



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS
CONSERVATION COMMISSION

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

Timothy Mosher, Chair
Rachel Lindsay, Vice
Chair
Erika LaForme
John Griffin
Douglas Cloutier

Agent: Sarah Brodeur

GREENFIELD CONSERVATION COMMISSION
Meeting Minutes of Tuesday, May 8th, 2018
Greenfield Department of Planning and Development
114 Main Street, Greenfield MA 01301

The meeting was called to order by Chair Timothy Mosher at 6:04 PM with the following members:

MEMBERS PRESENT: Timothy Mosher, Chair
Rachel Lindsay, Vice Chair
Doug Cloutier

MEMBERS ABSENT: Erika LaForme
John Griffin

ALSO PRESENT: David M. Baker, 24 Overland Road, Greenfield MA 01301
Madeline Cantwell, 136 Lovers Lane, Greenfield MA 01301
William Dufraine, 587 Bernardston Road, Greenfield MA 01301
Chris Horan, 1203 Quintin Court, Chalfont PA 18941
Barbara Judd, 49 Overland Road, Greenfield MA 01301

7:04 PM Administrative Matters: Approval of Minutes – April 24, 2018

Motion made by Rachel Lindsay to approve the minutes from April 24, 2018 as amended

Motion seconded by Doug Cloutier

No further discussion – 2-0-1 – Motion Carries (Timothy Mosher abstained)

7: 08 PM Review Mail & Phone Messages: DEP # 168-0318 – 36 Log Plain Road solar array

The GCC received correspondence from Burns and McDonnell contractors for the containing photographs of the progress at the 36 Log Plain Road solar array project on May 8, 2018. The site photographs depicted the completed installation of the perimeter fence in addition to the construction of a wood chip berm and ‘no entry’ signage to provide enhanced protection for the Isolated Vegetated Wetland in the southwest corner of the project site. The contractors will send additional photos when the ‘do not mow’ signage has been installed proximal to the Isolated Vegetated Wetland per the discussion at the April 24, 2018 GCC meeting.

7: 10 PM Public Inquiries: 441 Davis Street – oil slicks and water backing up into yard

The GCC received an inquiry from Thomas Travis of 441 Davis Street on May 8, 2018 pertaining to the presence of oil slicks and ponding water in his backyard in proximity to a town sewer drain on Harrison Avenue. The Conservation Agent performed a site inspection on May 8, 2018 to observe and document the presence of oil and water on the property. Mr. Travis informed the Agent during the site inspection that he has had a history with water backing up into his yard due to the filling of wetlands and misdirection of stormwater in the neighborhood, in addition to the presence of a buried stream which daylight in his backyard. Mr. Travis provided the Agent with correspondence from the GCC dated July 17, 1990 stating that he has permission to loam and seed his backyard provided that there are no impacts to the stream. Mr. Travis also informed the Agent that the oil seepage has only been occurring for the past year, and that there is an auto



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repair shop located at 427 Davis Street that he believes to be the source of the contamination. Mr. Travis continued to state that the automotive shop was storing used oil in a shed on the property, and that he requested that the oil barrels be removed from the site to prevent further contamination of the area; the management of the auto shop informed Mr. Travis that the oil barrels had been removed from the property approximately a month prior to May 8, 2018.

Tim Mosher informed the GCC that there are strict state and federal regulations that govern the storage and disposal of automotive oil, and that there are serious ramifications to property and/or business owners that do not follow the regulations; in other words, property and/or business owners are responsible for motor oil from ‘cradle to grave’, and that the person responsible for the spill is required by law to remediate the situation. Tim Mosher stated that the primary issue concerns the release of the oil because any spill more than 10 gallons needs to be reported to MassDEP to begin the remediation process. The GCC instructed the Agent to contact MassDEP on behalf of Mr. Travis so that an investigation can be conducted to confirm the precise source of the oil and to determine the appropriate remediation method.

6:19 PM Request for Determination of Applicability (RDA): 136 Lovers Lane (Map R06-5) – tree removal

In accordance with the Wetlands Protection Act of the Massachusetts General Laws, Chapter 131, Section 40, and the Greenfield Wetlands Protection Ordinance, the Greenfield Conservation Commission will hold a public hearing on May 8, 2018 at 6:15 PM in the Greenfield Planning Department Meeting Room located at 114 Main Street to review a Request for Determination of Applicability submitted by Madeline Cantwell for property located at 136 Lovers Lane (Assessor’s Map R06-5-0), to determine whether the work pertaining to the removal of two willow trees within 100 feet of an intermittent stream is subject to the MA Wetlands Protection Act and the Town of Greenfield Wetlands Protection Ordinance .

Tim Mosher opened the public meeting, and Madeline Cantwell of 136 Lovers Lane was present to describe the proposed tree removal to the GCC. Madeline Cantwell explained that there are two (2) willow trees in poor health that are posing a threat to the barn on the property, and would like to remove them before bird nesting season peaks in the end of May. She stated that she has contracted an arborist from ArborClimb, Inc. of East Dummerston, VT to do the work for the project, and that no heavy equipment will be brought on site to remove the trees due to the proximity of the residence’s water supply. Finally, she stated that she would be amenable to replacing the willow trees with other native trees or shrubs farther away from the barn.

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 subject to Special Conditions
Motion seconded by Doug Cloutier

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

The GCC discussed special conditions to be issued with the Negative Determination, and included the following conditions: machinery and other equipment shall not cross wet areas, the property shall be re-landscaped if necessary, and stump grindings shall not be blown into wet areas.

Motion made by Rachel Lindsay to issue a Negative Determination, Box 6, stating that the area and/or work is not subject to review by the Greenfield Wetlands Protection Ordinance (Chapter 195)

Motion seconded by Doug Cloutier

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



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7:10 PM Other Projects, Monitoring, Enforcements & Violations

1. 142 Mohawk Trail – review and approve project updates:

The GCC received correspondence from Christopher Horan, manager for the project at 142 Mohawk Trail, proposing additional work on site, specifically to remove and replace the deteriorated ADA sidewalk/ramp in front of the building of the gas station. Mr. Horan provided the GCC with updated erosion and sedimentation plan dated May 3, 2018 proposing the installation of an additional compost filter sock extending from the dumpster to the shed due to the proximity of the perennial stream on the southeast portion of the project site. The Agent informed the GCC that the pre-activity meeting is scheduled for May 15, 2018 in which the erosion sediment controls will be inspected prior to the start of work.

Motion made by Rachel Lindsay to approve the additional work and revised erosion and sedimentation plan dated May 3, 2018 and received on May 8, 2018

Motion seconded by Doug Cloutier

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

2. Update: DEP # 168-0310 – 11-17 Meridian Street:

The Conservation Agent performed an inspection to 11-17 Meridian Street on May 3, 2018 with contractors from CDM Smith, Inc. to evaluate the viability of the restoration plantings and to discuss process required to abandon the six (6) monitoring wells on site. Some mortality of the highbush blueberry plantings was observed, due to extremely high flood waters in the Green River prior to the site visit date, but that the sandbar willows had the greatest success and were functioning to stabilize the bank. The contractors proposed that the focus of the restoration plantings be switched from bank stabilization to habitat creation due to the success of the sandbar willows and the observed deposition of sediment and other debris extending several feet up the bank. The Agent stated that would propose the idea to switch the focus of the restoration plantings from bank stabilization to the GCC. Additionally, the six (6) on site monitoring wells were also abandoned by removing the pipes that extend into the wells and filling them with concrete. All work to abandon the wells was conducted by hand, and no heavy machinery was used.

3. Request for Certificate of Compliance: DEP # 168-0274 – Leyden Woods:

The GCC received a Request for a Certificate of Compliance (COC) and a planting plan from Stantec Consulting Services, Inc. on May 8, 2018 for the Leyden Woods affordable living development. The planting plan was developed to address site erosion issues at seven (7) locations within the subdivision that were identified in December of 2017, which resulted in a denied Request for COC, and additionally reviewed at a site visit on April 10, 2018 by the Agent, members of the Commission, and a consultant from Stantec. The project Representative informed the Agent that landscape architects will be on site during the week of May 14, 2018 to implement the planting plan, and intend to conclude the corrective work by May 17, 2018. The project Representative also expressed the Owner's financial constraints and urged the Commission to issue the COC on May 22, 2018. Given the Agent's limited administrative time, she informed the Representative that it would be highly unlikely that a COC could be issued in that time frame. The GCC agreed that it would be difficult to certify that the site is in compliance because it is unlikely that the grass seed would germinate and succeed between May 17 and May 22, 2018. The GCC instructed the Agent to relay their decision to the Representative.



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4. Possible Violations:

- a) **49 Overland Road:** Barbara Judd of 49 Overland Road was present to discuss the tree removal activities within the buffer zone of Maynard Pond on her property that occurred on April 17, 2018. The GCC determined after discussing the issue with Ms. Judd that was not responsible for committing the violation, and that it was the responsibility of Northeast Tree Care & Landscaping, the arborist company who performed the work, to inform her that a permit was required to remove the trees. The GCC instructed the Agent to issue a letter to the owner of the arborist reminding him of the MA Wetlands Protection Act, the Greenfield Wetlands Protection Ordinance, and that all work within the buffer zones associated with the resource areas protected by these regulations require approval by the GCC.
- b) **8 Conway Drive:** There were no updates regarding this possible violation.
- c) **258 Shelburne Road:** There were no updates regarding this possible violation.
- d) **22 Conway Drive:** The Agent spoke with the property owner on May 8, 2018 who informed her that he would be unable to attend the GCC meeting that evening due to his work schedule. He requested that the discussion regarding the possible violations be moved to the next meeting, scheduled for May 22, 2018.

5. Finances:

The Agent contacted the Accounting Department on May 1, 2018 requesting information pertaining to the funds available in the wetlands and expense accounts. The Accountant is out of the office until June 8, 2018, so the Assistant Accountant provided a printout of the account's recent activity which showed a balance of \$1712.50 in the wetlands account and \$0 in the expense account but was unable to provide any further information; these figures were concerning to both the GCC and the Agent because she is unable to purchase supplies or services for the GCC without funds.

Set Next Meeting Date: Tuesday, May 22nd, 2018 at 6:00 PM in the Greenfield Department of Planning and Development, located at 114 Main Street in Greenfield.

Meeting Adjourned at 8:21 PM

Motion made by Rachel Lindsay to adjourn at 8:25 PM

Motion seconded by Doug Cloutier

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

Respectfully Submitted,
Sarah Brodeur
Conservation Agent

Timothy Mosher,
Chair