

# CONSERVATION COMMISSION



Town of GREENFIELD, MASSACHUSETTS  
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## GREENFIELD CONSERVATION COMMISSION Minutes of September 22, 2009 7:00 p.m.

Greenfield Police Station  
321 High Street

The meeting was called to order by Chair Alex Haro at 7:00 p.m. with the following members:

PRESENT: Alex Haro, Chair; Tim Mosher, Vice-chair; Tom DeHoyos

ABSENT: Dee Letourneau

Also present: Ralph Kunkel, Conservation Agent; Richard Starkey, new appointee to the Commission; and members of the public.

Approval of Minutes: August 25, 2009

**MOTION: Moved by Mosher, seconded by DeHoyos, and voted 3-0 to accept the minutes of August 25, 2009 as amended.**

Approval of Minutes: September 8, 2009

**MOTION: Moved by DeHoyos, seconded by Mosher, and voted 3-0 to accept the minutes of September 8, 2009 as amended.**

### Public Meetings/Hearings:

7:04 p.m. The Community Builders, Inc. Leyden Woods Limited Partnership – To review a Notice of Intent for property located at Assessors Map R28 Lot 27A for proposed redevelopment with construction of 181 apartment units. Continued from September 8, 2009.

Frank Holmes, of Stantec Consulting, and Eric Ford, Wetlands Scientist of Stantec Consulting, were present on behalf of the applicant. Also present on behalf of the applicant was Diane Sargeant of The Community Builders (TCB). Holmes addressed questions of the Commission from the previous meeting. Holmes said that in response to Mosher's suggestion they added one more catch basin to be in compliance with the DEP recommendation. Holmes also submitted a revised O&M plan and a revised O&M Log; he said they changed the inspections to quarterly. Holmes then addressed the site visit regarding the wetland delineations and pointed-out the four areas that were in question:

- Aster Court area CI there were 2 flags added
- Wetland C2 there was one flag added
- Wetland E was expanded
- Stream 2 there were 2 additional flags

Haro reviewed the site visit for the Commission members who had been unable to make it. Haro mentioned the old retention basin that had been referred to at the previous meeting; he said that it is beyond the scope of the project. Haro said there was a small area in the stream that had been dammed by the residents and asked that the dam be removed and asked that the applicant remove the non-native plantings from that area.

DeHoyos asked where staging areas would be placed. Holmes showed where the first would be and showed that it would be well away from any resource areas. Holmes said he would like a condition stating that new staging areas need to be reviewed and approved before beginning each phase of construction.

DeHoyos then asked how the expanded Wetland E would affect the plans. Holmes replied that the grading for the retention basin would be a few feet from the 25 ft NDZ.

Haro commented on the fill next to the proposed maintenance building. Haro asked Holmes to explain what he would do to remedy the situation. Holmes said the applicant would honor a condition to remove that fill and stabilize the area.

There were no further questions.

**MOTION: Moved by Mosher, seconded by DeHoyos, and voted 3-0 to accept the revised delineations as accurate.**

DeHoyos asked that the hearing be continued to draft an Order of Conditions. Holmes asked if they could see a draft. Haro said yes.

**MOTION: Moved by DeHoyos, seconded by Mosher, and voted 3-0 to continue the public hearing for The Community Builders, Inc. Leyden Woods Limited Partnership to October 13, 2009 at 7:00 p.m.**

Correspondence: Kunkel read into the record a letter from Bill Griswold dated September 21, 2009.

Public Meetings/Hearings (cont.):

7:30 p.m. Massachusetts Highway Department, Susan McArthur – To review a Request for Determination to determine whether the work depicted on the plans is subject to the Massachusetts Wetlands Protection Act.

Julia Stearns was present on behalf of the applicant. Stearns reviewed the project. Stearns stated that 23 light poles would be replaced, an additional 28 would be added, of those 20 would be in the River front or BVW buffer. Stearns said that the lights project was designed to improve the rotary lighting for safety issues. Stearns pointed out that all off ramp lights would consist of replacements, while on ramp lights would be new. Stearns explained the construction of trenches and the process of back fill and stabilization of each trench. Stearns said there would never be an open trench at the close of any day. Stearns explained that the digging on embankments would be done by equipment located on the road side with an extended arm over the guard rail when and where necessary. All equipment and any material removed would be stored outside of the riverfront area and 100 ft buffer of the BVW.

Stearns said all trenches were conditioned to be backfilled as the pipe is laid; spoils removed from drilling holes for the light poles would be removed; straw bales would be used for erosion control; catch basins would be surrounded by silt socks. Stearns said the applicant would honor a condition that specified where equipment would be stored.

Haro expressed concern about uplighting. Stearns said there would a minor amount of uplighting; but added that more light poles would be required to comply with reduction of uplighting. DeHoyos expressed concerned about Barred Owls.

DeHoyos asked for higher erosion control in the steeper areas.

Haro said he had concern with the proximity of the work to resource areas. Haro asked for a Notice of Intent to be filed.

Mosher asked for details of where the silt fence should go. Haro suggested that silt fence be required in areas within 100' buffer in regions where the slope exceeds 2:1.

**MOTION: Moved by DeHoyos, seconded by Mosher, and voted 3-0, to make a positive determination that the work described on the referenced plans and documents is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.**

Correspondence (cont.): Kunkel read into the record a letter from David Boles dated September 21, 2009, inviting the Conservation Commission to participate in the Green River Annual Clean-up.

Public Meetings/Hearings (cont.):

8:00 p.m. Greenfield Investors Property Development LLC – To review a Notice of Intent for property located along Route 2A for the proposed construction of a 1925± foot extension of a sanitary sewer line from an existing main.

David Pickart, of Vanasse Hangen Brustlin, and Tim Sullivan, of Goulston and Storrs, were present on behalf of the applicant. Sullivan submitted the certified mail receipts from Abutter notifications. Sullivan reviewed the project; stating that all work is contained within the Right of Way. Sullivan pointed out on the plans a small area not in the paved ROW but out of jurisdictional area. Sullivan explained the erosion control, and reseeding. Sullivan pointed out that the Greenfield DPW had vetted the project.

Haro asked Pickart to point out the wetlands. Pickart did so. Haro asked for confirmation that erosion control devices would be installed. Pickart did so and then explained that if during construction ground water were encountered it would be pumped out of the jurisdictional area into uplands and into an area with hay bales and fabric; although this was not anticipated to be used; the whole project would take a week. Haro asked when the work would begin. Pickart said that he had no idea. Haro asked if this would depend on the retail project. Pickart said yes and then pointed out that while it would become part of the town's sewer line, it would be done at the retail applicant's expense. If the retail store would not be built, the sewer extension would not be done.

DeHoyos asked why they had not considered Alternatives 2 & 3. Sullivan responded they were not considered because of the Riverfront impacts.

**MOTION: Moved by Mosher, seconded by DeHoyos, and voted 3-0 to accept the NOI with the following conditions:**

- 1. Boiler plate conditions**
- 2. Site specific staging areas to be outside the 100-ft. buffer, and to notify the Agent where those areas would be.**
- 3. The DEP number sign shall not be posted on a live tree.**
- 4. No fueling within the buffer zone.**

Haro closed the public hearing.

Other Business:

Project Monitoring:

Enforcement Updates:

Site Visits:

Set Next Meeting Date: Greenfield Police Station, October 13, 2009, 7:00 p.m.

Adjournment:

**MOTION: Moved by DeHoyos, seconded by Mosher, and voted 3-0 to adjourn the meeting at 8:30 p.m.**

Respectfully Submitted,

Ralph Kunkel  
Conservation Agent

Alex Haro  
Chair