

CONSERVATION COMMISSION

Town of GREENFIELD, MASSACHUSETTS
114 Main Street, Greenfield MA 01301

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GREENFIELD CONSERVATION COMMISSION
Minutes of November 22, 2011
7:00 p.m. Greenfield Planning Department
114 Main Street

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

- PRESENT:** Alex Haro, Chair
Dee Letourneau
Steve Walk
- ABSENT:** Thomas DeHoyos
Timothy Mosher
- ALSO PRESENT:** Laura DiNardo, Conservation Agent and members of the Public.

Approval of Minutes: Approval of Meeting Minutes from November 8, 2011.

MOTION: Tabled to next meeting per Haro.

Letourneau was absent from the November 8, 2011 meeting.

Public Meetings/Hearings:

7:00 p.m. Cersosimo Industries, Inc – Public hearing to review a Request for Determination of Applicability for property located at East Wayland Drive (Map R11, Parcel 33B) for the construction of a single-family home and associated septic system, driveway, and landscaping within the buffer zone.

Tony Wonseski, Senior Engineer, SVE representing Cersosimo Industries.

Wonseski explained previous Notice of Intent in 2006 for Wayland Pines development. Current project is for Lot 3, which falls in the 100-ft buffer zone. Wonseski described current site conditions and the site visit on November 18, 2011. Wonseski explained proposed plan, portion of house/grading in 100-ft buffer. Applicant/builder chose to have a walk-out basement which reduces the amount of sloping/grading/impactment. The corner of the house, which is closest to the wetland, is around 85 feet away. Hay bale/site fence erosion controls will be installed. Limit of clearing and 25-ft no disturb, lines have been staked on site.

During the 2006 review, DPW requested that if more than 3000 square feet were to be impervious homeowner would need lot detention. If homeowner paves driveway they will need to add on lot drainage (dry well) to meet requirement of deed.

Haro explains site visit (Friday, 11-18-11) and possible concerns. Lot 3 is outside of riverfront area; Lot 5 is in riverfront. The wetland flags are old; the delineation was done in 2006. Commission verified that the delineation was only good for 3 years. Haro verified that Ward Smith did delineation and that since 2006 not much had changed. Haro confirmed that trees had fallen into no disturb zone, they were there before construction, Wonseski is encouraged to take pre-construction photos. Wonseski stated that because the work was far from wetland boundary he did not re-flag prior to hearing.

Letourneau asked if some flags were visible. Haro confirmed that you could see some, it was hard to see BVW line this late in season but you could see the change in elevation.

Commission verified that at this time the applicant is not requesting boundaries be determined.

Walk expressed concern that the whole 100ft buffer must be considered and that the slope might be concerning if it will impact wetland. Haro verified that they were creating a 4:1 slope. Currently, there is a shallow slope that will be enhanced. Erosion doesn't seem likely and any run-off will be absorbed before reaching BVW.

Commission confirmed that as the other lots are developed the Commission would like to see a new delineation.

MOTION: Moved by Letourneau, seconded by Walk, and voted 3-0 to issue a negative determination 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 the Notice of Intent subject to the following conditions:

1. Boiler Plate
2. At no time, during construction or otherwise, shall there be cutting, mowing, developing, or any disturbance within the 25-foot no disturb area.
3. If the homeowner or developer decides to pave the driveway, increasing impervious surface to over 3,000 square feet, a dry wall, or similar device, must be installed per deed restrictions (Book 5736 Page 284).

7:15 p.m. Berkshire Gas Company – Public hearing to review a Notice of Intent for property located at Mead Street (Map 28, Parcel 16) for the replacement of two demolished gas-handling structures with new structures on piers, with portions of the work within the 200-ft Riverfront Area and bordering land subject to flooding.

Jack Yablonsky, Safety and Environmental, Berkshire Gas Company
Bruce griffin, New England Environmental

Yablonsky described that the proposed work pertains to a propane air facility, which is used to store propane already on site. The purpose of this structure is to provide storage on site if customers need more gas. The flood damaged the previously existing structures beyond repair.

Griffin described the location and proposed project. The two damaged buildings were demolished and need to be rebuilt. They are rebuilding outside of the floodplain. Three (3) proposed piers are within Riverfront, the rest of the work within bordering land subject to flooding. Project was submitted as a limited project. DEP mentioned this might be exempt and that the Commission could issue a Negative Determination. NOI sent to Natural Heritage. There will be a net gain in flood storage.

Haro asked is the demolished structures were on concrete. Yablonsky answered yes.

Walk asked what the net gain would be. Griffin stated that with the proposed project will result is 62 cubic feet of flood storage lost opposed to the 767 cubic feet lost prior to hurricane/flood damage.

Haro asked if they would be re-seeding the area. Yablonsky stated that was already done.

MOTION: Moved by Walk, seconded by Letourneau, and voted 3-0 to issue a negative determination that the area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

**The Wetlands Protection Act
Massachusetts General Laws
Chapter 131, 40**

1. No person shall remove, fill, dredge or alter any bank, riverfront area, fresh water wetland, coastal wetland, beach, dune, flat, marsh, meadow or swamp bordering on the ocean or on any estuary, creek, river, stream, pond, or lake, or any land under said waters or any land subject to tidal action, coastal storm flowage, or flooding,

other than in the course of maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services, without filing written notice of his intention to so remove, fill, dredge or alter, including such plans as may be necessary to describe such proposed activity and its effect on the environment and without receiving and complying with an order of conditions and provided all appeal periods have elapsed.

MOTION: Moved by Walk, seconded by Letourneau, and voted 3-0 to issue a negative determination that the area and/or work described in the request is not subject to review and approval by the Greenfield Wetlands Protection Ordinance (Chapter 195).

Other Business:

Sara Campbell, Department of Public Works – Discussion regarding the reconstruction of the Green River Dam.

Dan Rukakoski, Tighe&Bond, Senior Environmental Scientist
Chris Haker, Tighe&Bond, PE
Sara Campbell, DPW

Rukakoski described background of project; Hurricane Irene caused major flooding in the Green River which effected the Dam. Rukakoski presented pictures from before and after the Hurricane. On September 26th, DPW received authorization to build temporary coffer dam from DEP. The plan is to restore conditions prior to Hurricane Irene, they are working with DEP on permitting. Bob McCollum, DEP will extend Emergency Authorization to continue work without further permitting. Not increasing or decreasing just bringing to original capacity.

Haro asked about the alternatives or possible removal of dam. Rukakoski stated that this was considered but they believe it is not feasible. It would be a 2-3 year process, dam needs to be re-stabilized and re-established now.

Haro asked what would be done to prevent this from happening again. Haker stated that the damaged dam and the proposed dam meet DCR's Dam Safety Standards for 100- year storm. In Colrain, stream stats were around 15,000 cfs but the stats in Greenfield would probably be higher. Per DCR regulations, original design was at 100-year storm and that is what will be rebuilt. The Town is considering overtop protection and additional protection but is still working on budgeting.

Haro asked about seeding or plantings. Haker stated there would be a 6-inch layer of seed. Trees are not recommended, per DCR safety standards, within 20-ft on dam. When town rebuilds road/bridge, they can do more plantings at that point.

Walk asked about bank restoration. Haker stated they would use stone riprap. Haro asked if it was stone riprap prior to storm. Haker stated it was mostly stone.

Walk asked if this was habitat for wood turtles. Rukakoski stated he was not sure. They are working with Heritage. Campbell stated that the black maples are flagged. Walk stated it would be nice to use roots and natural stabilization instead of just riprap. Haro stated whatever could be done to naturalize that bank more would be best from the Commissions standpoint.

Campbell went over the project time-frame including the contractor, work to be completed, FEMA assistance, and future bridge/road work.

Haro asked is a fishway was still being considered. Campbell stated a fishway on the spillway would be the only option; but it is possible to do at this time or in the future, the spillway wasn't damaged.

Haro asked about the bank erosion downstream. Campbell stated they re-installed the rock veins and that the area has been smoothed to pre-storm conditions. No plantings were done at this time.

DEP will be extending the permit for the Dam work but any other work to the Bridge or roadway will come before the Commission. Haro requested a copy of the final plans.

Correspondence:

Haro reviewed the MaDOT ITS Rotary Project with the Commission and stated that a letter would be sent to all parties involved (DEP, Town, DOT, etc.).

Commission discussed how these issues should be dealt with in the future.

Commission discussed the Country Club at Greenfield and the miscommunication between government agencies (FEMA) and the Hurricane Irene DEP procedures. DiNardo will keep the Commission informed regarding the permitting process.

Monitoring:

Enforcement Updates:

Site Visits: November 23, 2011 @ 8:30 AM, 488 Bernardston Road (Magic Fuels)

Next Meeting: Tuesday, December 13, 2011 @ 7 PM, 114 Main Street, Planning Department Meeting Room.

Adjournment:

MOTION: Moved by Walk, seconded by Letourneau, and voted 3-0 to adjourn the meeting at 8:25 p.m.

Respectfully Submitted,

Laura DiNardo
Conservation Agent

Alex Haro
Chair