



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1551 • Fax 413-772-1309
Conservation@greenfield-ma.gov • www.greenfield-ma.gov

Members:

Blasiak, John (2016)
DeHoyos, Thomas (2016)
Miller, Gail (2017)
Mosher, Timothy (2015)
Nevins, Matthias (2017)

GREENFIELD CONSERVATION COMMISSION

Minutes of Tuesday August 26, 2014

**7:00 p.m. Greenfield Department of Planning and Development
114 Main Street**

The meeting was called to order by Chair, John Blasiak at 7:00 p.m. with the following members:

PRESENT: John Blasiak, Chair
Thomas DeHoyos
Gail Miller
Matthias Nevins

ALSO PRESENT: Paul Knapik, BSC Group
Marleigh Sullivan, BSC Group
Brian Benito, Northeast Utilities
Tim Meyers, MassDOT
Ted Johnson
Peter Campbell
Maureen Pollock, Assistant Planner & Conservation Agent

ABSENT Timothy Mosher, Vice-chair

Public Meetings/Hearings:

7:10 NOI – 230 Mountain Road (Assessor’s Map R01, Lot 7): Notice of Intent submitted by WMECo dba Northeast Utilities Service Company, for the property located at 230 Mountain Road (Assessor’s Map R01, Lot 7), for the construction of a permanent access road.

Paul Knapik, Marleigh Sullivan, and Brian Benito were present to explain the project. In the course of planning and engineering design for upcoming maintenance work on the electric transmission, the applicant discovered that portions of the existing access road were not within their legal right-of-way (ROW). The adjacent parcel within which the access road is currently located is land owned by the Massachusetts Department of Conservation and Recreation (DCR). Although the existing access road is likely the original access that was used to construct the lines, continuing to use it on a temporary or permanent basis would require DCR approval. It is not practicable to seek temporary approval because it would not provide long-term use of the road which is needed to maintain the lines. Likewise, permanent rights to continue to use the road would be subject to legislative approval under Article 97 of the Massachusetts Constitution. Because there is an on-ROW alternative to this, it is unlikely that Article 97 authorization would be granted. This application, therefore, is for the realignment of the off-ROW portion of the access road that requires crossing an emergent wetland regulated as bordering vegetated wetland (BVW). The project is necessary to continue to provide



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permanent access to electric utility lines and structures for routine maintenance. The project has been designed to avoid or minimize direct impacts to resource areas to the maximum extent practicable and is designed with the minimum length and width necessary. As proposed, the project will require the construction of a coarse stone access road through BVW. The stone access road will minimize impacts to the wetland by allowing water to flow through the wetland and allow for ongoing access for maintenance of the transmission lines. To mitigate impacts, a wetland replication area of equal or greater size has been designed adjacent to the fill area. The proposed wetland replication area is in accordance with the performance standards for BVW, the 2002 Massachusetts Inland Wetland Replication Guidelines, and the Greenfield Wetland Ordinance. Although the mitigation area has been designed to meet the above standards and guidelines, the preferred mitigation for the wetland fill is the restoration of an off-site stream channel/BVW adjacent to the Deerfield River in Greenfield. This restoration project was brought to the attention of the applicant by the DEP Western Regional office staff during recent meetings. The restoration project includes removing an estimated 3,000 to 4,000 tires from an intermittent stream and BVW and restoring the channel.

Benito stated Northeast Utilities would pay for the equipment for tire removal and the Connecticut River Watershed Council (CRWC) would recruit volunteers to help with removal. CRWC received a grant from Firestone Tire for the disposal of the tires.

Knapik, Sullivan, Benito, Blasiak, and Pollock conducted a site visit of both proposed project areas on August 25, 2014.

Blasiak stated the proposed permanent loss of 2,800 square feet of BVW must be replaced at a 1:1 ratio. The applicant must present evidence that demonstrates the hydrological and ecological value of the replicated wetland would be greater than that of the wetland to be replaced. The tire removal would not provide greater hydrological value.

Pollock suggested that if the Commission does approve the tire removal as a mitigation measure, that a special condition be included that specifies if the tire area does not yield the 1:1 ratio, then more mitigation measures shall be implemented.

Pollock stated the project has not received a file number from MassDEP. Therefore, the Commission cannot close the public hearing.

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 4-0-0 to continue the public hearing to September 9, 2014.

7:25 RDA - Route 5&10/Cheapside St Intersection: Determination of Applicability submitted by MassDOT, for property located at Route 5&10/Cheapside St Intersection, to determine whether work depicted on plans is subject to the Wetlands Protection Act. Tim Meyers, MassDOT was present to discuss the proposed plans. All work will be performed within the roadway and immediate shoulders. The proposed work includes milling and resurfacing Route 5/10 with hot-mix asphalt; box widening



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the east shoulder of Route 5/10 to accommodate a dedicated left turn lane for southbound traffic turning onto Cheapside Street and realigning both existing traffic branches on Cheapside Street. The work also includes milling and resurfacing the northerly and southerly segments of Cheapside Streets; adjusting or rebuilding drainage and sanitary structures; cleaning drainage pipe and structure sediments; resetting highway guardrail; replacing highway guardrail end treatments; grading and compacting. As necessary, constructing new drainage structures over existing drainage system; constructing a sidewalk and wheelchair ramps; reconstructing driveways and driveway aprons; installing pavement markings, new signage, curbing, construction traffic management devices, erosion and sedimentation controls, and other incidental items as necessary. All work will be conducted either within previously disturbed/degraded Riverfront Areas or Buffer Zones.

Work will occur within approximately 2,686 square feet of the previously altered/degraded 100 foot Riverfront Area and approximately 4,122 square feet of the previously altered/degraded 100-200 foot Riverfront Area. As a result, impervious areas within the previously altered/degraded 100 Riverfront Area is increased by approximately 456 square feet. The impervious area within the previously altered/degraded 100-200 foot Riverfront Area has been decreased by approximately 194 square feet. There are no new point source discharges proposed.

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 4-0-0 to close the public meeting.

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 4-0-0 to make a negative determination, box 4, the work described in the Request is within a 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: Moved by DeHoyos, seconded by Miller, no further discussion and voted 4-0-0 to make a negative determination, box 3, the work described in the Request is within the Buffer Zone, as defined in the regulation, 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, subject to Boiler Plate Conditions.

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 4-0-0 to make a negative determination, box 6, the area and work described in the Request is not subject to review and approval by the Greenfield Conservation Commission pursuant to the Wetlands Protection Ordinance, Chapter 195.

7:40 NOI - 25 Keegan Lane (Assessor's Map R26, Lot 21): Notice of Intent submitted by College Park Condo Trust c/o Theodore Johnson, for the property located at 25 Keegan Lane (Assessor's Map R26, Lot 21) for work pertaining to the bank stabilization to an intermittent stream.

Ted Johnson was present to explain the proposed plan to stabilize a bank along the southwestern



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edge of the condo trust's parking lot. Increased stream flow over the last few years has undercut the bank vegetation and soil causing it to erode. The proposed plan is replace the 3-6 cubic yards of bank material that has been washed away. Bring the bank profile back to where it was last year. Install a Geotextile Miracle 140N over the exposed bank, with edges buried into the fill and hold it in place. Install rip rap stone over the covering to hold the bank in place from future stream excess runs.

Karen Hirschberg, MassDEP reviewed the submitted NOI and stated she cannot issue a file number for the project yet. The NOI submission needs to provide a more detailed plan and written narrative explaining the problem, the proposed design, and how the proposed design meets the performance standard for Bank. Placing rip rap is not considered a resource area improvement. If a bioengineering solution were proposed that resulted in a stable Bank and slope with natural vegetation being restored at the site, then that would qualify as a resource improvement for Bank. It is strongly encouraged that the applicant should consult a wetlands professional scientist or engineer with knowledge of stream restoration to provide design information including appropriate cross sections to demonstrate that the proposed work will stabilize the Bank and slope in such a way that it is a resource area improvement.

Johnson stated he will need approval from the College Park Condo Trust before reaching out to a professional. Johnson requested to continue the public hearing so he can speak with the Trust.

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 4-0-0 to continue the public hearing to September 23, 2014.

7:55 NOI - ExxonMobil, 142 Mohawk Trail (Assessor's Map 35, Lot 15): Notice of Intent submitted by Synergy Environmental, Inc. c/o David Hrinak presenting Lehigh Gas Corporation, for the ExxonMobil Station property located at 142 Mohawk Trail (Assessors Map 35 Lot 15), for work pertaining to the installation of a longer gabion basket retaining wall than previously proposed.

Christopher Horan, representative for the applicant has requested that the public hearing be continued until September 9, 2014

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 4-0-0 to continue the public hearing to September 9, 2014.

Other Business:

- **Request for a Certificate of Compliance: 184 Shelburne Road (Assessor's Map 45, Lot 22) DEP #168-0222** – The Commission received a letter from the project engineer stating that all work has been completed in conformance with the approved plan and Order of Conditions. Blasiak and Mosher conducted a site visit on August 19, 2014 to ensure the project area has been permanently stabilized.



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MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 4-0-0 to issue Certificate of Compliance for 184 Shelburne Road (DEP #168-0222)

- **GTD/Griswold Conservation Area:** The trails are in need of mowing and blown down trees need to be removed from the trails. Pollock will request the Town Council to approve the appropriation of funds for trail maintenance work.

Project Monitoring:

- **Greenfield DPW: Colrain Street Roundabout (DEP #168-0292):** Blasiak updated the Commission regarding the Colrain Street Roundabout project. An ADS drain pipe was found going down the stream at the southeast corner of this project. The drain pipe was not approved on the approved plans and is located in the area marked as wetlands on those plans. The applicant put them in temporarily to move the point discharge a little farther down from the construction zone. The drain pipe will be removed by August 29, 2014. The area around the drain will be restored to its original condition.
- **Cabot Taps Separation Project: New England Power Company dba National Grid, French King Highway and Silvio O Conte Drive (DEP #168- 0296):** On August 15, 2014, the soil boring contractor using the low ground pressure drill rig in the wetlands off Adams Road and caused significant rutting. The Applicant has been informed by the contractor that the rig got stuck in a depression in the wetland when accessing boring B-4, and damage occurred when trying to extricate the rig. The Applicant will remediate all damages caused, and will only work in uplands until this matter has been resolved to the Commission's satisfaction. Additionally, the Applicant will advise the Commission on decisions regarding further work within the wetlands before going forward with any activity that might result in additional damage to the resource area.

Enforcement Updates/Possible Violations:

- **592 Leyden Road:** Pollock will mail a letter to the property owner asking him to attend the September 9, 2014 meeting so that he could discuss this matter.

Correspondence:

Site Visit Scheduling:

1. **MassDOT, Rt 2/2A – Meet Tuesday, September 2, 2014 at 4:30PM on-site;**
2. **ExxonMobil, 42 Mohawk Trail – Meet Tuesday, September 9, 2014 at 4:30PM on-site;**



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3. Westwood Wildlife Sanctuary – Meet Tuesday, September 9, 2014 at 5:00PM on-site.

Next Meeting:

7:00 PM on Tuesday, September 9, 2014, at the Greenfield Department of Planning and Development; 114 Main Street

Adjournment:

MOTION: Moved by DeHoyos, seconded by Miller, no further discussion and voted 4-0-0 to adjourn the meeting at 8:51 PM.

Respectfully Submitted,

Maureen Pollock
Assistant Planner & Conservation Agent

John Blasiak
Chair