

Granby Conservation Commission (GCC) - Meeting Minutes

Town of Granby, Massachusetts

November 15, 2022

Next Meeting – December 13th

Commissioners (*absent)

William Shaheen (WS) – *Chair*, Ed Chapdelaine (EC) – *Vice Chair*, Amanda Smith* (AS),
Patty Kasulinous* (PK), Kevin Shewmaker (KS), Dave Desilets (DD) – *Scribe for these minutes*.

GCC Staff Administrator

Janice Stone

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

- DD hosted, the virtual 'Go to Meeting' which began at 7:01 pm and adjourned at 9:05 pm.
- EC, and KS hosted the in-person meeting at the *Old Carnegie Library on Library Lane* which was virtually connected via 'Go to Meeting'.
- Applicants attended this meeting virtually unless their attendance was noted at the *Old Carnegie Library*.

7:01 pm – Building Permit & Board of Health Applications (Walk-Ins @ Old Carnegie Library)

1. 7 Carver St. – Dwight Scott, from General Construction & Environmental, Inc., Feeding Hills, MA represented the property owner, Red Fire Farm. Mr. Scott presented the project as a new single story steel frame building with a concrete slab floor. According to plans presented at this meeting the building is shown at 54'x 68' or 3,672 sf in area. The building purpose will be for the washing and refrigeration of vegetables produced on the farm. The following comments were noted.
 - a. The proposed building location is within an existing courtyard surrounded by greenhouses and equipment / storage buildings and is outside the 100' buffer from two isolated wetlands located behind the greenhouses towards the rear or northside of this project site.
 - b. Wastewater from the vegetable washing will drain from the building in an eastward direction and be deposited in a Sediment Pit surrounded by a chain link fence on four side. This drainage pit is outside the 100' wetland buffer of the same isolated wetlands.
 - c. A site visit conducted today, 11/7/22 by DD with JS confirmed the location of the isolated wetlands.
 - d. EC motioned to approve this project as not needing a wetland protection act application to proceed with the building permit. DD seconded the motion and there was no further discussion. A vote to approve this motion was unanimously approved without denials or abstentions.
 - e. WS will notify the building department of this decision.
2. 142 Chicopee St. – Rita Banks, property owner, did not appear at this meeting. Regarding an Enforcement Order to stop further earthwork within the 200' buffer of Turkey Hill Brook, located on her property. The following notes document observations made during a site visit and decision made subsequent to this meeting.

- a. A site visit conducted today, 11/15/22 by DD and JS to inspect the property and earthwork that has been completed resulted in the following observations.
 - i. Earthwork was completed to enlarge a parking area near the residence and to access a sewage ejector basin that had its pump replaced recently. Excess earth was placed on the roadway/driveway that runs in front of the house to repair soil erosion damage that has caused the roadway / driveway to become impassable.
 - ii. No fill was placed or pushed towards the riverbank of Turkey Hill Brook.
 - iii. Some crushed stone/trap rock had been placed on the new surfaces, but all work had stopped once they received the Enforcement Order.
 - iv. The property owner is requesting permission to continue work and finalize the placement of the crushed stone on the roadway/driveway surface.
- b. Time ran out for this session of the meeting, a short discussion after this meeting formulated the following recommendations to the property owner.
 - i. As this work falls within the 200' riverfront buffer zone of Turkey Hill Brook, this project should have been guided to the GCC prior to any work being undertaken. A recommendation was formulated that a Request for Determination of Applicability (RDA) be filed for review by the GCC at its next meeting in December.
 - ii. JS will notify the property owner of this recommendation.

7:30 pm – Public Hearing and Appointments

1. 81 Pleasant St. – **Notice of Intent (NOI) # 165-0358, GCC-2212**, filed by Gary Toth, property owner for the proposed construction of a small business building to be located on a site shown on Map 3-G-1-2 in the Town of Granby. This project is represented by Steve Riberdy of Boghunter Ecological Services, LLC. A site visit was conducted by WS & DD with JS on 11/7/22 with the following observations noted here.
 - a. Property and building corners were staked for the site visit. The new building sits on the location of the residence, now removed from the site with the crawl space remaining, that was beneath this structure.
 - b. The edge of wetlands has been flagged and confirmed as the correct edge of wetlands. This location places the new structure between the 50 to 100' buffer zone of the wetlands.
 - c. Parking will be provided to the new building on a new compacted gravel parking lot.
 - d. Proposed placement of the silt fence and construction barrier was observed to be too close to the work zone around the new building. A recommendation was made to move the silt fence and work limit fence to the property line, to ensure no damage occurs to this barrier.
 - e. Gutters on the building will capture and direct rainwater to a new Storm Basin to the east of the new building. A drainage swale running along Pleasant St. will capture storm runoff from the parking lot and direct it into the same basin.
 - f. A design for the Storm water management proposes two Storm Basins as shown on the documents presented as part of this NOI.
 - g. Based on the observations made during this site visit and a more thorough review of the NOI application, a request was made to add a note to the Operations & Maintenance Plan that no yard waste should be deposited anywhere on the property. Yard waste includes cut grass or leaves.

- h. With the approval of Mr. Riberdy, WS motioned to extend this application review to the next meeting in December. DD seconded the motion, there was no further discussion and the motion was unanimously approved without any denials.
2. **Forge Pond - Request for Determination of Applicability (RDA)** – filed by the Town of Granby regarding proposed work depicted on plan(s) referenced, are subject to or under the jurisdiction of the Wetlands Protection Act (the Act), regarding property located at Forge Pond near School St and known as Map 14-B in the Town of Granby. JS described the nature of this RDA to the GCC, and Aliki Fournier with the Connecticut River Conservancy attended to address any questions raised by the GCC.
- a. Specific work depicted in this RDA focuses on the removal of the invasive species of Water Chestnuts (*Trapa natans*).
 - b. Work involves the hand pulling or harvesting of these plants no later than July and August to remove them from the pond prior to their propagating.
 - c. As there were no further questions raised by the GCC, a decision was made to make the following determination, WPA Form 2-Determination of Applicability (DOA).
 - i. A Negative Determination #2 - *The work described in this RDA is within an 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.*
 - d. This DOA will last three (3) years at which time another RDA will need to be filed with the GCC.
 - e. DD motioned to approve the decision described above in paragraph c.i above. EC seconded the motion, and as there was no further discussion, the motion was approved.
 - f. WS motioned to close the Public Hearing for this project. DD seconded this motion, as there was no further discussion, the motion was unanimously approved without any denials.
3. **Lot #1 Amherst St, - Notice of Intent (NOI) #165-0359, GCC-22-14** – filed by Benjamin Thornton, property owner. Application for the construction of a single-family dwelling with lawn and associated grading near the 100' buffer zone of a Bordering Vegetated Wetland (BVW) with regards to property shown on Map 1-D-2 in the Town of Granby.
- a. Neil Jackson, of J&P Engineering Services represented the project at this meeting.
 - b. Based on review comments made from a site visit and the previous RDA application, revised site plan drawings have been submitted with this NOI, responding to each of the previous concerns. Comments made at this meeting are noted here.
 - i. The BVW has been flagged and inspected for accuracy. The 100' buffer zone is measured from this boundary and not the edge of Aldrich Lake.
 - ii. The water well has been moved 20' north, which is away from and outside of the 100' buffer zone. Two slurry pits, to capture the drilling effluent have been added near the new location.
 - iii. The silt fence that was previously installed is now shown on the site plan drawing. However, the drawing depicts a longer silt fence and staked straw bale barrier at the well location which wasn't installed at the time of the site visit. It was explained that the drawing shows the intended extent of the silt fencing that will be installed prior to construction.

- c. Based on the updated site plan associated with this NOI, WS motioned to approve the project as it is outside the 100' buffer to the BVW, with the condition that the silt fence be installed as described in the paragraph 3.b.iii.
 - d. EC seconded the motion, and there were no further comments. The motion was unanimously approved without denial. WS will inform the building department and prepare the Order of Conditions for this NOI application.
 - e. WS motioned to close the public hearing for this project. EC seconded the motion, as there were no further discussions, the motion was approved.
4. Lot #8, Cold Hill Road – Request for Determination of Applicability (RDA), GCC-22-15, filed by Paul Panadis, property owner. Application to determine work depicted on plan(s) referenced as part of this application are subject to the Wetlands Protection Act (WPA) or to the jurisdiction of any municipal wetland's ordinance or bylaw with regards to this property shown on Map 3-A-12 & 3A-C-10 in the Town of Granby.
- a. This application is represented by Neil Jackson of J&P Engineering Services.
 - b. This project includes the construction of a single-family residence that will include the installation of a septic system and water well.
 - c. This heavily treed site slopes downhill from the street to a wetland located at the bottom of the hill.
 - d. A site visit was conducted today 11/15/22, to review the plan for all improvements and to inspect the wetland location to verify accuracy. The location of the Bordering Vegetated Wetland (BVW) and 100' buffer zone was staked and flagged. Both appear to be accurate to that shown on the site drawing submitted with this application.
 - e. All improvements which include the construction of the residence, retaining wall, installation of the well and septic system will mostly occur outside the 100' buffer of the wetland area.
 - f. Due to grading of the septic leach field, approximately two thousand square feet (2,000 sf) of grading will occur within this 100' buffer zone. No other improvements will encroach this buffer.
 - g. Due to the amount of site grading involved and the removal of trees to make way for the new residence and leach field, an extensive silt fence is proposed. The location of this silt fence is along the edge of the wetland buffer and around the area encroached by the grading for the new leach field. Staked straw bales are proposed along the entire length of the silt fence on the uphill side of the geofabric fence material.
 - h. A request was made to notify the GCC to perform a site visit of the silt fence prior to the start of tree removal or site construction.
 - i. DD motioned to approve the application based on comments made in paragraph 4. g & h above. EC seconded this motion and there was no further discussion, the motion was unanimously approved without denial. The motion passed.
 - j. The Determination of Applicability (DOA) will be prepared to include the conditions shown above. WS will notify the building department to approve the building permit.

5. **Notice of Intent (NOI) GCC-22-07 #165-0356**, Continuation – filed by Patricia Leavenworth, P.E. for Mass DOT for the proposed Route 202 project, (Intersection improvements at Five Corners and the School Street Roundabout), located in the Town of Granby.
 - a. Robert Kelly and Ethan Minot represented the project at this meeting.
 - b. Brief discussion regarding any outstanding issues from the previous site visit or concerns from the neighbor, Mr. Brunelle who is adjacent to the improvements at the School St. intersection revealed no further comments being noted.
 - c. Based on this discussion, WS motioned to close the public hearing at this time. EC seconded this motion and there were no further discussions. The motion was passed unanimously without any denials.
 - d. Next meeting to define Order of Conditions for this project.
6. **49 Aldrich Street** – Continuation, **GCC-22-03-NOI, #165-0352**, this Notice of Intent is filed by Christopher Aldrich, property owner for a proposed demolition of a barn which is located on the bank of Batchelor Brook. Prior to demolition, sediment and erosion control will be installed. All debris will be removed from the site except for the stone foundation, which will be brought down to grade and left on-site, with regards to this property and known as Map 1-C-8 in the Town of Granby.
 - a. There was no representative at this meeting, however a representative for this project contacted WS with the following information.
 - b. WS reported that George Costas of Costas Engineering has been hired to perform the necessary engineering required to be accomplished prior to the demolition of the mill..
 - c. WS motioned to continue this project review to the next meeting. EC seconded this motion and with no further discussion this motion was unanimously approved. The project is moved to the next meeting.

Any Other Business

1. **7 Philip Circle, RCOC #165-085, Lot #21**, this Request for Certificate of Compliance for the construction of a residence and lawn within the 100' buffer of a wetlands. Applicant, Nick Bernier is seeking this RCOC to complete the sale of the property. This RCOC is requested for work completed over three years ago.
 - a. Based on a decision made at the last meeting to send this applicant a letter requesting direction for the GCC regarding this RCOC, no discussion was made regarding the status of this letter.
 - b. Application review continued to next meeting.
2. **Undeveloped Land, Corner of Crescent and West St., RCOC #165-154**, JS stated she has received direction from the attorney representing this applicant to remove this RCOC from the agenda. JS added that this request will need to be verified and confirmed and the DEP number will need to be closed.
 - a. Application review continued to next meeting.
3. **82 Batchelor St. – Lot #2, RCOC #165-174**, No one attended representing this application.
 - a. Application review continued to next meeting.

Site Visit Determinations

1. Gravel Pit site inspections have been completed for the Nawrocki, Ondrick and Orlin gravel pits for the 2022 calendar year. There were no DEP/WPA violations observed during any of these inspections.

- b. Recommendation made that future annual inspections be conducted in late Spring of each year, possibly May or early June.
2. 81 Pleasant St. – See observation notes made during a 11/7/22 site visit, Item #1 in the Public Hearings and Appointments section of these minutes.
3. 7 Carver St., Red Fire Farm – See observation notes made during a 11/7/22 site visit, Item #1 in the Building & Board of Health Applications section of these minutes.
4. Lot #8, Cold Hill Road – See observation notes made during a 11/15/22 site visit, Item #4 in the Public Hearings and Appointments section of these minutes.
5. 142 Chicopee St. – See observation notes made during a 11/15/22 site visit, Item #2 Building & Board of Health Applications section of these minutes.

Administrative Duties

1. Commentary - None
2. Post next meeting – **November 13th, 2022 @ 7:00 pm.** All public hearings continued to this meeting will begin at or around 7:30 pm.
3. Approve meeting minutes – Minutes from the October 11, 2022, meeting were reviewed without any changes or corrections. DD motioned to approve these minutes as presented, EC seconded this motion. There was no further discussions, and the motion was unanimously approved. The minutes will be forwarded to Cathy Leonard for publishing.
4. Bills to Pay
 - a. Janice Stone invoice for professional services rendered, dated 11/14/22 – for the month of October 2022 – 36.75 hours - **\$918.75**. WS motioned to approve this invoice for payment as presented, EC seconded this motion. The motion was unanimously approved.
 - b. WS will forward to Cathy Leonard this approved invoice for payment.
5. Financial Accounts Update – *No discussions at this meeting.*
6. Outreach/Education/Plant of the Month – *No discussions at this meeting.*
7. News / Announcements – WS stated that he has received a Resignation Letter from Janice Stone announcing her last day of work for the GCC will be November 30th. JS will return the GCC phone on her last day. Since phone invoices cover the next month of service, phone service for the month of November was paid in October. Phone service for this phone will expire on 11/30/22. We are all sad to see Janice leave, and wished her well in her new endeavors.
8. Site Visits – *To be scheduled.*
 - a. Dufresne Walk and Cutting Plan *to be determined.*
 - b. 7 Philip Circle follow up visit, *to be determined.*
 - c. 19 Deerbrook Drive, *to be determined.*
9. Correspondence – *None to discuss.*

Old Business

1. Forge Pond Water Chestnut Removal – see item #2 under Appointments/Public Hearings
2. Eversource MEPA Filing – Nothing has been submitted yet.
3. Munsing Ridge CR – JS is completing a Draft of the Baseline Report for review and comment by the GCC. This draft will be submitted to the GCC either the end of this week or next week.