



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS
CONSERVATION COMMISSION

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1548 ext 3 • Fax 413-772-1309
sarah.brodeur@greenfield-ma.gov • www.greenfield-ma.gov

John Griffin, Chair
Rachel Lindsay, Vice Chair
Erika LaForme
Douglas Cloutier

Agent: Sarah Fortune

GREENFIELD CONSERVATION COMMISSION
Meeting Minutes of Tuesday, August 14th, 2018
Greenfield Department of Planning and Development
114 Main Street, Greenfield MA 01301

The meeting was called to order by Chair John Griffin at 6:01 PM with the following members:

MEMBERS PRESENT: John Griffin, Chair
Rachel Lindsay, Vice Chair
Erika LaForme

MEMBERS ABSENT: Doug Cloutier

ALSO PRESENT: Verne Sund, 81 Barton Road, Greenfield, MA 01301
Walter Boyd, 574 Country Club Road, Greenfield, MA 01301
Paul Knapik, 33 Waldo Street, Worcester, MA 01608
Petru Balan, 22 Verde Drive, Greenfield, MA 01301
Vicki Donahue, 66 West Street, Pittsfield, MA
Toni Halback, 42 Wilson Hill, Colrain, MA
Josh Solomon, the Recorder, 14 Hope Street, Greenfield, MA 01301
Margaret Valentine, 60 Verde Drive, Greenfield, MA 01301
Ward Smith, 105 Montague Road, Wendell, MA
Kris Warner, 27A N. Hillside Road, South Deerfield, MA

6:06 PM Administrative Matters: Approval of Minutes from July 24th, 2018

Doug Cloutier joined the meeting at this time.

Motion made by Rachel Lindsay to approve the minutes from July 24, 2018 as written

Motion seconded by Erika LaForme

No further discussion – 3-0-0 – Motion Carries (John Griffin abstained)

6:09 PM Administrative Matters: Approval of Documents – Certificate of Compliance for DEP # 168-0302

Motion made by Erika LaForme to approve the Certificate of Compliance for DEP # 168-0302

Motion seconded by Rachel Lindsay

No further discussion – 4-0-0 – Motion Carries

6:15 PM Notice of Intent (NOI): DEP # 168-0324 – 99 Verde Drive (Map R17-22), single family home construction

The Commission reviewed a Notice of Intent permit application submitted by Wendell Wetland Services c/o of Kris Warner of All Season Modular Homes, Inc. for the property located at 99 Verde Drive (Assessor's Map R17-22) for an after-the-fact filing for the construction of a single family home, septic system, garage and shed. All disturbance associated with the proposed project has occurred in the 100-foot buffer zone to Bordering Vegetated Wetlands and within the 25-foot No-Disturb-Zone to Bordering Vegetated Wetlands.



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John Griffin opened the hearing and Ward Smith of Wendell Wetland Services was present to propose the project to the GCC, stating that he had re-delineated the wetlands somewhat more expansive than the previous delineation for the subdivision which was done in 2004 and was no longer valid. He reported that there is existing silt fence installed along the Riverfront Area to serve as erosion-sediment controls. He also informed the GCC that the property owner is amenable to installing a permanent boundary marker at the Riverfront Area boundary or along the 25-foot No Disturb Zone to the Bordering Vegetated Wetlands (BVW), whichever is farther from the resource areas, so that there is no encroachment of lawn into that area. The boundary markers will be provided at the expense of the applicant for working within the 25-foot No Disturb Zone to the BVW's.

John Griffin opened the hearing for public comment. Walter Boyd expressed his concern regarding the visibility of the permanent boundary markers in the long-term; the GCC informed him that the boundary markers will likely be small metal discs that are similar to trail markers. Verne Sund suggested that large stones be used as monumentation because they will be a clear indicator of the resource area boundaries, and will be hard to contradict in the future.

Motion made by Rachel Lindsay to close the hearing for DEP # 168-0324 for the construction of a single family home at 99 Verde Drive

Motion seconded by Erika LaForme

No further discussion – 4-0-0 – Motion Carries

Motion made by Rachel Lindsay to approve the Notice of Intent and issue the Order of Conditions for DEP # 168-0324 for 99 Verde Drive

Motion seconded by Erika LaForme

No further discussion – 4-0-0 – Motion Carries

Motion made by Rachel Lindsay to approve the Notice of Intent and issue the Order of Conditions for DEP # 168-0324 pursuant to the Wetlands Protection Ordinance, Chapter 195

Motion seconded by Erika LaForme

No further discussion – 4-0-0 – Motion Carries

6:51 PM Notice of Intent (NOI): DEP # 168-0325 – 22 Verde Drive (Map R17-16), after-the-fact filing for single family home construction

The Commission reviewed a Notice of Intent permit application submitted by Wendell Wetland Services c/o of Petru and Rodica Balan for the property located at 22 Verde Drive (Assessor's Map R17-16) for an after-the-fact filing for the construction of a single family home. All disturbance associated with the proposed project has occurred in the 100-foot buffer zone to Bordering Vegetated Wetlands and within the 200-foot Riverfront Area to McHard Brook.

John Griffin opened the hearing, and Ward Smith of Wendell Wetland Services was present to propose the project to the GCC. Ward Smith reported that the majority of this property is outside of resource areas regulated under the MA Wetlands Protection Act, but that there is an existing silt fence that is slightly encroaching into the Riverfront Area on the property which will be moved outside of the resource area. Ward Smith also reported that the Applicants, Petru and Rodica Balan, are amenable to permanently marking the extent of the Riverfront Area and Buffer Zone to the BVW's, whichever is farther from the resource areas, to prevent future encroachment into these areas. The boundary markers will be provided at the expense of the Applicants for working within resource areas without a permit.



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Ward Smith informed the GCC that the applicant additionally proposes to install a 6 by 6-foot concrete pad for a generator within the Buffer Zone, but that this aspect of the project was not included in the Notice of Intent submission. The Agent questioned the location of the generator within the buffer zone, and inquired about possible impacts to the resource areas in the event that the generator leaks. Petru Balan stated that he will move the location of the generator outside of the identified Buffer Zone to prevent any possible impacts to resource areas.

John Griffin opened the hearing to public comment. None of the public present wished to comment on the proposed project.

Motion made by Rachel Lindsay to close the meeting for DEP # 168-0325 for the after-the-fact filing for the construction of a single family home at 22 Verde Drive

Motion seconded by Erika LaForme

No further discussion – 4-0-0 – Motion Carries

Motion made by Rachel Lindsay to approve the Notice of Intent and issue the Order of Conditions for DEP # 168-0325 for the after-the-fact filing for the construction of a single family home at 22 Verde Drive

Motion seconded by Erika LaForme

No further discussion – 4-0-0 – Motion Carries

6:59 PM Notice of Intent (NOI): DEP # 168-0326 – 115 Verde Drive (Map R17-20), after-the-fact filing for single family home construction

The Commission reviewed a Notice of Intent permit application submitted by Wendell Wetland Services c/o of Kris Warner of All Seasons Modular Homes, Inc. for the property located at 115 Verde Drive (Assessor's Map R17-20) for an after-the-fact filing for the construction of a single family home. All disturbance associated with the proposed project has occurred in the 100-foot buffer zone to Bordering Vegetated Wetlands and within the 200-foot Riverfront Area to McHard Brook.

John Griffin opened the hearing, and Ward Smith of Wendell Wetland Services was present to propose the project to the GCC, stating that he had re-delineated the wetlands and that the delineation is somewhat more expansive than the previous delineation for the subdivision which was done in 2004 and was no longer valid. Ward informed the GCC that a portion of the existing house is within the 100-foot Buffer Zone to BVW, but that no other work is proposed within the resource areas. He also reported that there is existing silt fence installed on the property, but that the silt fence does not extend along the entire extent of the resource areas; the project proposes to move the silt fence and to extend the erosion-sediment controls along the entire boundary of the resource areas. The project additionally proposes to permanently mark the boundary of the Riverfront Area and No Disturb Zone, whichever is farther from the resource areas, to prevent future encroachment into these areas.

Motion made by Rachel Lindsay to close the meeting for DEP # 168-0326 for the after-the-fact filing for the construction of a single family home at 115 Verde Drive

Motion seconded by Doug Cloutier

No further discussion – 4-0-0 – Motion Carries

Motion made by Rachel Lindsay to approve the Notice of Intent and issue the Order of Conditions for DEP # 168-0326 for the after-the-fact filing for the construction of a single family home at 115 Verde Drive

Motion seconded by Erika LaForme

No further discussion – 4-0-0 – Motion Carries



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Motion made by Rachel Lindsay to approve the Notice of Intent and issue the Order of Conditions for DEP # 168-0326 pursuant to the Wetlands Protection Ordinance, Chapter 195

Motion seconded by Erika LaForme

No further discussion – 4-0-0 – Motion Carries

7:06 PM Administrative Matters: Approval of Documents – Ratify Enforcement Order, 270 Turners Falls Road for grading and vegetation removal in Riverfront Area to Connecticut River

The Agent received a request from the DPW to conduct a site visit to 270 Turners Falls Road on August 7, 2018 for possible violations of the Wetlands Protection Act. The DPW reported that landscaping and grading activities without proper erosion-sediment controls resulted in the deposition of large amounts of sediment on Turners Falls Road making it impassible. The Agent observed sediment in the road that clearly eroded from the property, and also observed large amounts of sediment in the Connecticut River directly below the property. The Agent issued the Enforcement Order for work within the Riverfront Area to the Connecticut River without review and approval by the GCC on August 7, 2018.

Motion made by Doug Cloutier to ratify the Enforcement Order for 270 Turners Falls Road

Motion seconded by Erika LaForme

No further discussion – 4-0-0 – Motion Carries

7:12 PM Other Projects, Monitoring, Enforcements & Violations

1. Discuss DEP # 168-0321, Green River Commons wetland mitigation area at Highland Park:

The Agent discovered violations at Highland Park on August 8, 2018 resulting from the work to construct the off-site wetland mitigation area required for the Green River Commons located on Deerfield Street. The off-site mitigation area was required to be 4,000 square-feet in size and was to be constructed along the western edge of the parking area at Highland Park. The Agent conducted a site visit with Wright Builders, the project Applicant on July 12, 2018 in which the preparation work for the wetland mitigation area was discussed in great detail; specifically, it was discussed to leave all of the existing vegetation at the top of the slope intact to stabilize the slope and prevent erosion into the intermittent stream channel beyond the parking area. During the site visit on August 8, 2018 the Agent discovered that the site preparation had gone above and beyond what was discussed at the previous site visit with Wright Builders – the entire slope had been cleared of vegetation, and the site was left unstabilized, which resulted in large amounts of erosion into the intermittent stream channel. The Agent prepared an Enforcement Order for the restoration of resource areas adjacent to the mitigation area, which required that the site be stabilized within 48-hours of receipt with a compost filter sock at the base of the slope, a 12-inch straw wattle at the top of the slope, and the installation erosion control blanket between the compost sock and straw wattle to stabilize the slope.

Motion made by Rachel Lindsay to issue the Enforcement Order for DEP # 168-0321 for the restoration of wetland resource areas adjacent to the wetland mitigation area at Highland Park

Motion seconded by Erika LaForme

No further discussion – 4-0-0 – Motion Carries

2. Discuss DPW work on Scout Road:

The Agent conducted a site visit to Scout Road on August 14, 2018 to evaluate the work conducted by the DPW to repair the road after recent severe storms had resulted in washouts that made the road impassible. The Agent discovered large amounts of road substrate deposited several feet up the slope on the right side of the road, which



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signified that a vast quantity of water was moving over the road opposed to moving through the culvert under the road due to its insufficient size. The Agent informed the GCC that she will discuss the application of an Emergency Permit with MassDEP to replace the culvert with one that is larger and has a greater flow capacity than the existing culvert.

3. Discuss Wedgewood Gardens overnight camping:

The GCC discussed the issue of overnight camping at Wedgewood Gardens regarding the encampment that has formed on the city common. John Griffin reported that the Board of Health has ruled that the encampment must vacate the city common by August 20, 2019. John additionally reported that City Council added Wedgewood Gardens to a list of properties that are exempt from hours of operation regulations, and that conservation land is regulated under another city code that requires permission from the GCC to conduct activities such as camping or building fires. Rachel Lindsay added that Wedgewood Gardens was once a trailer park but was deemed unsafe because it is entirely in the floodplain to the Green River and floods on an annual basis, so she is concerned about the encampment moving to the property. Rachel suggested that the rules and regulations for Wedgewood Gardens be posted on the property to clearly state that permission must be granted by the GCC to use the property for anything other than passive recreation. The Agent reported that there had been no formal communication from City Council to the GCC at this time regarding the use of Wedgewood Gardens for overnight camping.

4. Violation updates, 449 Country Club Road – septic system installation:

There were no updates regarding the violations relative to the septic system installation at 449 Country Club Road.

Set Next Meeting Date: Tuesday, August 28th, 2018 at 6:00 PM in the Greenfield Department of Planning and Development, located at 114 Main Street in Greenfield.

Meeting Adjourned at 8:11 PM

Motion made by Erika LaForme to adjourn at 8:11 PM

Motion seconded by Doug Cloutier

No further discussion – 4-0-0 – Motion Carries

Respectfully Submitted,
Sarah A. Fortune
Conservation Agent

John Griffin,
Chair