



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1551 • Fax 413-772-1309
Conservation@greenfield-ma.gov • www.greenfield-ma.gov

Members:

Blasiak, John (2016)
DeHoyos, Thomas (2016)
Haro, Alex (2015)
Letourneau, Dee (2014)
Mosher, Timothy (2015)

GREENFIELD CONSERVATION COMMISSION

Minutes of Tuesday March 4, 2014

**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
Tim Mosher, Vice-chair
Tom DeHoyos
John Blasiak

ALSO PRESENT: David Singer, Town Councilor/Appointments & Ordinance Com. Chair
Maureen Pollock, Assistant Planner & Conservation Agent

ABSENT: Dee Letourneau

Other Business:

Draft Chapter 195, Greenfield Wetlands Protection Ordinance: Haro stated the Conservation Commission (“Commission”) has been revising the Greenfield Wetlands Protection Ordinance (“Ordinance”) over the last two to three years and submitted the draft Ordinance to the Appointments & Ordinance Committee (“A&O Com”) on June 28, 2013. Members of the Commission have since attended some A&O Com meetings in regards to the draft revisions, including: August 12, 2013; September 18, 2013; and February 10, 2014.

David Singer, Town Councilor/A&O Com Chair is present to explain the A&O Com’s past actions regarding the draft Ordinance and will explain the A&O Com’s next steps regarding this issue.

Singer expressed he meant no disrespect to the Commission, but he did not regret inviting Al Norman to the A&O Com meeting on February 10, 2014. Singer thought it was useful and productive for Al Norman to attend. Singer would like to hear from each of the Commissioners’ regarding past A&O Com actions and Singer’s proposed plans to move the draft Ordinance forward.

DeHoyos prepared a statement for Singer, which expressed concerns regarding the A&O Com’s past actions, specifically those involving Al Norman with the review process

Blasiak inquired when Al Norman received the draft ordinance

Singer responded Al Norman received the draft ordinance in the fall



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1551 • Fax 413-772-1309
Conservation@greenfield-ma.gov • www.greenfield-ma.gov

Members:

Blasiak, John (2016)
DeHoyos, Thomas (2016)
Haro, Alex (2015)
Letourneau, Dee (2014)
Mosher, Timothy (2015)

Blasiak inquired if Al Norman received the draft ordinance months ago, then why didn't Al Norman present his suggestions and revisions to the Commission

Singer responded he did not know the answer to that question

Singer stated he apologizes for the pain that he has caused to the Commission, but he does not regret involving Al Norman in the process. Keith Zaltzberg was the A&O Com Chair when the Commission submitted the draft ordinance on June 28, 2013 and when the Commission spoke during the August 12, 2013 A&O Com public hearing. In October 2013, Al Norman asked the Town Council President, Mark Wisnewski for a copy of the Commission's draft ordinance. Sometime between October and December of 2013, Keith Zaltzberg stepped down as the A&O Com Chair, and Singer volunteered to become the A&O Com Chair. Around the same time period, Al Norman submitted edits and revisions to the A&O Com. In anticipation of future public hearings regarding the draft Ordinance, Singer stated during a Town Council Committee Chair's meeting, that he would like Al Norman to come before the A&O Com sooner than later so he could state his comments for public record. Singer was going to have Al Norman speak during the January 13 2014 A&O Com meeting, but Haro had alerted Singer that he was going to be on vacation so the agenda item was postponed until the February 10, 2014 meeting. Singer did not inform Haro or the Commission of the request for Al Norman's presence, or involvement. Haro did not become aware of Al Norman's involvement until Al Norman made his comments during the February 10, 2014 A&O Com meeting. Additionally, due to miscommunication between town departments, the rest of the Commission was not made aware of the February 10, 2014 meeting until the day after the meeting was held. Singer who was informed of the Commission's concern regarding the A&O Com's recent actions, volunteered to come before the Commission.

Singer stated he did not invite Al Norman to comment on the draft Ordinance, but once Al Norman submitted his revisions, Singer saw it as an opportunity.

Blasiak inquired if Singer did not request Al Norman to comment during an A&O Com meeting, and if that was not during a public hearing, then why was Al Norman allowed to speak.

Singer stated that once he was made aware that Al Norman had submitted revisions to the Commission's draft Ordinance he decided to invite Al Norman to comment during an A&O Com meeting. Singer stated he did not give Al Norman a copy of the draft ordinance.

Singer stated if he could have done it all over again, he would have informed the Commission in a timely manner that he was inviting Al Norman to comment on the draft Ordinance. Besides bruising personal feelings, Singer iterated that the A&O Com has done nothing wrong with the process. According to Singer, the A&O Com has not weighed or measured anything that Al Norman has said.

Blasiak stated he would like to clarify a few things. Blasiak is not angry and he does not feel insulted. Blasiak has a lot of respect for Singer's integrity. Blasiak's concern is that there are reasons why the



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1551 • Fax 413-772-1309
Conservation@greenfield-ma.gov • www.greenfield-ma.gov

Members:

Blasiak, John (2016)
DeHoyos, Thomas (2016)
Haro, Alex (2015)
Letourneau, Dee (2014)
Mosher, Timothy (2015)

Commission edited the Ordinance as they did. To avoid any unintended consequences, Blasiak suggests that if the A&O Com decides to weigh or measure any edits/revisions, the A&O Com should send the edits/revisions back to the Commission for comment. In doing so, the Commission can explain their rationale for making recommendations regarding the proposed changes. The A&O Com can then consider both sides of each given edit/revision. During the February 10th A&O Com meeting, Haro was not given Al Norman's suggested edits in a timely manner; therefore, was not comfortable speaking to the merits of Al Norman's edits.

Haro stated this is the first major revision the Commission has done together. The way it was explained to the Commission 2 ½ years ago was that the Commission would revise the Ordinance, and then they would submit it to A&O Com for approval by the Town Council. The Town Council would have the final say on the Ordinance. The Commission was not told that there would be a public hearing process. The Commission only understood that there would be back and forth between the A&O Com and Commission.

Haro acknowledges there has not been a lot of damage done so far, and a public hearing process will be conducted by the A&O Com. Public input will be weighed by the A&O Com during this process. The Commission's opinion from this point forward is if the A&O Com has questions about proposed changes from either themselves or from those suggested by the public, then the A&O Com should submit the questions back to the Commission for comment. The Commission is willing and able to engage in this process. Haro stated that the appropriate thing for the A&O Com to do is to hold the public hearing to gain public input. After the public hearing, the A&O Com should submit questions to the Commission. The Commission will need a little time to deliberate in answering these questions.

Singer stated he would like to invite the Commission to an A&O Com public hearing so they can answer questions directly and explain their rationale for revisions made.

Haro stated he likes that there will be a public process, but he does not think it is appropriate for the Commission to be part of the Q&A process. Everyone on the Commission has different opinions, so in order for the Commission to answer with a unified response they will need time to deliberate.

Blasiak stated that Commission members have varying viewpoints about certain things; therefore, if Commission members attend the A&O Com's public hearing, these members will not be speaking as a Commission but rather as individuals only.

Haro stated that a better process would be for the A&O Com to solicit written and verbal comments from the public, compile the comments/questions, and submit them to the Commission. The Commission can then deliberate as a board.

Blasiak suggested that after the Commission deliberates, the Commission could designate one member to attend the A&O Com meeting and explain the Commission's rationale



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1551 • Fax 413-772-1309
Conservation@greenfield-ma.gov • www.greenfield-ma.gov

Members:

Blasiak, John (2016)
DeHoyos, Thomas (2016)
Haro, Alex (2015)
Letourneau, Dee (2014)
Mosher, Timothy (2015)

Singer stated that he will leave it up to the Commission. He would like to give all members an opportunity to speak during the A&O Com public hearing.

Haro stated that he would be happy to represent the Commission during the public hearing, but he anticipates that he may not be able to answer some of the questions on the spot. He may have to go back to the Commission to deliberate.

Singer stated that Councilors will ask for rationale for revisions, e.g. the waiver and replication

DeHoyos stated that all revisions made in the draft ordinance, including the waiver and replication were recommended in the Massachusetts Association of Conservation Commissions Wetlands Protection Bylaw/Ordinance Model.

Singer stated the Commission should submit to the A&O Com the Massachusetts Association of Conservation Commissions Wetlands Protection Bylaw/Ordinance Model and/or other materials that guided the Commission with the revisions.

Singer stated that the A&O Com will schedule the public hearing. He will leave it up to the Commission on who wants to participate and to what capacity during the public hearing. After the public hearing, the A&O Com will sit down and deliberate for some period of time. Then the A&O Com will present a series of questions for the Commission to answer. If at the public hearing, questions come up that Haro or other Commission members can answer on the spot that will be fine. If questions need to be brought back to the Commission for deliberation, that is fine too.

Mosher stated that for the last 2 ½ - 3 years, the Commission has been revising the Ordinance. The existing Ordinance has not been updated for 10 years. The Commission used the Massachusetts Association of Conservation Commission Wetlands Protections Bylaw/Ordinance model and local wetlands ordinances from similar sized communities, like Gardner, Northampton, Westfield, Amherst, and Palmer for comparison. Each commission member worked on a different section and the Commission deliberated the changes before incorporating them into the draft Ordinance.

Mosher stated he is concerned with the actions by the A&O Com. Mosher does not have issues with Al Norman making his comments, but the Commission should have been notified prior to the February 10th A&O meeting. Mosher is concerned that there are three ordinance versions now available for public comment; this situation is turning into a he said, she said situation, which will further delay things. This Ordinance was due in 2010.

Singer stated, “the purpose of the A&O Com public hearing is to provide the public the Commission’s rationale for the revisions.”

Singer stated that the Commission’s draft Ordinance will be one presented at the upcoming public hearing. The draft Ordinance can be found on the Town Council webpage and the Commission webpage



William F. Martin
Mayor

**City known as the Town of
GREENFIELD, MASSACHUSETTS**

CONSERVATION COMMISSION

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1551 • Fax 413-772-1309
Conservation@greenfield-ma.gov • www.greenfield-ma.gov

Members:

Blasiak, John (2016)
DeHoyos, Thomas (2016)
Haro, Alex (2015)
Letourneau, Dee (2014)
Mosher, Timothy (2015)

DeHoyos inquired who knew that Al Norman received a copy of the draft ordinance

Singer responded the Town Clerk's Office and the entire Town Council knew that Al Norman received a copy of the draft ordinance

Next Meeting:

7:00 PM on Tuesday, March 11, 2014, at the Greenfield Department of Planning and Development; 114 Main Street

Adjournment:

MOTION: Moved by DeHoyos, seconded by Blasiak, no further discussion and voted 4-0-0 to adjourn the meeting at 8:01 PM.

Respectfully Submitted,

Maureen Pollock
Assistant Planner & Conservation Agent

Alex Haro
Chair