

CONSERVATION COMMISSION



Town of GREENFIELD, MASSACHUSETTS
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GREENFIELD CONSERVATION COMMISSION Minutes of February 10 2009 7:00 p.m.

Greenfield Police Station
321 High Street

The meeting was called to order at 7:03 p.m. with the following members:

PRESENT: Alex Haro, Chair; Tim Mosher, Vice-chair; Dee Letourneau

ABSENT: Tom DeHoyos

Also present: Ralph Kunkel, Conservation Agent; and members of the public.

Approval of Minutes:

MOTION: Moved by Letourneau, seconded by Mosher and voted 3-0 to accept the meeting minutes of January 27, 2009 as amended.

Public Meetings/Hearings:

7:07 p.m. Mass Highway Department, c/o Albert R. Stegemann, P.E. – to review a Request for Determination of Applicability for cold planing and resurfacing with hot mix asphalt 3.7 miles of Route 5 & 10 extending northerly from Mile Marker 43.8 (Silver Street intersection) to Mile Marker 47.5 (Greenfield/Bernardston Town Line); to determine whether the work depicted on the plans is subject to the jurisdiction of the Wetlands Protection Act.

Jeff Hoynosky P.E. with Mass Highway District 2 was present on behalf of the applicant.

Haro briefly reviewed the site visit for Mosher and Letourneau.

Hoynosky then gave an overview of the project. Hoynosky stated that at the site visit Haro and DeHoyos had asked for a plan showing erosion control where guardrail end treatments would be in jurisdictional areas. Hoynosky submitted 3 photographs with areas indicated on the photographs where hay bales would be used for guardrail end treatments.

Letourneau asked for clarification of the Guardrail work mentioned in the Request. Hoynosky explained that this referred to the first and last 40 feet of the Guardrail where they are buried currently; he explained that they will be upgraded to meet current collision safety standards.

Mosher asked what areas were jurisdictional. Hoynosky then pointed out on the photos where end treatments of guardrails would occur in jurisdictional areas. Hoynosky added that a resident engineer would be on the job site at all times.

Haro asked for confirmation that the plan was to use hay bales only where guard rails were excavated. Hoynoski replied in the affirmative. Haro expressed concern that in areas where the wetlands were adjacent to the highway, debris from the cold planing would get into the resource area. Haro asked if there would be sweeping after the cold planing. Hoynosky replied that sweeping occurs immediately after the equipment removes the asphalt in the process of cold planing.

Mosher asked if there were any wetlands in the ramp islands. Haro replied that it was difficult to determine because there was snow cover. Mosher expressed concern about refueling around any storm drains in those islands. Mosher said if there are storm drains in those islands or near any staging areas, hay bales should be installed around the drains to protect them. Mosher added that any refueling should be done on the road.

MOTION: Moved by Mosher, seconded by Letourneau and voted 3-0 to make a negative determination that the work described 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. If any storm drains are within or draining the staging areas, those storm drains shall be protected with staked hay bales.**
- 2. The Commission shall be notified of any storm drains that are within or draining the staging areas; and the agent shall be notified to inspect the hay bales.**
- 3. All work on guard rails near jurisdictional areas shall be protected with staked hay bales per photos that were submitted at the hearing February 10, 2009.**
- 4. All work shall be within 4-5 feet of the pavement as specified in the Request for Determination of Applicability.**

7:30 p.m. Mass Highway Department, c/o Albert R. Stegemann, P.E. – to review a Request for Determination of Applicability for milling and resurfacing with 2 inches of hot mix asphalt, bridge rail retrofits, removing and resetting existing guardrail, scored cement concrete, pavement markings, rumble strips, snow plowable raised pavement markers, tree trimming on 5.2 miles of I-91 extending northerly from Mile Marker 43.5 (just north of Exit 26 rotary) to Mile Marker 48.7 (approximately 2400 feet south of the Bernardston Town Line) both Northbound and Southbound lanes; to determine whether the work depicted on the plans is subject to the jurisdiction of the Wetlands Protection Act.

Jeff Hoynosky P.E. with Mass Highway District 2, again, was present on behalf of the applicant.

Haro briefly reviewed the site visit for Mosher and Letourneau. Haro pointed out that this particular RDA has some tree trimmings.

Hoynosky briefly reviewed the project and submitted photographs of areas where hay bales would be placed adjacent to guard rail end treatments, and along the back of any damaged sections of guardrails that may need to be replaced.

Mosher asked Hoynosky if material from the construction could end up in the wetlands. Hoynoski said that it would be unlikely because of berms present in those areas. Letourneau stated if there should be work near any jurisdictional areas without berms, hay bales should be installed in those areas.

Haro asked where staging areas would be. Hoynosky said they would be in existing areas in the median strip; areas that had been used previously for other projects. Haro asked where the tree trimming would occur and asked the extent of the trimming. Hoynosky replied that most of the trimming would be primarily around the bridges and the exit ramps; and that there would be some vista pruning where highway signs are becoming blocked. Mosher asked if trimming would be done from the roadway. Hoynosky replied that some of the trimming would be done from the roadway and added that for some trimming around the bridges they may need to get off the road. Haro asked if the trimming would be done with a cherry picker. Hoynosky replied that most of it could be done with a pole trimmer.

MOTION: Moved by Mosher, seconded by Letourneau and voted 3-0 to make a negative determination that the work described 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. All work on guard rails near jurisdictional areas shall be protected with staked hay bales per photos that were submitted at the hearing February 10, 2009.**
- 2. Any unbermed areas within jurisdictional areas shall be protected by the installation of staked hay bales.**
- 3. If any storm drains are within or draining the staging areas, those storm drains shall be protected with staked hay bales.**
- 4. The Commission shall be notified of any storm drains that are within or draining the staging areas; and the agent shall be notified to inspect the hay bales.**
- 5. No heavy equipment shall be used for tree trimmings in jurisdictional areas.**

7:45 p.m. Charles Roberts – to review a Notice of intent for property located at Assessors Map 65 Lot 7 for a proposal to build a new house. Continued from January 13, 2009.

Charles Roberts and Bill Lattrell, Wetland Scientist with Valley Environmental Services, were present. Lattrell reviewed the project and pointed out the changes that Roberts had made in the plans: the house was being proposed as a single residence house without the mother-in-law apartment; the proposed house would be two stories with a peaked roof. Lattrell reminded the Commission that storm water was not an issue for a private home, but that Roberts had voluntarily added this into the plan. Lattrell showed where splash pads from the rain gutters would drain into a gravel infiltration area. Lattrell pointed out on the plans two areas that had previously been planted as informal landscaped areas and said that these two areas would remain landscaped areas. The driveway, said Lattrell, would be gravel and the patio area adjacent to the house would be paved with permeable paving.

Letourneau asked if the foot print was the same as the previous plan. Lattrell replied in the affirmative.

Haro asked if the total area of the roof runoff would drain to the two areas pointed out by Lattrell. Roberts replied in the affirmative. Haro asked if the roof run off could be routed to the street. Lattrell replied that legally it could not. Haro asked if there would be a basement. Lattrell said there would not be. Haro asked for confirmation that there would be no footer drains. Lattrell replied that there would not be. Haro then asked if there would be any excavation. Lattrell reminded the Commission that a frost wall had to be constructed and that would be the only excavation and that it would be minimal.

Letourneau asked for confirmation that there would be only two levels. Roberts replied in the affirmative.

Haro asked Roberts what his intention was for the landscaped areas. Roberts replied that they would be maintained as gardens.

Haro opened the meeting to public comment.

Tory Tilson, 19 Spring Terrace, stated that she was present as an abutter because she had concern for the wetland. Tilson reviewed the plans with the applicant and the consultant.

Haro closed the Public Hearing

MOTION: Moved by Letourneau, seconded by Mosher, and voted 3-0 to accept the plans as revised and to issue an Order of Conditions with the following Special Conditions:

- 1. As the garden areas are in a jurisdictional area, any clippings or vegetation trimmed or pulled within the gardens shall be removed and not left lying in the resource area.**
- 2. The existing garden areas may not be expanded.**
- 3. No additional structures may be erected on the property without first coming before the Conservation Commission for approval.**

Other Business:

8:10 p.m. Kunkel gave a summary of a request from Becky George of the Franklin County Chamber of Commerce Green River 2009 Festival Committee and read into the record a letter from George dated December 19, 2008, but received February 10, 2009. George was requesting the use of Wedgewood Gardens for overflow parking during the Green River Festival in July of 2009.

All three Commissioners expressed concern for the use of the riverfront for parking. Haro said he would favor parking only on the paved area. Letourneau expressed concern that there were still in the parking area storm drains that drain into the Green River. Mosher said he had a concern that some cars parked on the grassy area may leak oil or other fluids, particularly in a resource area. After further discussion, the Commission asked Kunkel to contact George and request a detailed plan with the extent of proposed parking, where proposed Port-a-johns and trash barrels would be placed. The Commission also requested Kunkel to ask George if the Green River Festival Committee had considered other places around town, out side of the resource area with the use of a shuttle bus, for example the Fairgrounds parking areas or downtown parking areas.

8:15 p.m. Kunkel stated that he had met with Joe Ryan, the snow removal contractor for Home Depot, and was satisfied with the way the contractor handled the snow removal. Kunkel stated that he had invited Ryan to the meeting and Ryan said he would be present. However, Ryan was not present.

8:20 p.m. Haro stated that he had written Nancy Kelley, widow of Charlie Koch, a letter from the Commission expressing the Commission's sympathy and telling her that the Commission had made a donation in Koch's memory to the Hospice of Franklin County.

Haro reminded the Commission members of the Annual MACC Conference.

Enforcement Orders: None

Site Visits: None

Next Meeting: Greenfield Middle School Auditorium, February 24, 2008, 7:00 p.m.

Adjournment:

MOTION: Moved by Mosher, seconded by Letourneau, and voted 3-0 to adjourn the meeting at 8:25 p.m.

Respectfully Submitted,

Ralph Kunkel
Conservation Agent

Alex Haro
Vice-Chair