



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 Thursday, July 11th, 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 6:08 PM with the following members:

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

MEMBERS ABSENT: None

ALSO PRESENT: Bill Lattrell, Lattrell Ecological Consulting; 188 Taylor Brook Road, Colrain, MA 01340
Ward Smith, Wendell Wetland Services; 105 Montague Road, Wendell, MA 01379
Johnathan Daen, 30 Orchard Street, Greenfield, MA 01301
Rachel Loeffler, Berkshire Design Group; 4 Allen Place, Northampton, MA 01060
Kevin Campbell, Greenfield Center School, Inc.; 71 Montague City Road, Greenfield, MA 01301
Abbie Duquette, Green River Festival LLC; 32 Masonic Street, Northampton, MA 01060
Fletcher Harrington; 51 High Street, Apt. 2F, Greenfield, MA 01301

6:08 PM Administrative Matters: Approval of Meeting Minutes from 3/26/2019, 5/28/2019, 6/25/2019

Motion made by John Griffin to table the approval of the meeting minutes from March 26, 2019, May 28, 2019 and June 25, 2019 until July 23, 2019

Motion seconded by Rachel Lindsay

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

6:09 PM Request for Determination (RDA) – 144 Adams Road (Map R05-30) – construct storage building

The Commission reviewed a Request for Determination of Applicability (RDA) submitted by Abbie Duquette c/o the Green River Festival, LLC for the Former Wedgewood Garden property located off Colrain Road (Assessor’s Map 48-24) to determine whether the work to stage overflow parking for the Green River Festival is subject to the MA Wetlands Protection Act and the Town of Greenfield Wetlands Protection Ordinance. All disturbance associated with the proposed project is located with the Buffer Zone to Bordering Vegetated Wetlands, Estimated Habitats of Rare Wildlife and Priority Habitats of Endangered Species.

John Griffin opened the public meeting and Abbie Duquette of Green River Festival LLC was present to describe the proposed project, stating that the Request is to use the Wedgewood Gardens property for overflow parking for the annual, three (3) day Green River Festival. Abbie informed the GCC that there will be construction fencing and “No Parking” signs installed to prevent folks from using restricted parts of the property closest to the Green River. She also reported that there is a clean-up day scheduled for the Monday following the festival in which the property will be cleaned of any remaining trash or debris from the festival.



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The Agent conducted a site inspection with John Griffin and Erika LaForme on July 11, 2019 with Abbie Duquette to review the restricted areas and determine the appropriate location for the construction fencing and “No Parking” signs.

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

Motion made by John Griffin to approve the Request for Determination of Applicability submitted by Green River Festival LLC for the use of Wedgewood Gardens as overflow parking

Motion seconded by Rachel Lindsay

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

Motion made by John Griffin to issue a Negative Determination, Box 2 stating that the work described in the Request is not an area subject to protection under the Act or the Buffer Zone

Motion seconded by Erika LaForme

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

Motion made by John Griffin 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

Motion made by John Griffin 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 to

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

6:13 PM Cont. ANRAD: DEP # 168-0334 – 741 & 743 Bernardston Road (Map R14-46 & 71) – Greenfield Center School – wetland delineation confirmation

The Commission will continue to review 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 re-opened the public hearing and Ward Smith of Wendell Wetland Services was present to discuss the wetland delineation, stating that the wetlands were originally delineated in April but that there was one area of concern in the delineation which was devoid of wetland vegetation but exhibited indicators of hydrology, due to the immense amount of precipitation experienced during that month. Bill Lattrell of Lattrell Ecological Consulting was obtained by the applicant to provide peer review of the questionable area in the wetland delineation, and informed the GCC that the area up gradient of wetland flags B-113 to B-125 is an upland area and the delineation should be modified accordingly.



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Ward Smith proceeded to ask the GCC to clarify the Riverfront Area provision of the Greenfield Wetlands Protection Ordinance (GWPO) and if they would apply that provision to the delineation of the intermittent stream on the project site. The Agent reported that the GCC has maintained that provision of the GWPO for only one (1) project since she has begun working for the City of Greenfield, and that was due to the highly developed state of both the 100-foot Buffer Zone under the WPA and the 25-foot No Disturb Zone under the GWPO; this site on the other hand is primarily undeveloped and the Buffer Zone and No Disturb Zone are undisturbed. Bill Lattrell informed the GCC that enforcing this provision of the GWPO could put the Commission for future liability because they have not regularly enforced it. John Griffin agreed with the Agent and Bill Lattrell that enforcing this portion of the GWPO is unnecessary and creates liability due to inconsistencies in the past.

Rachel Lindsay expressed her interest in enforcing the Riverfront Area provision of the GWPO for this project. She suggested maintaining the Riverfront Area along portions of the intermittent stream and modifying it to Buffer Zone in the area where the Riverfront Area extends further upland than the Buffer Zone to BVW. Ward Smith added that a majority of the Riverfront Area would be contained within the 100-foot Buffer Zone to Bordering Vegetated Wetlands (BVW). Bill Lattrell commented that the GCC maintains a great deal of discretion over activities in the Buffer Zone under the GWPO, so eliminating Riverfront Area from the delineation would not affect the GCC's regulatory authority over that area.

The GCC decided that it is in the overall best interest of the Commission not to enforce the Riverfront Area provision of the GWPO due to inconsistent enforcement in the past.

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

Motion made by Erika LaForme to close the public hearing for DEP # 168-0334 for the ANRAD submitted for the Greenfield Center School for the wetland delineation confirmation at 741 and 741 Bernardston Road

Motion seconded by Rachel Lindsay

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

Motion made by John Griffin to accept the modified wetland delineation to classify the area up gradient of wetland flags B-113 to B-125 as upland as confirmed by Bill Lattrell

Motion seconded by Erika LaForme

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

Motion made by Rachel Lindsay to issue an Order of Resource Area Delineation (ORAD) confirming the modified wetland delineation for DEP # 168-0334 at 741 and 743 Bernardston Road under the MA Wetlands Protection Act

Motion seconded by Erika LaForme

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

Motion made by Rachel Lindsay to issue an Order of Resource Area Delineation (ORAD) reflecting a 100-foot Buffer Zone to the Intermittent Stream for DEP # 168-0334 at 741 and 743 Bernardston Road under the GWPO

Motion seconded by John Griffin

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

7:00 PM Project Monitoring & Site Visit Scheduling

➤ Schedule site visits:



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The following site inspections are scheduled to occur on Thursday, July 18th, 2019 at 5 PM:

- **Request for COC: DEP # 168-0322 – Greenfield Savings Bank ATM – drainage improvements**
- **Request for COC: DEP # 168-0332 – 57 Forgey Way – slope failure mitigation**

7:05 PM Set Next Meeting Date : Tuesday, August 13th, 2019

Rachel Lindsay informed the GCC that she will be unable to attend the meeting on Tuesday, July 23rd, 2019, so that meeting will be cancelled due to an inability to meet quorum requirements. The next GCC meeting will occur on Tuesday, August 13th, 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 7:10 PM

Motion made by John Griffin to adjourn at 7:10 PM

Motion seconded by Rachel Lindsay

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

Respectfully Submitted,
Sarah A. Fortune
Conservation Agent

John Griffin,
Chair