

Granby Conservation Commission (GCC) - Meeting Minutes

Town of Granby, Massachusetts

December 12, 2023

Next Meeting – January 9th, 2024

Members (*absent)

William Shaheen (WS) – *Chair*, Ed Chapdelaine* (EC) – *Vice Chair*, Amanda Smith* (AS) – *Assoc. Mmbr*, Kevin Shewmaker (KS), Robert Fernandes (RF) – *Associate. Member*.

Dave Desilets (DD) – *Scribe for these minutes*.

The following notes document the writer's understanding of the contents of this meeting. They are considered correct, unless copied members contact the writer and make corrections.

- WS hosted this meeting which began at 7:00 pm and adjourned at 8:10 pm. This meeting was held at the *Old Carnegie Library on Library Lane* and was accessed online via 'Go to Meeting'.

7:00 pm – Open Session / Building Permit & Board of Health Applications

1. Munsing Ridge - Phase II aka Carver St. Subdivision – Michael Pio (MP) of *PC Development*, Owner and Applicant for this project and Don Frydryk (DF) of *Sherman & Frydryk, LLC* represented the project at this meeting. The purpose of this appearance is to reintroduce this project to the GCC and discuss future steps in completing this application in a timely manner. The following notes document comments made at this meeting.
 - a. A Notice of Intent (NOI) application was filed with the GCC in May of 2017 and due to the lack of completing a 401 Water Quality Certification a decision was made to prepare and complete a Conservation Restriction (CR) before any further review of its application would take place. The CR has now been completed and recorded at Hampshire County Registry of Deeds. The review of this NOI application can now continue.
 - b. The Department of Environmental Protection (DEP) issued the following number 165-0365 in 12/2023, with the following comments made as part of that notification.
 - i. Abutter notification should be confirmed by the GCC.
 - ii. Has a Certificate of Compliance (COC) been issued for the Phase I portion #165-0206 of Munsing Ridge? MassDEP records only have a few Partial COC's being completed for individual lots, and nothing for the Stormwater design, the Stream Crossing or Bordering Vegetated Wetlands (BVW) fill and replication. There were several other NOI's and Order of Conditions (OOC) for individual lots.
 - iii. Since this NOI was first submitted in 2017, the GCC desires to confirm Resource Area Boundaries or any of the narrative or plans that may have changed. The original submittal must be reviewed and considered the base document for this new review.
 - iv. Under 310 CMR 10.58(4), stormwater features placed in Riverfront are exempt from Riverfront standards only if the applicant can justify that there are no alternatives, which has not been done. This could include realigning the road so that no Riverfront Area alteration is required or even reducing the number of lots available for construction.
 - v. Since it is anticipated that the Town of Granby (TOG) will take over the Operations and Maintenance (O&M) of the stormwater features, the TOG Highway Department needs to review the stormwater plan.

- vi. The perennial stream to the west is a Cold-Water Fishery Resource, which is considered a critical area.
 - vii. The regulations at 310 CMR 10.05(6)(n) requires that proponents shall consider Environmentally Sensitive Site Design (ESSD) that incorporates Low Impact Development (LID) techniques in addition to stormwater best management practices. Each LID technique on page 3 of 8 of the Stormwater Checklist must be reviewed, and why or why not each technique could or could not be used so noted. The Stormwater Narrative must include this item. There is no evidence in the Stormwater Report that LID or ESSD was considered.
 - viii. The Stormwater Pollution Prevention Plan (SWPPP) notes that the project will not require phased construction. Why not? For such a large project, phasing would seem to be appropriate in order to comply with Stormwater Standard #8.
 - ix. To help ensure that Conservation Commissions (CC) have sufficient expertise available to address specific issues regarding an applicant's filing, M.G.L.c. 44, section 53g gives the CC authority to charge a fee for the employment of outside consultants that allow for the use of the fee to ensure that they have the necessary information for them to make a decision pursuant to the Wetlands Protection Act, M.G.L. c. 131, sec. 40 and 310 CMR 10.00.
 - c. A partial, updated plan set was distributed today, 12/14/2023, that was dated January 2019. DF stated that some changes have been made, however he is working on further modifications to the entire application. Once completed, the NOI application will be resubmitted to the GCC.
 - d. DF stated that the Granby Planning Board (GPB) approved the original subdivision plan set in October of 2017. However, due to changes and modifications being made to this plan set, the GPB has requested another review once all changes have been completed.
 - e. WS stated that due to the size and complexity of this project the GCC will be seeking the assistance of an outside consultant to perform a peer review of the entire project. Based on information provided in the site plan, the GCC shall seek a 'Fee Proposal' for services to perform this peer review. The applicant shall be responsible for this cost and will be notified of this fee once the consultant has been determined.
 - f. DF noted that the GPB may also consider the need for an outside consultant to perform a peer review of the stormwater design system being proposed in this project and could the GCC and the GPB share the same consultant? WS stated the two consultants the GCC has used in the past did not provide review services for stormwater systems. However, we will take it under advisement and see if we can accommodate their request.
 - g. DF stated that there is a lot of work to be done to complete the site subdivision plan set as well as to update the narratives that are included in the NOI application. It was not clear as to when they would return to the GCC with the completed package.
 - h. WS noted that as Percolation Tests have not been completed yet would the applicant be open to a shared septic system design that would benefit multiple residential lots. DF responded that this option would be considered.
2. USDA / American Farmland Trust – Based on a presentation made at the November GCC meeting, DD and WS presented further information to be considered. A vote must be taken by the GCC.
- a. WS made a motion to *'Designate additional soils (in addition to prime farmland soils and farmland of statewide important soils) that are suited for crop production as farmland of local importance.*
 - b. KS seconded the motion, without further discussion the motion was unanimously approved.

7:35 pm – Public Hearing and Appointments

1. There were no applications to review at this meeting.

7:36 pm – Public Hearing and Appointments Closed**Old Business.**

1. 61 Pleasant St. – Halon Property, DEP Non-Compliance issue, WS will report at the next meeting.
2. Stocking Fish @ Forge Pond – DD will make a report at the next meeting.
3. 150 Batchelor St. – Continued to the next meeting.
4. 128 Taylor St. – Continued to the next meeting.
5. Batchelor St. Culvert Repair – Project is complete. Roadway has been reopened.
6. Gravel Pit Site Inspections – Continued to next meeting.

Administrative Duties

1. Commentary – WS noted that the Conservation Commission Agent (CCA) position for the Town of Granby (TOG) has been offered to DD who accepted this offer. Chris Martin, Administrator for the TOG recommended that this offer be voted on and accepted by the GCC before any action is taken by the TOG Selectboard.
 - a. WS motioned that DD be offered the position of CCA, with final acceptance by DD being based on the TOG Selectboard approval. KS seconded this motion, there was no further discussion, and the motion was approved. WS will bring the results of this vote to Chris Martin.
2. Post next meeting – January 9th, 2024 @ 7:00 pm. All public hearings continuing to this meeting will begin at or around 7:30 pm.
3. Approve meeting minutes – Minutes from the November 14th, 2023 meeting were reviewed and approved with only one change. The reference to the December meeting was incorrectly noted as December 10th which was corrected to read December 12th. WS motioned to approve the November meeting minutes subject to the correction of the December meeting date. KS seconded the motion and with no further discussions, the motion was unanimously approved. The approved minutes will be forwarded to Cathy Leonard to place on the website.
4. Bills to Pay - *No Bills to Pay to review at this meeting.*
5. Financial Accounts Update – *No Financial Accounts to review at this meeting.*
6. Outreach/Education/Plant of the Month – WS noted the warm December weather has prompted the early growth of Skunk Cabbage.
7. News / Announcements – *None at this time.*
8. Site Visits – *To be scheduled.*
 - a. 35 Baggs Hill Rd.
 - b. (3) - Gravel Pit Sites, for Nawrocki, Orlon and Ondrick.
9. Correspondence - *None at this time.*