

# CONSERVATION COMMISSION

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

The meeting was called to order by chair, Alex Haro at 7:15p.m. with the following members:

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

John Blasiak	34 Plum Tree Lane	Greenfield, MA
Peter LaBarbera		South Deerfield, MA
Mike Goreski	325 Adams Road	Greenfield, MA
David Fritz	282 Adams Road	Greenfield, MA
Gary Greene	268 Adams Road	Greenfield, MA
Jim Toth	52 Allen Street	Greenfield, MA
Bill Griswold	588 Lampblack Road	Greenfield, MA
Laura Pournham	588 Lampblack Road	Greenfield, MA
Melissa Pritchard	588 Lampblack Road	Greenfield, MA
Leonard & Susan Weeks	322 Adams Road	Greenfield, MA

Approval of Minutes: Approval of Meeting Minutes from July 24, 2012.

**MOTION:** Moved by Letourneau, seconded by Mosher, and voted 3-0 to approve the minutes from July 24, 2012.

Public Meetings/Hearings:

Peter LaBarbera (Environmental Planning Associates), Jim Toth (Engineer), and Leonard and Susan Weeks (property owners) present.

Haro asked LaBarbera to explain the Notice of Intent project proposal.

LaBarbera explained that the project entails a small sediment pond largely fed by run off and drainage structures operated by Town of Greenfield on Adams Road. The runoff is also generated in Sub watershed located on the Week's property. The remnants of dam are deteriorating leading to drop in water level. The Week's were looking for cost effective repair options supplied by Toth. Generally, what is proposed is non-invasive; there will be no concrete, small-scale equipment and manual labor. Goal: bring pond back to historical water level elevation (92.3' elevation).

Toth explained the dam: earthen dam with exposed concrete core by design (13 feet of concrete exposed with soil going out from exposed concrete). Soil consists of 85% of dam; the soil portion is in good condition. The problem is the concrete core (center 5 feet of dam). Dam safety regulations do not consider this a dam; the 'dam' is 4 feet high with minimal hydraulic pressure. The concrete section consists of a level crest that dips down for a small spillway about one

foot lower than crest. The concrete section is cracked and is down about 2 feet lower than it was originally. Water leaks through cracks/breach in dam.

Project options:

First option – use concrete. Considered uncertainty regarding integrity, could be too disruptive. With this being a small-scale project, concrete seems unnecessary.

Second option – simple solution, expand soil embankment/ soil support and bury the concrete portion.

Upstream – use small stones; 3”- 8” material (angular stones) toe of stone would be continuation of toe of soil embankment of stream. The green line on drawing (Plan Detail prepared by James J Toth) marks the historic edge of pond when water elevation is 92.3’.

Downstream side – Toth did not want to use small stone. Currently a 3’ x 3’ splash pad sits below the spillway. They will use some stone on the side slopes. Spillway for dam will be through the stone at constant grade (no vertical plummet). The major change will be that there is a three horizontal feet difference from where it came out originally to where it is proposed now.

Construction – materials will be brought in by Adams road (truck will stay on Adams Road). A plywood shoot will be installed to transport stone. The stockpiled material will be moved with a small loader and a mini excavator will be setting stone in place. It will only be approximately one day of work.

Equipment – truck hauled on Adams Road, plywood shoot from Adams Road to work location, bobcat loader moving material on Adams Road to shoot and from shoot and to dam (same loader). One excavator to place stones in dam. The loader and excavator will take one trip in and one trip out they are not going back and forth. A plastic membrane will be installed at upstream face of dam. The membrane will not be visible.

Toth opens for questions.

Haro asked if membrane liner was standard or designed for a project like this. Toth stated that standard would be to go for a new concrete core but that seems too extensive/invasive for the size of this project. It is not standard to have such a small dam. Pond liner membrane is made for projects like this. Puncturing is usually a potential problem but with the manual labor, minimal stone use, small-scale project type, they are confident it will work.

Letourneau asked about the life expectancy of liner. Toth stated it should last 50-100 years.

Haro asked if the area around the stone would re-vegetate or if they planned to seed the downstream face. Toth stated that mobile sediment would fill in open stone areas and weed seed will take hold in exposed rock. In ten years you will barely see stone. Toth does not feel like it is necessary to pack stone with soil. They are not treating stone to prevent vegetation growth. If a large tree grows into place then that should be cut to prevent toppling, less than likely to have large woody vegetation growth.

Haro asked how they would dewater in future. Toth stated it would be pumped as it would before breach.

Mosher asked about the outflow. Toth stated it is often zero. LaBarbera has never tried to quantify, has seen flow after storm. Mosher stated that the project description sounds incorrect; it does not sound like the work involves ‘fixing existing dam’ they are creating a check dam out of riprap. Toth explained that are re-establishing the concrete/soil dam area so that the dam will function as it did historically. The structure stays in place augmenting area with stone. Net result with stone/membrane will allow the water to accumulate to 92.3’. Toth explained that in an event of overtopping (after the dam is repaired) the water would flow over the top of the stone on upstream side, over the earlier spillway that was already there, and through the stone placed on the downside. Mosher asked if Leonard Weeks was happy with the plan. Weeks stated he was very happy with the plan as presented.

Haro asked about the edge of the pond once the water is raised to historical conditions, would that area be re-vegetated. LaBarbera stated that the area will become consistently saturated and new vegetation would emerge. Instead of jewelweed and stinging nettle, you will see cattails, etc. On west side/east side, the grasses will give way to sedges.

Haro asked about the vegetation in the pond (mostly cattails), what will happen with the change in water level. If submerged at a constant level the cattails will disappear and you will see new species, like lilies. Toth stated that the water level would not consistently be at 92.3' elevation during periods of drought, etc.

Mosher asked when original dam was built. LaBarbera stated at least as early as the 70s, DPW records show early 80s. Mosher asked how many cubic yards of riprap were being installed. Toth does not have that number right now, less than three truckloads of material. Mosher asked what was the mil on the liner. Toth stated he had not purchased the liner yet but he suspects 25-30 mil.

Haro asked about a maintenance plan or path. Toth stated that the dam does not need maintenance except potentially for removal of larger woody vegetation in the future. Weeks stated the path would be to walk around pond, it would just be mowed. Letourneau asked for him to define 'around the pond'. Weeks stated only on the west side. Haro asked if that was previously maintained. Weeks stated yes.

Mosher asked about recent storms, have there was instances of overflow to dam. Toth stated there was no evidence. LaBarbera stated there is a small contributing watershed.

Haro asked about DEP comments. DiNardo stated that DEP would probably not comment as they have in the past. Timothy McKenna is doing the review. DiNardo received a message from him asking for a copy of the Enforcement Order. DiNardo sent that to him and will speak with him on Wednesday, August 15, 2012. DiNardo stated that he issued a file number and wrote 'no comments' on the NOI look-up page. LaBarbera included that he spoke with McKenna and notified him of the date and time of hearing and sent him pictures of the site at present.

The Commission opened up to public comment (used sign in sheet).

John Blasiak – the function of the dam repair is to raise the water level as it was historically; can the remainder of the pond take the extra 1.5 feet? How long has it been down a 1.5 feet? DiNardo stated it has been at least six year since the dam breach. Toth stated that there is no signs of distress around the perimeter of the pond but no tests have been done. Haro stated that the Commission has been on site visits and sees no reason for concern.

Mike Goleski – What is the purpose of the pond? Haro stated that historically it was a fire pond and now it is a private pond that has been maintained over the years. LaBarbera added that it is acting as a secondary sediment facility for Adams Road.

David Fitz – immediate downstream abutter (for around 25 years). He is supportive of the Week's decision aesthetically. It does not take a 200 year storm to overtop the dam; many times it has refused to hold water. There is a four inch pipe through Mr. Greene's property, pipe will back up during overflow event. A tenant of Mr. Weeks excavated a man made breach and deposited untold yards of silt into channel; Fitz questions whether the 15 feet of proposed alteration (dam repair) will contain the man made breach. Grass vegetation never took hold after the Commission required Weeks to use wetland seed to stabilize area.

Haro asked when the breach was made. Fitz thought it was around 3-4 years ago. It happened around 2006. Haro explained the construction of the dam repair. Toth clarified that the water was not 'overtopping' rather there would be a constant flow over spillway in storm event.

Mosher explained that there is no longer an outlet channel on neighbors property. The dumping of silt caused water to flow in all directions. Toth explained that 5-6 feet after dam is an outlet channel and then the water flows freely.

Haro would expect the water to channel itself and create a pattern in time.

Fitz and Mr. Greene share a driveway which is the first obstacle after the dam.

Haro stated that the Commission would be closely monitoring the project over the next years.

Fitz asked if there were any water quality issues; horse area, dog kennel, and water runoff. Haro explained there is a silt and salt run-off issue but his impression is that water quality is pretty good. There are frogs and aquatic insects; water is not totally stagnant. Haro used Highland Pond as an example; Commission encourages natural buffer and tries to prevent dog waste problem but there is only so much that can be done.

Mosher expressed concern about the stream outflow effecting Fitz property which has to do with the inactivity of the Conservation Commission and the delay in response to Enforcement Order and needs to be remediated. Haro explained the permitting, the enforcement order, and the current conditions.

Letourneau suggests taking care of this issue in another application and not in this Notice of Intent.

Weeks stated he was willing to work with neighbors to remediate any downstream issues. Commission stated again they will monitor project and downstream conditions.

Fitz asked if the four wheelers would be on the path. Weeks stated that golf carts would be able to access the path (the mower is 4-feet wide).

Gary Greene – confirmed that it is not unusual for the water to overflow and for a 4-6ft gully to be created in the neighbors property. Haro referred him to the town engineer/DPW because this might be a problem with the pipe size (4 inches). Asked about the fire pond; when did it become a sediment pond? LaBarbera stated the drainage structure will there as early as the 90s and the pond as early as the 70s; unable to find documentation of fire pond, etc.

Bill Griswold – Endorse what the Week's are trying to do. Historically that hill is a half-way hill (half way because all teamsters from S. Deerfield and Northfield had to stop at this hill). He is 95 years old and the pond has been there as long as he can remember. He supports the projects.

Laura Pournham and Mellissa Pritchard - with Bill Griswold, no comments.

Weeks – stated they appreciate the time of the Commission and abutters.

Haro closed public comment period.

#### Commission Discussion:

Letourneau has conditions to discuss at time of issuance. Mosher stated they it was once approved long ago and that this is a working solution; large check dam. Also has conditions for later on. Haro's only problem lies in DEP comments; try to look at existing condition, except them for what they are. When the water level is raised there is alteration to habitat. Commission does not know how DEP feels about it and feels DEP's comments would be minimal and that they would be okay with the Commission's decisions. As far as need to replication, Haro is assuming vegetated will come back around periphery within several growing seasons. The faces of the dam will re-vegetate over time, no use of round-up etc.

DiNardo states she is curious about McKenna's feedback sense she never got a chance to speak with him directly but unfortunately he posted the DEP Number and stated 'no comments' so legally the Commission has no reason to not close the hearing if they feel they have adequate information. DiNardo stated that DEP could appeal; Haro states that is a risk they are willing to take; they do not want to delay any further.

The mowing path: access road maintained for years. The path has overgrown since the time of enforcement. Haro stated that there is a historic path within the 25-ft buffer. Existing path in current configuration can be mowed within 4 feet. Mosher suggested only allowing mowing a certain amount of times per year. Haro viewed this as maintaining an existing lawn, which would be allowed to maintain as needed.

Commission discussed the appeal period. DiNardo stated the applicant should have the Order by next Friday (August 24, 2012).

- MOTION:** Moved by Mosher, seconded by Letourneau, and voted 3-0 to approve the Notice of Intent for Leonard and Susan Weeks, 312 Adams Road, Greenfield, MA for work pertaining to the repair of dam under the Wetlands Protection Act with the following conditions:
1. Standard Boiler Plate Conditions apply
  2. No work shall commence beyond the dam repair without further review and approval by the Conservation Commission; there shall be no dredging or dewatering allowed under this Order of Conditions.
  3. The Commission shall be notified if the dam/woody growth/vegetation needs to be maintained in the future.
  4. The wetland delineation is approved as shown in the plans.
  5. Existing path shall be mowed and maintained as needed but is not to exceed 4 feet in width.
  6. Matting shall be installed during construction in extensive work zone. Extensive work zone shall be defined as the 10-foot radius around W-14 on approved plan.

**MOTION:** Moved by Mosher, seconded by Letourneau, and voted 3-0 to approve the Notice of Intent for Leonard and Susan Weeks, 312 Adams Road, Greenfield, MA for work pertaining to the repair of dam under the Wetlands Protection Ordinance (Chapter 195) with the same conditions as under the Wetlands Protection Act.

Other Business:

- a. Trail Maintenance at the Griswold/GTD Conservation Area.

DiNardo stated that we have two quotes to vote on. Bob Cook's quote was \$1,000.00-\$1,200.00.

Haro and DiNardo met Jeff Johnson and walked the site. His quote (JJ Lawncare) was \$640.00 (two laborers at \$40.00/HR)

Haro stated he was good to work with and eager.

Commission agrees to approve the quote from Jeff Johnson (JJ Lawncare).

DiNardo will send Mr. Parks a notice.

Haro told Bill Griswold that the trails and parking area would be cleaned as soon as possible.

Bill Griswold stated that the parking area at Griswold was cleared by DPW.

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

Haro had 'Permits and Condition' and has handouts but will review with the Commission at the next meeting.

DiNardo mentioned 'Violations and Penalties' (pretty much done, needs to be typed)

DiNardo mentioned 'Vernal Pools' which will need to be discussed at a later date.

Correspondence:

DiNardo mentioned that were was cutting around the 99 Restaurant sign. DiNardo and Haro will take a drive by and have a conversation. Walk mentioned this to Haro; DeHoyos left a message with DiNardo.

DiNardo mentioned DOT bridgework. We were notified via email before the project commenced. They have all the permits they are required. We should notify DOT/DEP directly if we see any erosion control issues.

DiNardo asked Haro if he was happy with the DOT rotary plantings. Haro will keep an eye on them, they are small and hard to see. May 10, 2012 they were planted.

DiNardo mentioned the APR application; it is in the Mayor's office awaiting approval by the Mayor.

Haro stated that the Commission received a new resume for Steve Walk's Commission position. He (John Blasiak) has never been on a Commission. Need to wait for Town Council approval. Haro encouraged him to join meetings until he is appointed. The Commission will fill him in on all information. Blasiak asked how long the Commissioner's have been members.

Monitoring:

Enforcement Updates:

Site Visits: DiNardo will be in contact if/when we receive an application. The DPW Covered Bridge will be the next big NOI.

Next Meeting: August 28, 2012 @ 7:00PM Department of Planning and Development, 114 Main Street.  
Letourneau is unable to attend  
Haro will be unavailable first meeting in September.

Adjournment:

**MOTION: Moved by Mosher, seconded by Letourneau, and voted 3-0 to adjourn the meeting at 9:05 p.m.**

Respectfully Submitted,

Laura DiNardo  
Conservation Agent

Alex Haro  
Chair