



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
Sarah Brodeur

Agent: Angela Panaccione

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MEETING MINUTES

TUESDAY SEPTEMBER 9, 2014 @ 7:00 PM

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

Members Absent: Tharyn Nein-Large
Sean O'Donnell
Robert Ring (Chair)

Also Present: Elaine Williamson, Interim Conservation Agent

Meeting Opens: 7:00 PM – Donald Duffy (Vice Chair)

7:00 PM Administrative Matters: Minute Approval August 19, 2014

Motion made by Peter Izyk to accept the minutes from Tuesday August 19, 2014 as corrected

Motion seconded by Sarah Brodeur

No further discussion – vote taken: 3-0-1 (Dennis Cote abstains)

7:05 PM Request for Certificate of Compliance DEP #256-0229: Lot 8 Katie Lane

The Commission received a request for a Certificate of Compliance for Lot 8 Katie Lane. The Original Notice of Intent and Order of Conditions DEP #256-0229, was issued to John Morrison of Janelon Five Trust on June 2, 2004; and was for the construction of a 1500-foot boulevard Cul-de-sac, consisting of two paved roadways 16-feet wide and a 140-foot diameter Cul-de-sac. Additionally, the project included the construction of a closed drainage system under the roadway and two stormwater management systems.

The Agent has hereby determined that the work regulated by the Order of Conditions for DEP#256-0229 never commenced on Lot 8. The specific development of Lot 8 is not incorporated into said Order of Conditions and therefore the Order does not specifically apply to Lot 8. She recommended denying the request due to this, and several outstanding violations present at the site. As of 2009, DEP had an outstanding Administrative Consent Order, DEP #ACOP-WE-07-6W001 for continual unstable site conditions due to inadequate stormwater management.

The Agent will send a letter explaining the denial and inform the buyers of Lot 8 any future work (construction/development) is subject to regulation under the Wetlands Protection Act and will require the filing of a new Notice of Intent and receiving a new Order of Conditions.

Additionally, the only way the Commission will grant a COC is if:

1. DEP lifts the Administrative Consent Order DEP #ACOP-WE-07-6W001 and issues a letter stating the area has been stabilized;
2. The applicant submits a letter from a Registered Professional Engineer certifying compliance of the property with this Order of Conditions, and detailing any deviations that exist, and their potential effect on the project. A statement that the work is in "substantial compliance" with no detailing of the deviations shall not be accepted;
3. The applicant submits an "As-Built" plan signed and stamped by a Registered Professional Engineer or Land Surveyor showing post-construction conditions within all areas under the jurisdiction of the Massachusetts Wetlands Protection Act.

Motion made by Peter Izyk to deny the Request for a Certificate of Compliance for Lot 8 Katie Lane

Motion seconded by Dennis Cote

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

Motion made by Peter Izyk to send the letter, drafted by Angela Panaccione, to Attorney Thompson as written

Motion seconded by Sarah Brodeur

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

7:25 PM Administrative Matters: Open Space & Recreation Plan Public Meeting on Draft Report

The Agent discussed the Open Space & Recreation Plan Public Meeting on Draft Report, held on Tuesday September 2, 2014 at 7pm, with the Commission. Eleven (11) town residents were present at the hearing, as well as Charles Blanchard Town Manager and Andrew Golas, Assistant Town Manager. Overall, there was overwhelming public support for the plan. All in attendance expressed their approval of the plan and thanked the Committee for their hard work and effort. No specific oral or written comments were submitted. A discussion did occur around renovating Burleigh Park. Residents offered suggestions to the Committee of further improvements that could occur there.

Additionally, the Agent informed Donald Duffy that his request to update the Assessors records to accurately reflect lands under the control and custody of the Conservation Commission was listed as a high priority in the Seven Year action plan and will be addressed upon her return from Maternity Leave.

7:30 PM Administrative Matters: Discuss Fee Schedule

The Commission will resume its discussion on establishing a Fee schedule when the Agent returns from Maternity Leave. The goal will be to establish fees over the not busy winter months. The Agent will resend the spread sheets of possible fees for the Commission to review in December and discussions will resume in January 2015.

Next Meeting Date: Tuesday October 21, 2014 at 7pm

Meeting Adjourned: 7:35pm

Motion made by Dennis Cote to adjourn at 7:35pm

Motion seconded by Peter Izyk

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

Sincerely Submitted,
Angela Panaccione, Agent