MassDEP-Revised March 1, 1995); and thus fully meets the presumption at 310 CMR 10.03(3), for the “discharge from a sewage disposal system”.

Motion was seconded by David Cotter

No further discussion – 5-0-0 – Motion Carries

Motion made by Peter Izyk that the construction of the proposed subsurface sewage disposal system (SSDS) is located entirely within previously disturbed ground within the Buffer Zone and will not alter adjacent Resource Areas

Motion was seconded by Nicholas Zeo

No further discussion – 5-0-0 – Motion Carries

Motion made by Peter Izyk that, with the use of proper erosion and sedimentation controls, the construction of the proposed subsurface sewage disposal system (SSDS) will not alter adjacent Resource Areas.

Motion was seconded by David Cotter

No further discussion – 5-0-0 – Motion Carries

Motion by Nicholas Zeo to make a negative determination (3), finding that the work described in 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 following conditions:

1. **Prior to any activity on site, the limit of work shall be clearly marked with erosion control, construction fencing, stakes or flags, and shall be confirmed by the Commission or its agent. Such markers shall be checked and replaced as necessary and shall be maintained until all construction is complete. Workers shall be informed that no use of machinery, storage of machinery or materials, stockpiling of soil, or construction activity is to occur beyond this line at any time.**

2. The applicant shall notify the Conservation Commission at least 48 hours prior to any activity on the site and shall provide the name(s) and telephone number(s) of all person(s) responsible for compliance with this Determination.
3. Siltation barriers and erosion controls shall be installed according to the site plan entitled Proposed Sub-Surface Sewage System: 110 Griffin Street (Sheers 1-4); and was prepared by Lorri McCool. Scale 1' = 30'; and shall remain in place until all disturbed areas are re-vegetated and stabilized.
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. All top soil stock pile areas will be protected by silt fence armored with straw bales or equivalent.
9. A detailed method of dewatering shall be submitted to the Commission prior to work. Proper best management practices are required to adequately treat any water from dewatering procedures; and dewatering discharge will not be directed toward wetland resource areas.
10. Site grading and construction shall be scheduled to avoid periods of high surface water. Once begun, grading and construction shall continue in an expeditious manner to minimize the opportunity for erosion.
11. All disturbed areas, slopes and proposed landscape areas shall be loamed and seeded or stabilized through the use of erosion control blankets or other approved means. All disturbed areas will be graded, loamed and seeded prior to November 1 of each year, if possible. No disturbed areas or stockpiled material will be left unprotected or without erosion controls during the winter.
12. Loaming and seeding will occur within (5 - 30) days of final grading. Barren areas should be stabilized by seeding if work on the project is interrupted for more than 90 days, unless the 90 days are in the winter. If this condition should occur, the applicant shall request a determination from the Commission as to whether seeding or an alternative measure should be conducted.
13. The seed stock to be used to restore disturbed areas shall complement or contain native flora and be of proven value to local wildlife.
14. 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 was seconded by Peter Izyk
No further discussion – 5-0-0 – Motion Carries

9. Requests for Certificate of Compliance: None

10. Project Monitoring: None

11. Violations & Enforcement

- a. 1 Aspen Circle: Friday, August 3rd Angela Panaccione, Jeff Stanhope, Peter Izyk, and Donald Blais did a site walk to check in on the current status of the restoration and concluded that it indeed met the compliance threshold of 75% revegetation. The Agent was satisfied with the progress of the restoration as everything was draining and functioning as it should be on the property. She believes the revegetation is even over the 75% compliance threshold and believes it will continue to gain new growth in due time, especially in the areas treated with the wetland seed mix.

We received a certified copy of the Forest Management Plan for Richard's Property, 43 acres, which is the affected area. We were made aware that the property owner has put the affected area of 43 acres into Chapter 61, therefore the property is now under the jurisdiction of the state forester for a period of 10 years, through 2028. The goal outlined in the plan is simply restoration of the forest and does not contemplate a cutting at all.

The Agent stated Richard would be receiving a letter stating that the Commission finds he is now in compliance with The Wetlands Protection Act and the Town Ordinance, as well as has lifted the enforcement order on his property.

Motion made by Nicholas Zeo to lift the enforcement order on 1 Aspen Circle

Motion seconded by David Cotter

No further discussion – 5-0-0 – Motion Carries

The Agent mentioned Richard should soon receive a notice in the mail from the Town of Wilbraham in regards to a proposed solar project of which his property would abut.

123 Laurel Road Wilbraham is the new physical address of Richard's residence.

- b. DEP #256-0312: MassDOT Toll Booth Removal: No Update.
- c. Camp Ramah Retaining Wall: The filing was due today, but has not been received yet.

12. New/Old Business

- a. Administration of 2017 MA Trails Grant: SCA Scheduling, etc

During the site visit with AmeriCorps two issues came up. 1) Trail Ties: AmeriCorps is not sure if they can assemble both the trail ties and the trail frame in the time they are there. Originally Pathfinder was going to pre-assemble the trail ties but due to the time of year and insufficient staff within the carpentry department they could not do it. So, the Commission and volunteers will have to assemble the 400 trail ties prior to July 16th. The Trail Tie assembly will happen the weekend of July 14-15 at the Agent's father's workshop. She will bulk order wood this week as well. 2) Observation Deck Construction: AmeriCorps cannot build the deck as someone with a Construction Supervisors License (CSL) must oversee the work. The Agent will bid out the deck to contractors and will also see about either Lowes or Home Depot doing it as well.

Boy Scouts will return for a second work day on August 25th at 7:00 am. (Tentatively)

There is a potential need for portable toilets for 1 day or 1 week for upcoming work days.

Dave Cotter will contact the court to assemble a morning or afternoon work crew of volunteers (community service) for the potential of an additional work day prior to the second Boy Scouts work day.

Benches will be delivered to DPW on Thursday. Not sure if they require assembly or not. We may have to assemble the benches ourselves. Con Comm will have to finish the platforms that the benches will sit on, as well as complete the fencing along the trail.

August 17th is the scheduled day to complete the builds of the bench platforms.

Need to add more side-board on the inner trail border in order to contain the gravel.

Need to purchase tiny/smaller screws to screw the side-boards into the trail frame. ~ 1 1/2" #2 Phillips.

Future date for railings needs to be set.

Trash cans will be heavy concrete style with inner liner.

We received a generous \$10,000 donation which will be utilized towards the gazebo. Currently looking into and comparing costs of different gazebos.

b. LAND Grant: Site Visit w/ EEA 8/24/2018 at 10:00am

We will be going in from the Midura parking lot, approximately a 7 mile hike, led by Dave Cotter.

Site visit is to show examples of land stewardship.

c. Community Wood Bank

Jeff Stanhope is on it.

Intent to apply is due October 1st.

d. Celebrate Palmer: 8/18/2018 from 12pm-8:30pm

Con Comm schedule of availability for the tent:

11:00 am – 1:30 pm: Dave, Nick

1:30 pm – 4:00 pm: Donald, Jeff

4:00 pm – 6:30 pm: Angela, Brenda

e. MVP Grant Issued

Municipal Vulnerability Preparedness (MVP) Grant. Money comes out of the climate change office.

Develop a municipal vulnerability preparedness plan that addresses climate change and reveals all of our climate change vulnerability areas and how to address them, as well as improve our stormwater management plans.

Communities that have received the MVP Grant get additional points on other grant applications.

f. Culvert Grant

Culvert Grant Award Announcement Ceremony will be Thursday 10:00 am, held by the Department of Ecological Restoration (DER) at First Street in Bondsville. Ceremony will be followed by a visit to the culvert on Route 181.

13. Upcoming Events, Conferences & Trainings: Wednesday August 22, 2018 (MSMCP SWPPP)

14. Office Closed: Monday August 13, 2018 – Friday August 17, 2018 (Vacation). Jeff Stanhope will be in the office Monday, Tuesday & Wednesday from 10-2 and Thursday from 10-1.

15. Set Next Meeting Date: Tuesday August 21, 2018 @ 6:30pm

16. Meeting Adjourned: 9:59 PM

Motion made by Nicholas Zeo to adjourn at 9:59 PM

Motion was seconded by Peter Izyk

No further discussion – 5-0-0 – Motion Carries

Sincerely Submitted,

Jeff Stanhope
Palmer Conservation Commission Assistant