

CONSERVATION COMMISSION

Town of GREENFIELD, MASSACHUSETTS
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GREENFIELD CONSERVATION COMMISSION
Minutes of February 14, 2012
7:00 p.m. Greenfield Planning Department
114 Main Street

The meeting was called to order by chair, Alex Haro at 7:00p.m. with the following members:

- PRESENT:** Alex Haro, Chair
Timothy Mosher, Vice-Chair
Dee Letourneau
- ABSENT:** Steve Walk
Thomas DeHoyos
- ALSO PRESENT:** Laura DiNardo, Conservation Agent and members of the Public.

Approval of Minutes: Approval of Meeting Minutes from January 31, 2012.

All Commissioners were present during the January 31, 2012 meeting.

MOTION: Moved by Mosher, seconded by Letourneau, and voted 3-0, to approve the minutes from January 31, 2012.

Public Meetings/Hearings:

7:00 p.m. College Park Condo Association, c/o Theodore Johnson - Public Hearing to review a Request for Determination of Applicability for property located at 25 Keegan (Map R26, Parcel 21), for the removal of a tree for safety concerns.

Theodore Johnson, Member of the College Park Condo Association's Trustee Board; background in engineering.

The applicant/Association is requesting to remove tree from property. The tree is located about 30 feet from bank in soft soils. It could potentially damage a single family townhouse, swimming pool, and pool house if it was to collapse during a storm. They discussed topping the tree but this would be more expensive and would allow the tree to grow back and cause further concerns. The Applicant gave the Commissioners a copy of a signed agreement between the Condo Association and David Guy stating that they could enter his property to access the tree therefore the work does not involve crossing the wetland area. The applicant also gave the Commission a detailed description of the work. Jim's tree service is doing the work, the stump will not be removed, and a red maple will be planted as a 1:1 replication.

Haro mentioned that the Commission is familiar with the site and that they have a good grasp of the project. The Commission usually waits until there is a large threat before they allow this work but they understand the size of the tree and potential damage it could cause. Haro asked if they would be planting one red maple or several. Johnson stated they were planning on one but would be willing to plant several. Haro asked how far from the bank the tree is. Johnson stated 30 feet. Commission asked if the area around the tree was lawn. Johnson stated that it was. Johnson asked if they have any other suggestions for plantings. Haro stated that the red maples were a good choice, they grow slow and do not grow as large/tall as the current pine.

MOTION: Moved by Letourneau, seconded by Mosher, and voted 3-0 to make a negative determination that the work described in the Request 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 with the following conditions:

1. Applicant must plant 2-3 red maples as replication within the area of the removed tree (~30 feet from bank).

MOTION: Moved by Mosher, seconded by Letourneau, and voted 3-0 to make a negative determination that the area and/or work described in the Request is not subject to review and approval by the Greenfield Wetlands Protection Ordinance (Chapter 195).

Johnson inquired about a bank stabilization project that the Association was interested in near where the tree is to be removed. The bank is causing foundation to crack and damage to their property. They had discussed rip-rap and understood this would need to be a Notice of Intent project.

Haro stated that the Commission very rarely if ever allows applicants to use rip-rap. In the past they have allowed vegetation to be planted as a natural stabilization. This work would require a site visit by the Commission and is usually only allowed if the applicant can prove that it is required to protect their property. The Commission suggests hiring a wetland scientist to look at the property and handle the permitting.

7:15 p.m. Kathleen and Christopher Sadler - Public Hearing to review a Request for Determination of Applicability for property located at 85 Shelburne (Map 61, Parcel 15), for the reconstruction of the house and associated foundation on existing footprint.

Kathleen Sadler, Homeowner/Applicant
John Decker, Applicant's brother.

Haro stated that they received the applicant's memo with a detailed narrative describing plans, the letter from Mowry and Schmidt, and the inspection report from United Technical Consultants regarding the property flood damage. All of which provided the information the Commission had requested at the January 31, 2012 meeting.

Kathleen presented a plan to the Commission with the hay bales/limit of work marked. DiNardo copied the plan to keep on file.

Haro explained that the Commission would rather applicant's use straw bales instead of hay bales because hay bales often spread weed seeds. The applicant explained they chose the bales instead of a silt fence because the driveway limited the areas they could install it properly. Decker and Sadler stated they would be willing to use either straw bales or straw wattles.

Mosher stated that even though the applicant is planning on storing materials/spoils off-site that it would be okay if they stored them on-site also but only under the condition that they were covered properly daily. DiNardo mentioned that the applicant planned to store off-site because they have limited space on-site.

MOTION: Moved by Letourneau, seconded by Mosher, and voted 3-0 to make a negative determination that the work described in the Request 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 with the following conditions:

1. Any materials/spoils left on site shall be covered appropriately to ensure no run-off into

2. Straw bales or wattles shall be installed as indicated on approved plan received February 14, 2012.

MOTION: Moved by Mosher, seconded by Letourneau, and voted 3-0 to make a negative determination that the area and/or work described in the Request is not subject to review and approval by the Greenfield Wetlands Protection Ordinance (Chapter 195).

Other Business:

a. Town of Greenfield Wetland Protection Ordinance (Chapter 195) – Continued discussion and review.

Mosher requested a copy of the notes regarding their previous discussion on ‘Coordination with Other Boards’. This was discussed the first meeting in January. DiNardo will send the minutes outlining the discussion via email.

DiNardo asked the Commission about the ‘Applicant and Fees’ section that she was working on based off of Ralph’s comments. The Commission stated that they had discussed adding fees to Request for Certificate of Compliance and Request for Determinations of Applicability applications. They decided to only add a fee for the RDA application because the COC application has an associated recording fee (with the registry).

Commission will continue discussion at next regularly scheduled meeting.

b. Town of Greenfield Open Space and Recreation Plan update – discussion and input.

DiNardo updated the Commission that the public meeting schedule February 27th was cancelled. Not all requirements of the plan have been met and until then the Committee has postponed the meeting. Once all requirements have been met the draft plan will be sent to the Conservation and the Recreation Commission, the Planning Board, the Regional Agency, and the Mayor’s Office. At that time they will hold a meeting. Then a final draft will be submitted to the state.

The Commission has completed the ‘goals’ section of the plan. Haro will review the ‘inventory of lands’ section, make comments/edits, and DiNardo will circulate to all Commissioners prior to the next scheduled meeting.

Correspondence:

The Commission discussed the next meeting which is scheduled for February 28th. Haro and DiNardo will be unable to attend. There are no public hearings; the Commission was planning on discussing the Ordinance. If the Commission still wants to meet DiNardo can discuss the possibility of meeting in the Police Meeting Room. The Commission decided to cancel the February 28th meeting; the next meeting will be March 13, 2012.

DiNardo stated a representative from Enterprise Car Rentals met with Eric Twarog and DiNardo regarding drainage problems on-site and association site improvements. The Commission should receive an application within the next few months.

DiNardo left a note for Bill Griswold regarding work at the Griswold property. The site has a few trees down and debris on trails. The work would probably take six (6) people two (2) days. DiNardo will discuss possibility of using the jail.

Peter LaBarbera contacted the office last Wednesday (2-8-12). He was drilling through Lenny Week’s

pond to sample soils. DiNardo was unable to attend.

Monitoring:

Enforcement Updates:

Haro continues to work with the Department of Environmental Protection regarding the mulch pile in a jurisdictional area. It looks like some material was removed from site. Mosher stated this was probably because it was being processed at Martin's Farm.

Site Visits:

Next Meeting: March 13, 2012 @ 7:00PM – Department of Planning and Development Meeting Room

Adjournment:

MOTION: Moved by Mosher, seconded by Letourneau, and voted 3-0 to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,

Laura DiNardo
Conservation Agent

Alex Haro
Chair