

# Granby Conservation Commission (GCC) - Meeting Minutes

Town of Granby, Massachusetts

March 12, 2024

Next Meeting – April 9<sup>th</sup>, 2024

## Members (\*absent)

William Shaheen (WS) – *Chair*, Ed Chapdelaine (EC) – *Vice Chair*, Amanda Smith\* (AS) – *Assoc. Mmbr*, Kevin Shewmaker (KS), Robert Fernandes (RF), 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 7:51 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. 1 Burke Lane – Theresa Burger, property owner presented her desire to install a twenty-four foot (24') above ground swimming pool in their back yard and are asking the GCC to approve their Building Permit application.
  - a. The property location was reviewed using the Massmapper GIS online access and based on previous site visits in this area it was determined the nearest wetland resource area is well over 100' from this proposed pool location. The proposed site for this pool installation is outside the jurisdiction of the GCC.
  - b. WS motioned to approve this Building Permit Application and EC seconded this motion. There was no further discussion, and the motion was unanimously approved.
  - c. The application was signed at this meeting.
2. Rt. 202 MaDOT – Kyle Murphy, *On Point Construction Services* represented MaDot at this meeting to provide a courtesy update on the progress of this project. This project was filed by Patricia Leavenworth, P.E. for MaDOT for proposed work on Route 202 to include the Intersection improvements at Five Corners and the installation of a roundabout at the School Street intersection.
  - a. Project duration is expected to last for a period of two and a half years once work commences. Work is expected to begin this spring 2024 and last until late summer or early fall of 2026. The schedule includes working through each season and will only halt when weather conditions warrant.
  - b. Work will begin in the Five Corners area with Amherst St. roadway realignment, new pavement, curbs and gutters. The second phase will focus on the new School St. Roundabout installation. All wetland replacement and compensatory storage areas will be installed in the final stage of construction. One of the first items to occur will be the realignment of old and new utility poles, whose work must start first before any roadwork can begin.
  - c. An offer was made to schedule a site visit for members of the GCC to inspect each phase of work prior to its beginning. Members of the GCC thought this to be a good idea and asked that a site visit be scheduled.
  - d. Mr. Murphy requested input from the GCC regarding the size and height of the silt fence at the compensatory storage area. A request was made to install a larger silt fence. The GCC recommended the design engineer for the site make the final decision for the selection of this siltation fence.

- e. DD noted the work access for the construction of the compensatory storage area on School St. will use the boat ramp access to Forge Pond. This boat ramp is used by the public all year long to access Forge Pond. DD asked how the access for the public will be affected once construction begins on the compensatory storage. Mr. Murphy will respond back to the GCC regarding this question.
- 3. 129 Morgan St. (Lot #1) – Chris Bloom, representing Chocorua Real Estate Investments, LLC proposes to construct a single-family residence on this raw land parcel, located at the southern end of Morgan St near the town line with Chicopee. Work is currently progressing as the site has been cleared and installation of a private well is complete.
  - a. This is a new lot, one of two subdivided from a larger estate or flag lot located behind an existing residence at 127 Morgan St. Lot #1 is adjacent to the existing residence while Lot #2 is adjacent to the Stony Brook wetland and stream to the east.
  - b. The proposed improvements of the house and septic system are well outside any buffer requirements of the wetland or riverfront area and therefore, outside the jurisdiction of the GCC.
  - c. Just south of this property is an area designated by the NHESP as Priority Habitat of Rare and Endangered Species. This property is outside the limits of that jurisdiction as well.
  - d. WS motioned to approve the Building Permit application and EC seconded the motion. There was no further discussion, and the motion was unanimously approved.
  - e. The Building Permit application was approved and signed.

#### 7:30 pm – Public Hearing and Appointments

- 1. Kendall St. Continuation of **Notice of Intent (NOI) #165-0354** filed by Heather L. Ruel Trustee, for a proposed new driveway within a wetland resource area regarding two lots known as Map 8 / C7 and Map 8 / C8-12 in the Town of Granby.
  - a. Daniel Nitzsche (DN) from GZA GeoEnvironmental, Inc. prepared this NOI filing and represented this project on behalf of the Trustee during this meeting.
  - b. This is the third public hearing for this project and currently the project has received its approvals with Special Conditions from the Army Corps of Engineers (ACE) and the Commonwealth of Massachusetts, Department of Environmental Protection (MADEP).
  - c. DN asked to close the public hearing and have an Order of Conditions prepared for this NOI.
  - d. As this project has not been active with the GCC for several months, EC questioned if the GCC had received any feedback from neighbors or if anyone had attended any of the meetings. DN stated that all abutters and neighbors to this project were notified of the reactivation of this project and notified of this meeting. There was no one in the audience either in person or online who had any comments regarding this project to be read into the minutes.
  - e. WS raised concerns about the high cost of this permit and construction of both the driveway and new residence. How can protection of the wetland resource area be guaranteed should the project start but stop for some unknown reason and not be completed. How can the GCC guarantee the wetlands would be repaired should the work not be completed.
  - f. Typically, a Performance Bond is used to guarantee the performance of a contractor to provide services to meet obligations defined in a contract. In this instance the GCC is looking to guarantee the well being of the wetland resource area should the applicant be not able to fulfill its obligations set forth in the earlier mentioned approvals.

- g. WS asked for permission to continue this public hearing for one month to explore if a Performance Bond can or should be used in this instance to mitigate his concerns. DN granted him permission to continue the public hearing for one more month.
- h. WS motioned to extend the Public Hearing until the next meeting scheduled for April 9<sup>th</sup>. EC seconded the motion. There was no further discussion, and the motion was unanimously approved.
- i. This project is continued to the next meeting.

#### **7:45 pm – Public Hearing and Appointments Closed**

##### **Old Business.**

- 4. 61 Pleasant St. – Halon Property, DEP Non-Compliance issue, WS stated he has reached out to Mike McHugh at DEP and is awaiting a response. This continues to be a work in progress.
- 5. Stocking Fish @ Forge Pond – DD will make a report at the next meeting.
- 6. 150 Batchelor St. – Continued to the next meeting.
- 7. 128 Taylor St. – WS stated he is coordinating a Site Visit. More to follow at the next meeting.
- 8. Gravel Pit Site Inspections – DD stated Site Visits for each of the gravel pits (Orlen, Ondrick & Nawrocki) have been completed and the Gravel Pit Applications for the 2023 – 24 year can be signed.

##### **Administrative Duties**

- 1. Commentary – *None at this time.*
- 2. Post next meeting – **April 9<sup>th</sup>, 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 February 13<sup>th</sup>, 2024, meeting were reviewed without change. WS motioned to approve the February meeting minutes. BF 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 – There are no outstanding invoices to be paid. WS will confirm with Emily Stockman that the Town of Granby is current with her invoices.
- 5. Financial Accounts Update – *No Financial Accounts to review at this meeting.*
- 6. Outreach/Education/Plant of the Month – *Nothing to review at this meeting.*
- 7. News / Announcements – *Nothing to review at this meeting.*
- 8. Site Visits – *To be scheduled.*
  - a. 128 Taylor St.
- 9. Correspondence
  - a. Protecting the Granby Sand Plain and Batchelor Brook Watershed – Two letters to members of the GCC were received at this meeting regarding a *Special Permit Application* which is before the Granby Selectboard for earth removal on Trompke Avenue. These letters are attached and made part of these meeting minutes.