



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1548 ext 3 • Fax 413-772-1309
Conservation@greenfield-ma.gov • www.greenfield-ma.gov

Members:

Blasiak, John (2016)
DeHoyos, Thomas (2016)
Miller, Gail (2017)
Mosher, Timothy (2018)
Nevins, Matthias (2017)

GREENFIELD CONSERVATION COMMISSION

Minutes of Tuesday, January 12, 2016

**7:00 p.m. Greenfield Department of Planning and Development
114 Main Street**

The meeting was called to order by Chair, John Blasiak at 7:00 p.m. with the following members:

PRESENT: John Blasiak, Chair
Timothy Mosher
Thomas DeHoyos
Gail Miller
Matthias Nevins

ALSO PRESENT: Bill Lattrell, Lattrell Ecological Consulting LLC
Nathan Jones, CDM Smith
Patrick McLaughlin, MHF Design Consultants, Inc.
Luke Hurley, Gove Environmental Services, Inc.
Tom Frawley, Summit Distributing, LLC
Emily Boss, Franklin Land Trust
Jim Mukas
Maureen Pollock, Assistant Planner & Conservation Agent

Approval of Minutes:

Approval of Meeting Minutes from December 22, 2015.

MOTION: Moved by Nevins, seconded by Miller, no further discussion and voted 4-0-1 (DeHoyos abstained) to accept the minutes from December 22, 2015, as amended.

Public Meetings/Hearings:

- **RDA – Coop Power dba Northeast Biodiesel Company, 179 Silvio O Conte Drive (Assessor’s Map R05, Lot 24E):** Request for Determination of Applicability submitted by Coop Power dba Northeast Biodiesel Company, for property located at 179 Silvio O Conte Drive (Assessor’s Map R05, Lot 24E), to determine whether the boundaries of resource area(s) depicted on submitted plans is accurately delineated.

Bill Lattrell, Representative to the Applicant was present. Lattrell explained the purpose of the application is to confirm the wetland boundary. No work is being proposed at this time. The property contains a significant wetland system on the east, south, and west sides. “Wetland A” is



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a bordering vegetated wetland (BVW) that is known as White Ash Swamp. Only the northern border of this wetland is in the vicinity of the proposed project. The wetland was delineated using pink surveyors tape enumerated A-1 through A-40. "Wetland 2A" is a BVW that connects to Wetland A located primarily to the east of the main Northeast Biodiesel building. The wetland was delineated using pink surveyors tape enumerated 2A-1 through 2A-55. "Wetland B" is found on the western part of the property just north of White Ash Swamp and the access road that runs east to west. Although it looks isolated, there are definite channels in the ground with a hydraulic gradient rendering this area a BVW. Only the easterly side nearest to the potential work was delineated with wetland flags B-1 through B-10.

Lattrell, Blasiak, Mosher, Miller, and Pollock conducted a site visit of the project area and delineated wetland on January 5, 2016.

Chair Blasiak opened up the hearing for public comment.

No comments

MOTION: Moved by Mosher, seconded by Miller, no further discussion and voted 4-0-1 (Nevins abstained) to issue a positive determination, box 2a, for the boundary delineations of the following resource areas described on the referenced plan (Bordering Vegetated Wetlands, Wetland Flags A-1 through A-40; 2A-1 through 2A-55; and B-1 through B-10) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the MA Wetland Protection Act (WPA) and its regulations regarding such boundaries for as long as this Determination is valid.

MOTION: Moved by Mosher, seconded by Miller, no further discussion and voted 4-0-1 (Nevins abstained) to issue a negative determination, box 6, the area described in the Request is not subject to review and approval by Greenfield pursuant to the Wetlands Protection Ordinance, Chapter 195.

- **NOI – Summit Distributing LLC, 109 Mohawk Trail (Assessor's Map 46, Lot 22):** Notice of Intent submitted by Summit Distributing LLC, for property located at 109 Mohawk Trail (Assessor's Map 46, Lot 22), for work pertaining to the redevelopment of the existing gasoline station.

Patrick McLaughlin and Luke Hurley, Representatives for the Applicant were present, as well as Tom Frawley, the Applicant.

McLaughlin, Hurley, Frawley, Blasiak, Mosher, Miller, and Pollock conducted a site visit of the project area and on January 12, 2016.



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The site is comprised of an existing gas station, mini mart, and parking lot. The site is bordered by the Mohawk Trail to the south, a vacant lot and building to the east, intermittent stream and bordering vegetated wetland (BVW) to the northeast, and a hotel to the north and west. The site currently has no stormwater treatment and all runoff now flows to the rear of the site towards the hotel, where it drains into a ditch and straight into the stream.

The wetland edge is dominated by some American elm and red maple in the tree layer along the bank, with alder and dogwood marking up the shrub layer. Golden rod, Japanese knotweed, and oriental bittersweet make up the remainder of the BVW.

The project will eliminate 86 square feet of impervious surface. The proposed project is not creating any new discharges. The existing stormwater runoff flows to the rear of the property and onto the parcel in the rear. The proposed redevelopment would maintain existing drainage patterns while adding a rain garden to treat parking lot runoff before reaching the existing catch basin. The rain garden will have an overflow berm that discharges to the existing concrete drainage swale on the rear slope and into the existing catch basin.

Blasiak mentioned that the American elm that is supposed to be removed as part of the project is healthy and that he would prefer that it be preserved. Blasiak mentioned that the planting list should be corrected as it states "Iris" and it should be "Ilex."

Mosher cautioned about the use of deep, red fine hard mulch along the drive-thru and rain garden, as it is flammable. Mosher mentioned that he did not see a maintenance plan for the rain garden. Mosher asked for more clarification for street sweeping in the spring and fall. Inquired whether all the snow will be trucked off-site. McLaughlin responded that some snow will be stored on-site by the shared driveway.

The Commission requested the Applicant to consider the following revisions to the project:

1. Four "no snow storage beyond this point" signs shall be erected along the edge of the parking lot, with two signs erected to the right of the dumpster, and two signs erected to the left of the dumpster. The signs shall be 4-5 feet high.
2. The American elm tree shall be maintained.
3. The dumpster shall have a vinyl enclosure.
4. Hemlock bark mulch shall replace the deep, red fine mulch, as proposed in the submitted plan.
5. Silt fencing with straw bales shall delineate the limit of work line and shall be shown on the final site plan set.
6. The planting list and planting plan shall be corrected. Where it says "Iris" it shall say "Ilex."
7. The wording regarding monthly street sweeping shall be reworded and better clarified.
8. An on-going maintenance plan for the rain garden shall be submitted to the Commission.

The public hearing will be continued until January 26, 2016.



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Other Business:

- **Clover Nook Farm, 614 Colrain Road: Request for a local match to conserve property under an APR:** Emily Boss, Franklin Land Trust (FLT) and Jim Mukas, property owner of 614 Colrain Road were present to discuss the APR project and local match request.

Blasiak questioned whether Nevins has any affiliation with FLT and whether there would be a conflict of interest. Inquired whether Nevins should be able to vote on this project.

Nevins responded that he works for a different land trust, known as Mount Grace Land Trust. Stated Mount Grace Land Trust sometimes collaborates with FLT with different land protection projects, but is not collaborating with them regarding this specific property. Stated he believes that he can remain impartial and does not see a conflict. Stated if Commission members feel uncomfortable with him voting on this project then he could abstain. Mosher stated he believes that Nevins can remain impartial and therefore should be able to vote. Miller and DeHoyos each agreed that Nevins should be able to vote on the local match request.

Boss explained that through state and federal grants, FLT is assisting with permanently conserving the 72-acre farm under an Agricultural Preservation Restriction (APR) which will be held by the MA Department of Agricultural Resources. The farm is located within Greenfield's meadow heritage district. The farm has been operating since 1850. The farm has soil types that are classified as prime farmland and farmland of unique importance. The farm offers wildlife habitat, woodlands, agricultural fields, and wetlands. The farm is currently enrolled in the Chapter 61 program. The taxes will remain the same under the APR. FLT and Mr. Mukas request that the Commission consider contributing to the local match requirement, which is approximately \$8,000. The value of the APR is assessed at \$255,000.

Mukas stated that the farm was originally owned by his wife's father. It was his wish that the farm be kept agricultural and not be developed.

Blasiak inquired how much of the land can percolate. Boss responded that the property could percolate for 3 buildable lots. Stated these buildable lots which are along the road are the agricultural fields.

Mosher inquired what Mukas farms on the property. Mukas responded he grows potatoes and hay.

Nevins stated that he is in full support of permanently protecting this farm. Stated the property owner is making a voluntary act to protect his land, and the town stands the benefit of it.



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DeHoyos inquired when was the last time the Commission contributed toward the protection of a farm. Pollock informed the Commission that the last time they contributed to a local match for the protection of a farm was for the Arms-Myers Farm located on Colrain Road back in 2005. The Commission contributed \$1,000.00.

Pollock informed the Commission that there are two funds that the local match could be taken out: the Wetlands Protection Fund (\$35,039) and the Conservation Trust (\$5,938). Money coming out of the Wetland Protection Fund is to be only used for administrative costs and land protection costs related to wetlands. This fund does not need Town Council approval, but does need the Mayor's approval. Money coming out of the Conservation Trust needs approval from both the Mayor and Town Council.

FLT requests the Commission provide a local match from the Wetland Protection Fund, as there are wetlands on the property.

MOTION: Moved by Nevins, seconded by Miller, to contribute \$4,000 to the local match request.

Discussion

Nevins inquired whether other Conservation Commissions have contributed money from their Wetland Protection Fund to go towards the protection of a wetland. Boss responded, yes.

Blasiak stated that the wetlands do not need added protection and does not think the Wetland Protection Fund would be appropriate to use. Boss responded that there are specific conservation restrictions that are for the protection of wetlands and that this APR would also be protecting the wetlands on the property. Blasiak responded that he accepted her response but pointed out that agriculture does impact wetland. Boss responded best management practices (BMPs) help mitigate any potential impacts.

Voted 1-1-3 (Blasiak opposed; Mosher, Miller, and DeHoyos abstained)

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 5-0 to amend the motion.

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion, and voted 2-1-2 (Blasiak opposed; Nevins and Mosher abstained) to contribute \$2,000 instead of \$4,000.

- **GTD/Griswold Conservation Forest Stewardship Plan:**



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MOTION: Moved by Mosher, seconded by Miller, no further discussion, and voted 5-0-0 to allow a timber harvest to be conducted at the GTD/Griswold Conservation Area.

Pollock and Fish will work on the Community Forest Stewardship Implementation Grant application. The application is due April 1st.

Project Monitoring:

- **DEP File #168-0310 – Northrop Grumman, 11-17 Meridian Street:** Nathan Jones of CDM Smith was present to explain the need for additional excavation. The Contractor commenced excavation of the river bank and upland portion of the Greenfield site. Impacted soil within the bank extends further north than the Applicant originally anticipated, which will result in additional bank alteration. At this time it is anticipated that an additional approximately 30-40 linear feet of river bank will require excavation and restoration. Jones presented the Commission a site plan showing the approximate limits of the original planned river bank alteration and the revised anticipated additional bank alteration based on current assessment. The Applicant does not expect to move the coffer dam more upstream at this point. Samples have been collected at the northern limit to determine if additional excavation is required to the north to meet the Site remediation goals. If additional excavation is needed, beyond that already identified, a notification will be sent with revised excavation and restoration plans. Restoration of the additional bank alteration will be consistent with the approved plans.

The Commission discussed how they should handle the Applicant's request. They discussed whether they could administratively approve the excavation, and require an Amended OOC for the restoration. They discussed whether an Amended OOC would be required for both the excavation work and the restoration work. They also discussed whether this request would warrant an emergency permit for the excavation work.

MOTION: Moved by Mosher, seconded by Nevins, no further discussion, and voted 5-0-0 to administrative approve the excavation that will go no further than the originally approved portadam location, and to require an Amended Order of Conditions for related restoration work prior to commence.

Enforcement Updates/Possible Violations:

Correspondence:

- **Beaver Dam on Cherry Rum Brook, behind Silvercrest Circle:** According to DPW, beavers have again built a dam on Cherry Rum Brook behind the Silvercrest Condominiums. There



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is a sewer main and water main that run through this area. The DPW is requesting a permit to breach the dam. DPW will also be contacting the Health Department for a permit to trap prior to breaching of the dam. DPW would like the Commission to conduct a site visit of the area to determine whether the matter requires an Emergency Permit. Blasiak, Miller, and Alan Twarog of DPW conducted a site visit on December 23, 2015. Blasiak commented that based on site observations, he did not issue an emergency permit for the breaching of the beaver dams. It appeared that the beavers did not add anything to the one dam for months and there wasn't any immediate threat to public health or safety. The second dam appeared to be just a small pile of stream debris that the beaver played no role in creating. Pollock followed up with Twarog and spoke about other permit options. DPW expects to submit a Notice of Intent to the Commission in the near future.

Site Visit Scheduling:

Next Meeting:

7:00 PM on Tuesday, January 26, 2016, at the Greenfield Department of Planning and Development; 114 Main Street

Adjournment:

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 5-0-0 to adjourn the meeting at 9:30 PM.

Respectfully Submitted,
Maureen Pollock
Assistant Planner & Conservation Agent

John Blasiak
Chair