



William F. Martin
Mayor

City of
GREENFIELD, MASSACHUSETTS
CONSERVATION COMMISSION

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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, April 9th, 2019
Greenfield Department of Planning and Development
20 Sanderson Street, Greenfield MA 01301

The meeting was called to order by John Griffin at 6:03 PM with the following members:

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

MEMBERS ABSENT: Doug Cloutier

ALSO PRESENT: Justin Maynard, 200 Avery Brook Road, Charlemont, MA 01370

6:04 PM Administrative Matters: Approval of Minutes from 2/26/2019 and 3/26/2019

Motion made by Rachel Lindsay to approve the minutes from February 26, 2019 as revised

Motion seconded by Erika LaForme

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

Motion made by Rachel Lindsay to table the approval of the minutes from March 26, 2019 until April 23, 2019

Motion seconded by Erika LaForme

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

6:12 PM Administrative Matters: Review Correspondence

1. MACC Annual Environmental Conference:

The Massachusetts Association of Conservation Commissions (MACC) is holding their Annual Environmental Conference on Saturday, March 2nd, 2019 at the College of the Holy Cross in Worcester, MA. All Conservation Commissioners who are interested are welcome to attend.

2. 2019 MA Open Space Conference on 4/27/19:

The 2019 Massachusetts Open Space Conference is being held on April 27, 2019 at Mount Wachusett Community College in Gardner, MA. Registration is now open and the conference is free to attend.

3. Eversource Energy 5-year Vegetation Management Plan (VMP) for Rights-of-Way Maintenance:

Eversource Energy notified the GCC that their 5-year Vegetation Management Plan (VMP) for Rights-of-Way Maintenance is available for review and comment. The VMP includes selective use of herbicide along transmission lines in Greenfield, which will occur between June 15th and October 15th. Eversource Energy requested that information pertaining to sensitive areas along the transmission lines be identified so appropriate protective actions in the field can be taken. The Agent will review and comment on the VMP as necessary.

6:12 PM Administrative Matters: Chair, Agent & Member Reports

1. 4/2/19 Meeting at 637 Colrain Road (Assessor's Map R35-7):

John Griffin and the Agent attempted to hand-deliver an Enforcement Order to Dennis Menard of 637 Colrain Road on April 2, 2019 for filling Bordering Vegetated Wetlands on his property to increase the size of his agricultural



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fields. Mr. Menard was not willing to accept the Enforcement Order, but after a lengthy discussion with him it was decided that a site visit would be scheduled with the Agent, Chair and Vice Chair to determine the extent of the wetland violations and to see if there is an applicable agricultural exemption from the Wetlands Protection Act that would negate the violations. The Agent will contact Mr. Menard to schedule the site visit in the upcoming weeks.

2. **449 Country Club Road (Assessor’s Map R15-5) – buffer zone restoration complete:**

The Agent conducted a site inspection to 449 Country Club Road on April 9, 2019 to conduct a final inspection of the buffer zone restoration required by the GCC in October 2018. The Agent observed that all required actions for the buffer zone restoration had been conducted, and informed the property owner that the erosion-sediment controls can now be removed.

6:33 PM Administrative Matters: Other Business (New/Old)

1. **270 Turners Falls Road:**

John Griffin requested that the GCC resolve this outstanding enforcement situation. The Agent has been unsuccessful to schedule a site visit to the property because the property owner’s availability is limited to weekends, in which the Agent is not available. John Griffin reported that he drives past the property frequently and has not observed additional wetland violations. The Agent will contact the property owner to begin resolving this enforcement issue.

2. **Review & discuss development of fee schedule:**

There was no update on this agenda item.

6:42 PM Cont. NOI: DEP # 168-0329—1417 Bernardston Road (Map R10-9) – solar array construction

The Commission will continue 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 opened the public hearing, and the applicant requested a continuance of the public hearing until April 23, 2019.

Motion made by Erika LaForme to continue the public hearing for DEP # 168-0329 for the solar project at 1417 Bernardston Road until April 23, 2019

Motion seconded by Rachel Lindsay

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

7:26 PM Other Projects, Monitoring, Enforcements & Violations

1. **Surplus Property Disposition – Severance Street (Assessor’s Map R11-70A):**

The GCC received a request from the Department of Planning and Development on March 28, 2019 to make a recommendation on the disposition of surplus property for the purpose of creating low-income housing at 46 Severance Street. The recommendation is due no later than April 26, 2019. The Agent reviewed MassGIS information and determined that there is a hydrologic connection on the property, but hadn’t been able to do a site visit to inspect for other wetlands. Rachel Lindsay expressed interest in conducting a site visit prior to making a recommendation on the disposition of the property.

Motion made by Erika LaForme to table the discussion of the Surplus Property Disposition on Severance Street until April 23, 2019



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Motion seconded by Rachel Lindsay

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

2. Administrative Approval – 136 Lovers Lane (Map R06-05) – Removal of five (5) trees adjacent to power lines and house:

The GCC received an inquiry from Madeline Cantwell of 136 Lovers Lane regarding the removal of five (5) trees in the buffer zone to an intermittent stream which are posing a threat to her house and associated power lines. The GCC recently permitted tree removal on this property under a Determination of Applicability in 2018, and rather than have the property owner submit another Request for Determination of Applicability for the tree removal, she suggested the Administrative Approval process, in which the GCC can approve the tree removal within the scope of the minutes.

The Agent conducted a site visit on April 4, 2019 to inspect the trees and confirmed the threat they pose to private property and public safety due to their proximity to the house and road. The property owner informed the Agent that she plans to remove an additional seven (7) pine trees, but that work will not occur until winter when the ground is frozen. Because the final 7 trees are not close to either the house, power lines, or road the Agent informed the property owner that the removal of those trees will have to be permitted under a Request for Determination of Applicability.

Rachel Lindsay asked if the GCC can require replacement plantings in the buffer zone after the trees have been removed. The Agent stated that the GCC does not have that authority under an Administrative Approval, but they can certainly require replacement plantings when the property owner submits the Request for Determination of Applicability for the remaining trees.

Motion made by Rachel Lindsay to grant the Administrative Approval for the removal of five (5) trees in the buffer zone to an intermittent stream that pose a threat to private property and public safety

Motion seconded by Erika LaForme

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

3. Order of Conditions Amendment Request – DEP # 168-0330 – 562 Leyden Road, exploratory soil borings:

The GCC received a request from National Grid to amend the Order of Conditions that was recently issued for exploratory soils borings along transmission line rights-of-way because the anticipated project start date has been pushed out due to unforeseen circumstances. The Order of Conditions prohibited work between April 1st and October 1st of any year in consideration of rare species and their habitats, in which the project requires work to be done in areas containing rare species, and the Applicant requested that the time-of-year restriction be amended so that the project can commence. The Agent discussed the amendment at length with the representatives from TRC who worked on this project to discuss rare species considerations, and the Agent was ensured that the work will not impact rare species due to a Memorandum of Understanding (MOU) between National Grid and the Natural Heritage and Endangered Species Program (NHESP). The Agent recommended that the GCC approve the amendment to the Order of Conditions for the exploratory soil borings.

Motion made by Rachel Lindsay to amend the Order of Conditions for DEP # 168-0330 to remove the time-of-year restrictions for exploratory soil borings along National Grid transmission line rights-of-way

Motion seconded by Erika LaForme

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



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4. Discuss violation – 301 Country Club Road (Map R15-8)– tree cutting in wetlands and buffer zone:

The Agent discovered possible violations of the Wetlands Protection Act and the Greenfield Wetlands Protection Ordinance regarding the removal of trees in wetlands and their buffer zone at 301 Country Club Road on April 9, 2019 during a drive-by site inspection. Wetland resource areas on the property include a shrub swamp and intermittent stream. The Agent will issue an Enforcement Notice to the property owners to schedule a site visit to examine the extent of the wetland alteration resulting from tree removal activities.

5. Project Updates – DEP # 168-0323 – 125 Mohawk Trail redevelopment:

The Agent conducted a drive-by inspection on April 9, 2019 to the project site and observed that the required erosion-sediment controls still had not been installed. There was no work occurring on site so the Agent was unable to access the site or speak to a contractor about the erosion-sediment controls. The Agent will continue to inspect the site on a regular basis to observe for erosion-sediment controls, and if work commences without the required controls, enforcement action will be taken against the Applicant.

6. Project updates – DEP # 168-0319 – 195 Mill Brook Road solar project:

The Agent received a request from the Department of Energy and Sustainability to review the solar project at 195 Mill Brook Road with respect to MassDEP's policies on solar and other renewable energy developments. MassDEP's policies prohibit any activity on public drinking water supply areas that do not directly relate to drinking water provisions, and MassDEP's Drinking Water Program required that this project be redesigned to meet the applicable policies. The Agent will review the project and applicable MassDEP policies to determine if the project has to be redesigned.

Set Next Meeting Date: Tuesday, April 23rd, 2019 at 6:00 PM in the Greenfield Department of Planning and Development, located at 20 Sanderson Street, Second Floor Conference Room in Greenfield.

Meeting Adjourned at 7:28 PM

Motion made by Rachel Lindsay to adjourn at 7:28 PM

Motion seconded by Erika LaForme

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

Respectfully Submitted,
Sarah A. Fortune
Conservation Agent

John Griffin,
Chair