

CONSERVATION COMMISSION

Town of GREENFIELD, MASSACHUSETTS
14 Court Square, Greenfield MA 01301

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GREENFIELD CONSERVATION COMMISSION
Minutes of November 27, 2012
7:00 p.m. Greenfield Department of Planning and Development
114 Main Street

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

PRESENT: Alex Haro, Chair
Timothy Mosher, Vice-Chair
Thomas DeHoyos
Dee Letourneau
John Blasiak

ABSENT:

ALSO PRESENT: Cornell Robinson, of Mass Broadband Institute
Mike Turgen, of Jacobs Engineering
Mike Nolan, of G4S Technology LLC
Anthony Wonseski, of SVE Associates

Approval of Minutes: Approval of Meeting Minutes from November 13, 2012 with amendments.

MOTION: Moved by Blasiak, seconded by DeHoyos, no further discussion and voted 4-0-1 (Mosher abstained) to approve the minutes from November 13, 2012 as amended.

Public Meetings/Hearings:

7:05 PM: Jacobs Engineering Group, Inc. - Public Meeting to review a Request for Determination of Applicability for the MassBroadband123 Project for the underground installation of new fiber optic cable in new conduit along a 322-foot section of Shelburne Road West. Installing this new fiber optic cable will require directional drilling within previously disturbed and paved road right of way in the Riverfront Area.

Cornell Robinson, of Mass Broadband Institute, attended the meeting with representatives Mike Turgen, of Jacobs Engineering, and Mike Nolan, of G4S Technologies, to present the RDA for the underground installation of a new fiber optic cable along Shelburne Road West. The new service will span the state, and will be above ground in the rest of Greenfield; affixed to either existing utility poles or existing conduits within the road right of way. In this case, the poles need to connect under the Route 2 overpass. This section will link the cable to the westerns section of the state.

Work will occur on the north side of the street. A perennial stream is located on the south side of the street and the distance from the perennial stream to the drilling site at pole 44 is 29-feet. There is an intermittent stream and catch basin located on the north side of the street, not present on the maps or on the GIS overlays. An updated map featuring the intermittent stream and catch basin was supplied to the commission by Jacobs Engineering. The intermittent stream flows to a catch basin, which drains through a culvert under the street, to the perennial stream on the opposite side of the road. The intermittent stream is about 13-feet from the drilling site at pole NT 44. There will be a temporary disturbance at this location. The biggest concern is the minimum disturbance in the no disturb zone. A waiver will be needed for work in the 25-foot no disturb boundary.

The direction drilling will occur from the eastern pole (NT 43) west, under the bridge, and coming up away from the culvert but right at the other pole (NT 44). Straw wattles will be installed as erosion controls at the culvert site and around the catch basin. The applicants are looking for a Negative 2 Determination with conditions for erosion control measures. Mosher was concerned with the description of the erosion controls presented in the plans (sheet D2). The siltation fence is depicted as being keyed in 2-feet with 2X4 posts. Turgen explained the depiction is wrong; the posts will be 3-foot 1X1 stake and the fence will be keyed in approximately 30”.

The worst-case scenario is that they will have to saw cut the road and install the cable that way. If this should occur, they will contact GCC immediately. This will be included as a condition for work. All work should be done within a day and no areas will be left open. The work is proposed to begin within the next few weeks. The process will not introduce any new materials (lubricants/liquids) into the system and any soils removed will be replaced (backfill). The applicant has already received a trenching permit from the town and the state permit as well.

MOTION: Moved by Blasiak, seconded by Mosher, no further discussion and voted 5-0-0 to make a negative determination, box 2, 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) Waive 25-foot “no disturb zone”
- 2) If the approved work changes for any reason, any additional work should occur, or if work must be completed in the road right-of-way, the Conservation Commission must be notified immediately.
- 3) Siltation barrier shall be installed around the base of poles NT44 and NT43 during all work according to the RDA. Controls shall consist of either staked straw wattles and/or bales. Erosion controls shall also be placed around the catch basin located on site.

MOTION: Moved by DeHoyos, seconded by Letourneau, no further discussion and voted 5-0-0 waive the 25-foot “no disturb zone” in the Greenfield Wetlands Protection Ordinance: Chapter 195 Section 2.B.1, for the work completed by pole NT 44.

7:23 PM: Stoneleigh Burnham School (Attn: Leslie Brown) - Public Meeting to review a Request for Determination of Applicability for verifying the wetland delineations.

Anthony Wonseski, of SVE Associates, attended the meetings to discuss the RDA on File. The RDA is specifically for verifying the wetland delineations that were completed by Ward Smith, wetlands biologist, in July of 2012. Want to come to an agreement on the delineations before the snow. Hope to begin work with an NOI over the winter because it is less destructive to resource area. There is an existing perennial stream on the property that leads to a culvert that runs under Route 2 ramp; and there is an existing (man-made) pond on the site. Stoneleigh is an equestrian school and some flags missing by crossing due to horseback riding.

A site visit was conducted on Tuesday November 20, 2012 at 8am. Haro, Letourneau, Blasiak and Panaccione were present; along with Anthony Wonseski, of SVE Associate. Wetlands Flags B1-B12 located around the catch basin were missing in the field, but area referenced on plan is accurate. Two questions arose at the site visit that Wonseski addressed at the meeting:

- 1) What is the purpose of the pipe by the wetland flag C42?
The pipe is an old water line. In the past, Stoneleigh had very large events that required the set up of various tents that required water and power. This pipe provided water to the tents. It is currently not in use and is not anticipated to be used again in the future.
- 2) What cause the disturbance by the wetland Flag A16?
The disturbed area is from maintenance trying to locate a culvert/pipe. Erosion controls have since been installed to prevent sediment from entering the stream. Wonseski supplied the commission

with photos of the erosion controls installed (straw bales and straw mulch).

MOTION: Moved by Letourneau, seconded by DeHoyos, to make a positive determination that the boundary delineations of the following resource areas described on the referenced plans are confirmed as accurate: Intermittent Stream (Wetland Flags A1-A65), catch basin (Wetlands Flags B1-B12), pond (Wetland Flags C1-C51), and Bordering Vegetative Wetlands (Wetlands Flags D1-D5).

Further Discussion: Blasiak is concerned over the placement and delineations of the wetlands located in the woods, flags C39-C51. No work will occur in this area and the flags should be excluded.

MOTION: Moved by Letourneau, seconded by DeHoyos, and voted 4-0-1 (Mosher Abstained) to make a positive determination that the boundary delineations of the following resource areas described on the referenced plans are confirmed as accurate: Intermittent Stream (Wetland Flags A1-A65), catch basin (Wetlands Flags B1-B12), pond (Wetland Flags C1-C38), and Bordering Vegetative Wetlands (Wetlands Flags D1-D5). Exclude Wetlands flags C39-C51 due to lack of delineation data. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid.

7:35 PM: Western Massachusetts Electric Company - Public Meeting to review a Request for Determination of Applicability for the installation of a new mid-span electric utility pole 147/8M (18-inch diameter wood pole), to provide service to Berkshire Gas remediation located on the gravel shoulder within the north side roadway Right-of-Way (ROW) of Meade Street. The new pole will be located on a straight a way between the two poles currently present on the road right of way of Meade Street (147/8 and 147/9). Erosion and sediment controls, in the form of straw wattles and/or staked mulch logs, will be provided around the base of the proposed new pole.

No representative was present. RDA was reviewed at last meeting and GCC has received all the information needed to make a determination. The project is strictly riverfront, with minimal disturbance, and the work shall be completed within a day. The project is not exempt because it is providing a new service.

Blasiak requested the removal of the excess dirt as a condition for work. The pole will displace a lot of dirt. If the dirt is mounded around the pole, it will eventually wash down to the Green River. This is especially problematic if the soils are contaminated. Berkshire gas will field screen the soils on site for contaminates.

MOTION: Moved by Letourneau, seconded by DeHoyos, no further discussion and voted 4-0-1 (Mosher abstained) to make a negative determination, box 2, 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 condition: Field screening of soils will occur on site by Berkshire Gas to check the soils for contaminates. Any contaminated soils shall be removed from the site. If soils need to be removed or disposed of as remediation waste, it is the responsibility of Berkshire Gas. Any material removed from the site shall not be deposited in any wetland resource. Additionally, any excess soils shall be removed from the site and not mounded at the base of the new pole.

MOTION: Moved by Letourneau, seconded by DeHoyos, no further discussion and voted 4-0-1 (Mosher abstained) to make a negative determination, box 6, that the area and/or work described in the Request is not subject to review and approval by the Greenfield Wetlands Protection Ordinance (Ch. 195).

Other Business:

Town of Greenfield Wetland Protection Ordinance (Chapter 195): Haro recommended a special meeting be considered to complete the project. Opposed to a special meeting, GCC will discuss the ordinance at the regularly scheduled meeting due to the open Agenda on December 11, 2012. Haro will revise the draft chapter 195 ordinance and will email it to the board. Angela will look into a screen and projector for the meeting to expedite the review process.

Port-o-John by Enterprise: A port-o-john is down by the river by Enterprise rent a car. Panaccione will contact DPW to clean up the area.

Monitoring:

Athens Pizza: Check new building and the site plans. Added addition to the building and put in a retaining wall. Notification was required before the additional construction began. Additionally, piles of dirt are present at site, no grading has occurred and the rain gardens have not been installed according to the plans. Haro and DeHoyos will go check out the site at the conclusion of tonight meeting.

Enforcement Updates:

First Light: This EO resulted from a violation, issued by the building inspector Mark Snow, for unlawful structures on the site (Homeless encampment/housing structures.) Con Com became involved due to the structures occurring in the riverfront zone (Connecticut River). Most structures are framed with saplings collected from the surrounding woods and walls consist of materials gathered from river, plastic tarps, etc. Panaccione conducted a site visit Wednesday November 14, 2012 at 10:30am with Mark Snow, building inspector, and Beth Blazer, of First Light, to view area after structures have been removed and the area cleaned up. We found all structures had been removed, materials disposed of, and the sites clean; all violations have been corrected.

MOTION: Moved by DeHoyos, seconded by Mosher, no further discussion and voted to 4-0-1 (Blasiak abstained) to lift the Enforcement Order issued against First Light Utility Co. on September 14, 2012.

Next Meeting: 7 PM on Tuesday, December 11, 2012, at the Greenfield Department of Planning and Development; 114 Main Street. There are no current filings and the meeting will focus on revising the Town Ordinance.

Adjournment:

MOTION: Moved by DeHoyos, seconded by Mosher, and voted 5-0-0 to adjourn the meeting at 8:01 p.m.

Respectfully Submitted,

Angela Panaccione
Conservation Commission Agent

Alex Haro
Chair