



William F. Martin
Mayor

City of
GREENFIELD, MASSACHUSETTS
CONSERVATION COMMISSION

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

John Griffin, Chair
Rachel Lindsay, Vice Chair
Erika LaForme

Agent: Sarah Fortune

GREENFIELD CONSERVATION COMMISSION

Meeting Minutes of Tuesday, June 25th, 2019

Greenfield Department of Planning and Development
20 Sanderson Street, 2nd Floor Conference Room
Greenfield MA 01301

The meeting was called to order by John Griffin at 6:06 PM with the following members:

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

MEMBERS ABSENT: None

ALSO PRESENT: Please see attached sign-in sheet

6:06 PM Administrative Matters: Approval of Meeting Minutes from 3/26/2019, 5/28/2019, 6/11/2019

Motion made by John Griffin to table the approval of the meeting minutes from March 26, 2019 and May 28, 2019 until July 9, 2019 at 6 PM

Motion seconded by Erika LaForme

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

Motion made by Rachel Lindsay to approve the minutes from June 11, 2019 as revised

Motion seconded by Erika LaForme

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

6:11 PM Administrative Matters: Review Correspondence (Mail & Phone Messages)

➤ **Anonymous Complaint: 221 Leyden Road (Map R22-19A) – unauthorized filling of BVW**

The GCC received correspondence from MassDEP pertaining to an anonymous complaint regarding wetland violations at 221 Leyden Road. The property owners recently resolved an administrative consent order for Riverfront Area violations with MassDEP in 2018. The Agent will update the GCC as more information becomes available.

➤ **MACC FY 2020 Annual Dues**

The GCC received the MACC FY 2020 Annual Dues information on June 25, 2019.

6:16 PM Request for Determination (RDA) –FirstLight Hydro Generating Company– archeological studies

The Commission reviewed a Request for Determination of Applicability (RDA) submitted by Maria Firstenberg of TRC Environmental Corporation c/o FirstLight Hydro Generating Company of Northfield, MA to determine whether the proposed work to conduct archeological studies within wetland resource areas associated with the Connecticut River and its tributaries is subject to the MA Wetlands Protection Act and the Town of Greenfield Wetlands Protection Ordinance. All



William F. Martin
Mayor

City of
GREENFIELD, MASSACHUSETTS
CONSERVATION COMMISSION

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

John Griffin, Chair
Rachel Lindsay, Vice Chair
Erika LaForme

Agent: Sarah Fortune

disturbances associated with the project as proposed is temporary in nature with no direct impacts proposed to wetland resource areas.

John Griffin opened the public meeting and Maria Firstenberg of TRC was in attendance to present the proposed project, stating that it is a follow-up study to archeological work that was conducted in 2018. Maria stated that there will be no digging and there is no proposed disturbance to wetland resource areas. Equipment utilized in the study will consist of GPS equipment only. The location of the project is confidential due to the sensitive of the subject material. Maria proceeded to request a waiver of the 25-foot No Disturb Zone pursuant to the Greenfield Wetlands Protection Ordinance, Chapter 195.

John Griffin opened the meeting to public comment and no member of the public wished to comment on the proposed project.

Motion made by Rachel Lindsay to close the public meeting for the Request for Determination of Applicability submitted for FirstLight Hydro Generating Company archeological studies

Motion seconded by Erika LaForme

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

Motion made by Rachel Lindsay to issue a Negative Determination, Box 2 stating 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

Motion seconded by Erika LaForme

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

Motion made by Rachel Lindsay to issue a Negative Determination, Box 3 stating that the work described in the Request is within the Buffer Zone, as defined by the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent pursuant to the Wetlands Protection Act, subject to Special Conditions

Motion seconded by Erika LaForme

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

Motion made by Rachel Lindsay to issue a Negative Determination, Box 6 stating that the work described in the Request is not subject to review and approval pursuant to the Greenfield Wetlands Protection Ordinance, Chapter 195

Motion seconded by Erika LaForme

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

6:22 PM Abbreviated Notice of Resource Area Delineation (ANRAD) – Greenfield Center School – delineation confirmation

The Commission reviewed an Abbreviated Notice of Resource Area Delineation (ANRAD) submitted by Rachel Loeffler of Berkshire Design Group c/o the Greenfield Center School, Inc. for the properties located at 741 and 743 Bernardston Road (Assessor's Map R14-46 and R14-71) in Greenfield to determine if the boundaries of wetland resource areas were accurately delineated.

John Griffin opened the public hearing and Rachel Loeffler of Berkshire Design Group was in attendance to present the proposed project to the GCC, stating that this is the future site of the Greenfield Center School which has outdoor education as a large component of its curriculum, and that the purpose of submitting the ANRAD is to confirm the wetland delineation so that they can move forward with the school design process. There are two (2) preexisting buildings on the site in addition to a wooded area and an open field. Wetland resource areas consist of an intermittent stream associated with finger-like Bordering



William F. Martin
Mayor

City of
GREENFIELD, MASSACHUSETTS
CONSERVATION COMMISSION

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

John Griffin, Chair
Rachel Lindsay, Vice Chair
Erika LaForme

Agent: Sarah Fortune

Vegetated Wetlands (BVW), and a Potential Vernal Pool (PVP). The applicant is also seeking a determination from the GCC regarding the Riverfront Area provision of the GWPO which places a 200-foot Riverfront Area on intermittent streams as well as perennial streams; if the GCC chose to uphold this provision of the GWPO, it would greatly affect the project design moving forward. Wetland resource areas were delineated by Ward Smith of Wendell Wetland Services who used hydrology as the primary basis for delineating the wetlands due to an overall lack of vegetation and red parent material soils; this is the result of the site previously being used by the state for gravel extraction to construct Interstate 91.

The GCC proceeded to review the DEP comments on the ANRAD, the first of which pertained to a possible stream channel in the open field area of the site which is visible from aerial photos. The GCC inspected this area during the initial site inspection on June 18, 2019 but did not observe a stream channel or any other indicator of flowing water in this area. The second DEP comment pertaining to the presence of a preexisting culvert under the access road for which the neither GCC nor DEP have any record of. Rachel Loeffler stated that she believes it was installed in the 1950s when gravel was extracted from the site. Ward Smith added that he has not observed water flowing through the culvert and does not believe that a stream flows through it; rather Ward believes it is a hydrologic connection between the wetlands on either side of the access road.

John Griffin proceeded to open the hearing to public comment. Barbara McEwan of Greenfield asked if the Potential Vernal Pool (PVP) is certifiable; the Agent informed her that it is certifiable and that certifying it will be a condition of the final construction permit. Ernest Snow of Greenfield asked where the main entrance to the school will be located; Rachel informed him that the entrance will be located at the furthest distance possible from abutting neighbors to provide a buffer to them.

The GCC revisited the topic of the wetland delineation, and decided to obtain an outside consultant to review the questionable area in the eastern portion of the site. Rachel Lindsay stated that peer review would be helpful in this situation because neither the Commissioners nor the Agent are bonafide wetland scientists.

The applicant requested a continuance of the public hearing at this time to allow the GCC to obtain an outside consultant to review the wetland delineation.

Motion made by Rachel Lindsay to obtain peer review services to confirm the wetland delineation in the eastern portion of the project site at 741 and 743 Bernardston Road
Motion seconded by Erika LaForme
No further discussion – 3-0-0 – Motion Carries

Motion made by Erika LaForme to grant a continuance of the public hearing for the ANRAD submitted by the Greenfield Center School for 741 & 743 Bernardston Road until July 9, 2019 at 6:15 PM
Motion seconded by Rachel Lindsay
No further discussion – 3-0-0 – Motion Carries

7:24 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.

The GCC reviewed the finalized site plans and other project documents which had been updated to include information from the alternatives analysis requested by the board.



William F. Martin
Mayor

City of
GREENFIELD, MASSACHUSETTS
CONSERVATION COMMISSION

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

John Griffin, Chair
Rachel Lindsay, Vice Chair
Erika LaForme

Agent: Sarah Fortune

Motion made by Rachel Lindsay to close the public hearing for DEP # 168-0329 for solar array construction at 1417 Bernardston Road

Motion seconded by Erika LaForme

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

Motion made by Rachel Lindsay to issue the Order of Conditions with Special Conditions for DEP # 168-0329 for solar array construction at 1417 Bernardston Road

Motion seconded by Erika LaForme

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

8:22 PM Enforcement Updates & Other Business

➤ **Certificate of Compliance – DEP # 168-0307, 1 College Drive – construction of outdoor learning lab**

The GCC performed the final inspection for the issuance of a Certificate of Compliance on Tuesday, April 18, 2019 at 4:30 PM and found that the project was built in compliance with the Order of Conditions.

Motion made by John Griffin issue a complete Certificate of Compliance for DEP # 168-0307 for the construction of an outdoor learning lab for Greenfield Community College located at 1 College Drive

Motion seconded by Erika LaForme

No further discussion – 2-0-1 – Motion Carries (Rachel Lindsay abstains)

➤ **Ratify Emergency Certification: DPW – Breach beaver dam on Cherry Rum Brook**

Motion made by John Griffin ratify the Emergency Permit issued to the DPW to breach a beaver dam on Cherry Rum Brook

Motion seconded by Rachel Lindsay

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

➤ **Discuss Enforcement: 637 Colrain Road (Map R35-7) – unauthorized filling of wetlands**

The GCC has been informed that the fill placed in the wetlands on site is from the Davis Street School. The Agent will obtain a copy of the demolition permit from the Davis Street School to determine if there was asbestos or other contaminants in the fill.

➤ **Set next meeting date: Tuesday, June 25, 2019 at 6:00 PM**

The next regularly scheduled meeting will occur on Tuesday, July 9, 2019 at 6:00 PM at 20 Sanderson Street in the Second Floor Conference Room.

Meeting Adjourned at 9:06 PM

Motion made by Rachel Lindsay to adjourn at 9:06 PM

Motion seconded by Erika LaForme

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

Respectfully Submitted,
Sarah A. Fortune
Conservation Agent

John Griffin,
Chair