

# CONSERVATION COMMISSION

Town of GREENFIELD, MASSACHUSETTS  
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## GREENFIELD CONSERVATION COMMISSION Minutes of May 26, 2009 7:00 p.m.

Greenfield Police Station  
321 High Street

The meeting was called to order at 7:00 p.m. with the following members:

PRESENT: Alex Haro, Chair; Tim Mosher, Vice-chair (arrived 7:10 p.m.); Tom DeHoyos; Dee Letourneau

ABSENT: **None**

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

### Approval of Minutes:

As Mosher had called ahead to say he was going to be late, Letourneau recommended holding the approval of minutes until after the first Public Meeting.

### Public Meetings/Hearings:

7:02 p.m. Adesta, LLC – to review a Request for Determination of Applicability for property located at along I-91 from the Deerfield/Greenfield Town Line to the Bernardston/Greenfield Town Line (approximately 7.1 miles) to determine whether the work depicted on the plans is subject to jurisdiction of the Wetlands Protection Act. Rescheduled from May 12, 2009.

Mike Nolan, Adesta, LLC and Tim Meyer, Mass. Highway Department were present on behalf of the applicant. Meyer reminded the Commission that they have a previously approved RDA for the work along the shoulder of the road. Meyer went on to say that out of the 7 miles, 5 miles of the work had been relocated to the median as opposed to the shoulder.

Nolan said there would be 6 interducts and cameras to monitor traffic conditions.

Haro asked what the standard protocol would be for impacts to the wetlands. Meyer said a wetland scientist had delineated the wetlands. Meyer said everything is outside the wetlands but they will be protecting adjacent wetlands with erosion control devices.

Haro said he would like a plan with a map of the wetlands delineated and where the work will take place. Letourneau agreed with Haro. Haro said he would like a site visit. Haro asked if there are any excavations for tie-ins for other utilities. Nolan said there would be some trenches. Haro asked for a time frame. Nolan said they planned to have the work completed by November.

DeHoyos wanted to know if cameras had been included in the previous Determination. Meyer wasn't sure. Nolan said he would check on it.

**MOTION: Moved by Letourneau, seconded by DeHoyos, and voted 4-0 to continue the meeting for the Adesta, LLC Request for Determination to June 9, 2009 8:00 p.m. to be held at the Greenfield Police Station.**

Approval of Minutes (revisited):

DeHoyos asked that the record be set straight and that his statement to Norman be quoted from the Minutes of March 24, 2009 and added to the comments regarding Al Norman's letter in the Minutes of April 14, 2009.

Haro asked for the term "flood plain to be changed to "flood storage".

**MOTION: Moved by Mosher, seconded by Letourneau, and voted 4-0 to accept the minutes of April 14, 2009 with changes.**

**MOTION: Moved by Letourneau, seconded by DeHoyos, and voted 3-0 (Mosher abstained) to accept the minutes of April 28, 2009 as submitted.**

7:30 p.m. 7:30 p.m. Joseph Kwan, Northrup Grumman Space and Mission Systems – to review a Notice of Intent for property located at 11-17 Meridian Street for a proposal to remediate contaminated soil and place soil cap at the former Swarf Disposal Area for the GTD. Continued from April 28, 2009.

Haro read into the record a letter from CDM dated 22 May 2009 requesting a continuance to June 9, 2009.

**MOTION: Moved by Letourneau, seconded by Mosher, and voted 4-0 to continue the Public Hearing for Joseph Kwan, DEP File #168-0267 to June 9, 2009 7:30 p.m. to be held at the Greenfield Police Station.**

Other Business:

7:32 p.m. Marcia Starkey addressed the subject of three proposed Agricultural Preservation Restrictions.

Starkey presented a map of Greenfield showing the prime soil areas in Greenfield. Starkey briefly reviewed the following properties:

The Stafford farm on Log lain Road - 30 acres

The Nims farm on Plain Road - 68 acres (lots of frontage on Green River above town pool)

The Hastings farm on Leyden Road - next to town farm - 63 acres

Letourneau asked Starkey for clarification of the definition of an Agricultural Preservation Restriction. Starkey replied that it preserves the land principally for agricultural use. A discussion ensued as to whether the Commission should commit money to this. Kunkel said that in the past the Commission has given \$2000 as good faith contribution. However, because of the limited funds, Kunkel said perhaps they could proportion \$2000 among the three farms with the two larger farms getting \$800 each and the smaller farm \$400. After discussion, the Commission thanked Starkey for her presentation and said they would like to further research the topic.

Kunkel stated that he had issued an Emergency Certification to the DPW for the breaching of a beaver dam behind Silver Crest near Country Club Road. The Commission ratified the Certification.

Public Meetings/Hearings:

8:00 p.m. Harold Phillips – to review a Request for Determination of Applicability for property located at 26 Mary Potter Lane (Assessors Map R34 Lot 94) to determine whether the work depicted on the plans is subject to jurisdiction of the Massachusetts Wetlands Protection Act or the Greenfield Wetlands Protection Ordinance.

Bill Lattrell, Valley Environmental Services, Wendy Phillips and Ted Fuller were present on behalf of the Applicant. Lattrell stated that this proposal was for a Septic System repair and was exempt from the Rivers Protection Act and that the leach field would be greater than 50 feet from the wetland; the grading would be 34 feet at the closest point and would be outside the 25 foot No Disturb Zone. Lattrell said that due to the nature of the work and the short time span involved that hay bales would most likely be used for erosion control.

DeHoyos asked if any trees would be cut down to access the property. Lattrell replied that he did not think any trees would be cut down.

Letourneau asked about a swale depicted on the map. Lattrell explained that it was actually an existing depression in the landscape. Letourneau said she was trying to determine if it was an intermittent stream. Lattrell replied that it was simply a change in grade in the lawn.

Mosher said that he had gone out to see the site on his own and had noticed there were grass clippings dumped on the Bank of the stream. Lattrell replied that the Commission could add a condition stating that no further clippings should be dumped on the bank of the stream.

DeHoyos asked what would happen to the old tank. Lattrell replied that the contractor would be able to dispose of it properly.

Haro asked if there would any stockpiling of soil. Lattrell said there would be some temporary stockpiling of soil and that it would be within the area of the limit of work as defined by the hay bales.

There were no further questions from the Commission.

**MOTION: Moved by Letourneau, seconded by Mosher, and voted 3-0 (Haro abstained) to make a negative determination 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; that the work described in the Request is subject to the Greenfield Wetlands Protection Ordinance, but is outside the 25 foot No Disturb Zone. Therefore, said work does not require the filing of a Notice of Intent subject to the following condition:**

**1. No further dumping of grass or other plant clippings within the resource area or its buffer zone.**

**This shall be an ongoing condition.**

8:15 p.m. Elise Schleikjer – to review a Request for Determination of Applicability for property located at 528 Leyden Road (Assessors Map R30 Lot 6) to determine whether the work depicted on the plans is subject to jurisdiction of the Massachusetts Wetlands Protection Act or the Greenfield Wetlands Protection Ordinance.

Bill Lattrell, of Valley Environmental Services, was present on behalf of the Applicant, Elise Schlaikjer who was present. Lattrell pointed out the Wetlands Delineation on the plans and the 25 foot No Disturb Zone. Lattrell then showed the area where the proposed landscaping

would be done.

Letourneau said that when she had been on the previous site visit, she had noticed a swale within the proposed area of work. Lattrell explained that the swale was actually an easement for the Town waterline and that the reason the soils were different is because the fill put deeper soils on top of the line.

Haro asked about a footbridge that Schlaikjer had mentioned during a site visit and reminded her that she would have to come before the Commission if she should decide to replace the bridge.

DeHoyos asked about the vegetable garden and whether there would be a rototiller used. Schlaikjer replied that she would not be digging by hand.

Mosher asked if the scale was 1"= 50'. Lattrell answered in the affirmative.

There were no further questions.

**MOTION: Moved by Letourneau, seconded by Mosher, and voted 4-0 to issue a negative determination is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.**

Project Monitoring: Kunkel reported that he had gone to inspect Peter Burakiewicz's silt fences and had told him to tighten the fence.

Enforcement Updates: Kunkel reported that he had sent a letter to Mr. Santos as requested at the previous meeting.

Correspondence: A letter from Western Mass Electric announcing application of herbicides.

Site Visits: I-91 for the ITS Tuesday, June 2, 2009, scheduled to meet at the Big Y Plaza, 7:30 a.m.  
261 Mohawk Trail Monday June 8, 2009 7:30 a.m.

Set Next Meeting Date: Greenfield Police Station, June 9, 2009, 7:00 p.m.

Adjournment:

**MOTION: Moved by Letourneau, seconded by DeHoyos, and voted 4-0 to adjourn the meeting at 8:41 p.m.**

Respectfully Submitted,

Ralph Kunkel  
Conservation Agent

Alex Haro  
Chair