



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

Agent: Sarah Fortune

GREENFIELD CONSERVATION COMMISSION
Meeting Minutes of Tuesday, January 8th, 2019
Greenfield Department of Planning and Development
114 Main Street, Greenfield MA 01301

The meeting was called to order by Chair John Griffin at 6:04 PM with the following members:

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

MEMBERS ABSENT: Doug Cloutier

ALSO PRESENT: Maria Firstenberg, TRC, 650 Suffolk Street, Suite 200, Lowell, MA 01854
Colleen Puzas, SCWA, 15 Research Drive, Amherst, MA 01002
Paul Raskevitz, Greenfield DPW, 14 Court Square, Greenfield, MA 01301
Mayor Bill Martin, 14 Court Square, Greenfield, MA 01301
Mark Stinson, MassDEP Western Region Wetlands Circuit Rider, 436 Dwight Street, Springfield, MA 01103

6:02 PM Administrative Matters: Approval of Minutes from 10/23/2018

Motion made by Rachel Lindsay to approve the minutes from 10/23/2018 as amended

Motion seconded by Erika LaForme

No further discussion – 3-0-0 – Motion Carries

6:09 PM Administrative Matters: Review Correspondence – National Grid Yearly Operational Plan; EverSource Energy Yearly Operational Plan

The GCC received Yearly Operational Plans from National Grid and EverSource Energy pertaining to right-of-way vegetation maintenance plans in Greenfield during 2019. National Grid requested review of their Yearly Operational Plan (YOP) with respect to sensitive wetland resource areas, so the Conservation Agent reviewed their YOP and provided feedback regarding wetlands and other water resources.

6:13 PM Administrative Matters: Other Business (New/Old) – 270 Turners Falls Road Enforcement Order

There was no update on this agenda item.

6:13 PM Other Projects, Monitoring, Enforcements & Violations

1. Project updates: DEP # 168-0324 & 0326 – 99 & 115 Verde Drive:

The Applicant for the projects at 99 and 115 Verde Drive submitted As-Built site plans for the issuance of a Certificate of Compliance (COC) on January 8, 2019. The Agent explained to the Applicant that the site plans are insufficient to constitute an official Request for Certificate of Compliance submitted with a completed Request for Certificate of Compliance form (Wetlands Protection Act Form 8A). Moreover, the Agent explained that a Certificate of Compliance cannot be issued until the site is completely stabilized with vegetation and until the Riverfront Area and/or 25-foot No Disturb Zone to Bordering Vegetated Wetlands is permanently monumental per the Orders of Conditions for these



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projects. The Agent suggested that the Applicant wait until spring to request a COC.

2. Notice of Intent submissions: 57 Forgey Way & Franklin County Fair Grounds:

The Agent informed the GCC of two (2) Notice of Intent permit application submissions received on January 8, 2019 for slope failure mitigation projects. The public hearings are scheduled to occur on February 12, 2019.

6:15 PM Notice of Intent: DEP # 168-0330, 562 Leyden Road (Map R30-3) – exploratory soil borings

The Commission will review a Notice of Intent (NOI) permit application submitted by TRC Environmental Corporation c/o Andrea Agostino of the New England Power Company for proposed exploratory soil borings along the E205E Transmission Line right-of-way (ROW) on the property located at 652 Leyden Road (Assessor's Map R30-3). Disturbance associated with the project as proposed is located within: the Riverfront Area to Glen Brook, a coldwater fisheries resource; within Bordering Land Subject to Flooding; and within Bordering Vegetated Wetlands and their buffer zones.

John Griffin opened the public hearing and Maria Firstenberg of TRC was present to describe the project as proposed to the GCC, stating that the overall goal for the project is to collect field data for a future project to replace transmission line supports in the future. Maria explained that the field data will be collected by conducting experimental soil borings along the E205E transmission line right-of-way at structure B457 and B471. Maria continued to explain that the focus of the project is structure B457 because it is located within Bordering Land Subject to Flooding (BLSF), Bordering Vegetated Wetlands (BVW), Riverfront Area, and Priority Habitat of Rare Species while structure B471 is located in the Buffer Zone to BVW only. The project proposes to install temporary swamp matting for access to the structures while protecting wetland resource areas. The proposed temporary fill from the swamp matting exceeds the 5,000 square foot disturbance threshold in the Wetlands Protection Act (WPA), which is why the project was submitted as a "limited project". The disturbance associated with the soil borings is also temporary because the borings will be backfilled and restored to pre-disturbance conditions. The project intends to commence in February to prevent impacts to rare species and their habitats, and should only last for a period of one (1) to three (3) days.

MassDEP Wetlands Circuit Rider Mark Stinson asked if the Notice of Intent (NOI) had been submitted to the Natural Heritage and Endangered Species Program (NHESP) because the project site is located within Priority Habitat. Maria responded that the NOI had not been submitted to NHESP because New England Power Company has a file number and plan with NHESP regarding vegetation maintenance along transmission line rights-of-way. Mark replied that the NOI still has to be sent to NHESP for review and approval regardless of prior plans between New England Power Company and NHESP. Mark continued to ask if the file number and plans are under the WPA or the MA Endangered Species Act (MESA) because if the plan is under MESA than the GCC cannot approve an Order of Conditions until NHESP has made their determination on the project. Moreover, Mark stated that the project can't be filed as a "limited project" because the installation of the swamp matting is an exempt activity, so he suggested that Maria simply revise the NOI form showing the new, temporary disturbance figures and re-submit the NOI to the GCC.

The Agent asked when the restoration work is anticipated to occur; Maria stated that the re-grading and seeding will likely occur in April.

Maria proceeded to request a continuance of the public hearing until January 22, 2019 so that the NOI can be submitted to the NHESP.



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Motion made by Rachel Lindsay to continue the public hearing for DEP # 168-0330 for the exploratory soil borings along the E205E Transmission Line right-of-way until January 22, 2019

Motion seconded by Erika LaForme

No further discussion – 3-0-0 – Motion Carries

6:43 PM Cont. NOI: DEP # 168-0328 – Adams Road (ROW), guardrail replacement

The Commission will continue review a Notice of Intent (NOI) permit application submitted by Ian Hodgdon c/o the Town of Greenfield Department of Public Works for the Right-of-Way (ROW) located between 128 and 144 Adams Road for the proposed installation of a concrete block retaining wall and reconstruction of existing guardrails. All disturbance associated with the proposed project will occur within the 25-foot No Disturb Zone to Bordering Vegetated Wetlands (BVW).

The applicant requested a continuance of the public hearing until January 22, 2019 so that site plans can be obtained from a registered, professional engineer.

Motion made by Erika LaForme to continue the public hearing for DEP # 168-0328 for the Adams Road guardrail project until January 22, 2019

Motion seconded by Rachel Lindsay

No further discussion – 3-0-0 – Motion Carries

6:44 PM Cont. Notice of Intent (NOI): 1417 Bernardston Road (Map R10-9) – solar array construction

The Commission continued to review a Notice of Intent (NOI) permit application submitted by TRC Environmental Corporation c/o Kris Pitney of Pacifico Energy NA for the construction of a .75 megawatt direct current solar array on the property located at 1417 Bernardston Road (Assessor's Map R10-9) in Greenfield. There is 115,958 square feet of permanent disturbance proposed in the Buffer Zone to Bordering Vegetated Wetlands (BVW) and 958 square feet of permanent disturbance proposed in the 25-foot No Disturb Zone to Bordering Vegetated Wetlands (BVW) on the project site.

John Griffin re-opened the public hearing and project representatives Maria Firstenberg of TRC and GCC outside consultant Colleen Puzas of SWCA were present to discuss the project as proposed. John requested that the review begin with the outside consultants comments. Colleen Puzas proceeded to explain her review of the NOI and wetland delineation, stating that she had conducted a site visit with TRC's wetland scientist and walked the entire wetland boundary. Colleen reported that she discovered a few discrepancies while reviewing the wetland delineation, particularly regarding a jurisdictional culverted stream flowing through the existing fields; she also stated that the wetland flag numbers should be added to the site plans for use in the field. An additional discrepancy regarding the delineation pertains to a Potential Vernal Pool (PVP) on site which is depicted with the incorrect buffer zone on the site plans; Colleen suggested that the correct buffer zone be added to the plans, and that the GCC require a rare species assessment in the spring to determine and confirm if this area is a vernal pool. Colleen also reported the discovery of a wetlands violation on the eastern portion of the parcel and as delineated, a stream and BVW have fill and tree debris present within resource areas; she suggested that the GCC require a restoration plan for impacts to BVW and bank. Colleen additionally pointed out several other aspects of the proposal regarding total project disturbance, proposed work with respect to the 25-foot No Disturb Zone, culvert protection, and erosion sediment controls. Finally, Colleen informed the GCC that review of the stormwater report had not yet occurred.

Maria Firstenberg proceeded to provide information on the MassDEP file number comments that had not been discussed during previous hearings. Regarding the proposed clearing in the buffer zone, Maria will provide a tree count to the GCC.



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Vegetation maintenance outside of the security fence will only occur on non-wetland locations. The stormwater subcatchment mentioned in comment 7 is located in Bernardston, not in Greenfield. Finally, Maria informed the GCC that TRC is working to address the comments provided by SWCA in their review of the NOI and wetland delineation.

Maria requested a continuance of the public hearing for DEP # 168-0329 for the construction of a solar array at 1417 Bernardston Road until January 22, 2019.

Motion made by Erika LaForme to continue the public hearing for DEP # 168-0329 for the construction of a solar array at 1417 Bernardston Road until January 22, 2019

Motion seconded by Rachel Lindsay

No further discussion – 3-0-0 – Motion Carries

6:13 PM Other Projects, Monitoring, Enforcements & Violations

3. Violation updates – DEP # 168-0321 – Green River Commons wetland mitigation area at Highland Park:

The Agent provided an update on the restoration of the parking and wetland mitigation area at Highland Park, reporting that she had with the Director of Planning and Development regarding the option of amending the Order of Conditions for the project to transfer the wetland mitigation area from Wright Builders to the City of Greenfield. Mayor Bill Martin was present for the discussion, stating that he would like the City to take over the wetland mitigation at Highland Park. Paul Raskevitz of the DPW added that transferring the project to the City would allow for the project to be completed more quickly because the DPW is local while Wright Builders is not. Mark Stinson stated that the GCC can amend the Order of Conditions to transfer the wetland mitigation to the city upon receiving a written request to amend the Order of Conditions from the project applicant. Moreover, Mark added that the Enforcement Order issued for wetlands violations at Highland Park would have to be revoked from DEP # 168-0321 and reissued to the City of Greenfield because there will no longer be a permit for the wetland mitigation work once it is transferred to the City. The Mayor requested that the Order of Conditions amendment request be placed on the agenda for the next meeting on January 22, 2019.

4. Violation updates – 8 Conway Dive, unauthorized fill & access to Green River:

There were no updates to report on this agenda item.

5. Review Forest Cutting Plan – 452 South Shelburne Road:

The Agent spoke with the Department of Conservation and Recreation (DCR) regarding this Forest Cutting Plan because the GCC never received a hard copy of the permit from the landowner or plan preparer, which is a violation of the Memorandum of Understanding (MOU) between the Wetlands Protection Act and the Forest Cutting Practices Act; instead, the GCC only received a digital copy of the plan once approved from DCR. The Agent was not sure if the Service Forester was going to stop the harvest and allow for the GCC to comment on the FCP.

Set Next Meeting Date: Tuesday, January 22nd, 2018 at 6:00 PM in the Greenfield Department of Planning and Development, located at 114 Main Street in Greenfield.

Meeting Adjourned at 8:25 PM

Motion made by Erika LaForme to adjourn at 8:25 PM

Motion seconded by Rachel Lindsay

No further discussion – 3-0-0 – Motion Carries



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Respectfully Submitted,
Sarah A. Fortune
Conservation Agent

John Griffin,
Chair