



CONSERVATION COMMISSION MEETING
Tuesday, February 23, 2016 Town Hall, Room 101, 7:05 PM

Meeting Minutes

Chairman David Haines called the meeting to order at 7:00 PM. Present were Commissioners: Edward Knight, Mike Cavatorta, Joseph Babineau and John Henry. LeeAnne Connolly, Conservation Administrator, was present for the meeting. Conservation Clerk, Michele Nowak was present. Commissioners Jon Clements and Linda Leduc were not present for the meeting. Associate member Nicholas Burns was also present for the meeting.

- 7:04 Notice of Intent, Cont. – North Liberty St., house construction, DEP #104-969, Jeff Almeida, applicant, Map 268, Lot #52.00 (C). The applicant was not present for the meeting. D. Frydryk, Professional Engineer, was present on behalf of the applicant and informed the Commission that he spoke with the applicant who requested that the hearing be continued until March 28th. J. Henry motioned to continue until March 28th, with the applicant’s permission, M Cavatorta seconded. The motion passed unanimously, (4:0)
- 7:05 Request for Determination, Cont. – Christmas Tree Farm, 69 Hamilton St., Map 239, Lot #19.30, Jason Lafleur, applicant. The applicant was present for the meeting. Due to snow, the scheduled site visit did not occur. There was no discussion on this matter. The applicant requested the hearing be continued. M. Cavatorta motioned to continue to March 14th, with the applicant’s permission, E. Knight seconded. The motion passed unanimously, (4:0).
- 7:06 Notice of Intent, Cont. – South Washington St., house construction, DEP #104-977, Lafleur & Son, applicant, Map 273, Lot #15.15(8). The applicant was present for the meeting. D. Frydryk, professional engineer, was present for the meeting representing the applicant. D. Haines and L. Connolly conducted the site visit. The wetland delineation was confirmed and, there is a 50 ft. offset from the wetland flags. Permanent markers will be installed to mark the limit of work area. All of the Commission’s concerns were addressed. E. Knight motioned to issue an Order of Conditions, J. Henry seconded. The motion passed unanimously, (4:0).
- 7:10 Commissioner J. Babineau arrived.
- 7:15 Notice of Intent, Cont. – Stadler St., Day Care Center, DEP #104-975, Stadler St., LLC, applicant, Map 250, Lot #6.00. The applicant was present for the meeting. This hearing is for a daycare facility, including a 6,050 Sq. Ft. building, playground, parking lot for 27 cars, drainage and associated grading and landscaping. D. Frydryk, professional engineer, was present representing the applicant. D. Frydryk presented to the Commission a revised site plan showing adjustments moving the work out of the 25 ft. Resource Area where possible and additional restoration work. Some of the work still remains in the 50 ft. Buffer Zone. The Town Engineer signed off on drainage and the applicant addressed all the issues. This facility will be on Town sewer and water. No work is allowed within 25 ft. of a Bordering Vegetated Wetland. No mowing will be allowed within 50 ft. of the wetland. All work must be done as approved in the final revised plans entitled “Site Development”, Sheets #1&5 with a final revised date of 2/3/2016. A planting list and mitigation plan was presented to the Commission. D. Haines would like a note in the Order of Condition that states this lot predates the Town’s revised regulations as it was established in 1979. The chain link fence around the Detention Basin must be at least 6 inches off the ground to allow for the passage of wildlife. The Commission requested that the soil piles be removed from the adjacent lot and that all mowing will cease in the wetland area they’ve been mowing. J. Henry motioned to issue an Order of Conditions, J. Babineau seconded. The motion passed unanimously, (5:0).

Meeting Minutes of Tuesday February 23, 2016 – Cont. – page 2

- 7:35 Request for Determination. – Garage construction, 531 North Washington St., Map 268, Lot #19.00 Robert & Denise Rizzo, applicants. The applicant was not present for the meeting. D. Haines conducted the site visit. It was noted that a drainage ditch is located in the back of the property and connects two wetlands. There is a silt fence, limited grading is proposed, there is less than 2500 sq. ft. of disturbance and the limit of work is 60ft. from the wetland/drainage ditch. This Determination also allows for the removal of some invasive Honeysuckle shrubs. J. Henry motioned to issue a Negative Determination, J. Babineau. The motion passed unanimously, (5:0).
- 7:45 Request for Determination – Landscaping on Holland Pond, 610 Federal St., Map 101, Lot #62.00, Stanley & Patricia Libucha, applicants. The applicant was present for the meeting. L. Connolly and D. Haines conducted the site visits. The proposed work is to rebuild the walkways that have deteriorated. The applicant passed around pictures and a planting plan to the Commission. The work was initially permitted in 1994 and the OOC issued for that work has expired. The applicant wants to shore up the steps and stone wall. The work will be done by hand, the wall will be pulled back 2 ft. and the applicant plans to resurface with flat stone to make it more handicap accessible. The Commission requested erosion controls be installed. J. Henry motioned to issue a Negative Determination, J. Babineau seconded. The motion passed unanimously, (5:0).
- 7:55 Request for Determination, Cont. – Solar Facility installation, 271 Franklin St., Map 269, Lots #13.00 & #110.00, Belchertown Renewables, LLC, applicant. D. Haines conducted the site visit and confirmed the wetland delineation. This hearing is for installation of two Commercial Solar Photovoltaic installations, including the trenching for underground conduit, a 7ft. security fence and a 20 ft. wide gravel access road located on this property. All work must be conducted as shown on the final approved plans entitled “Site Plan Approval May Farm Solar Arrays” with a date of 1/4/2016. The Commission received a letter with their findings from Natural Heritage, stating that they have no concerns. The Planning Board has signed off on the project. The Commission is satisfied with the restoration being done on the gravel pit. The east side of the project is already vegetated and there is grass. There is no grading in this area except the northwest corner. The disturbed areas will be loamed and seeded. There will be 5 poles installed, and maintenance will be mowing at least once a year, or 1-4 times depending on the rate of growth. There will be no mowing in the Riverfront Area. No work is permitted within 90 ft. of the Wetland area or within the Riverfront Area, (except for the security fencing which is allowed to be placed 3 ft. within the Riverfront Area). The fence must be lifted 6 inches from the ground to allow for wildlife passage. There will be no actual earth excavation and the roads will be kept where they are. The Commission requested no cutting of trees or removal of vegetation by the old rail bed. E. Knight motioned to issue a Negative Determination, M. Cavatorta seconded. The motion passed unanimously, (5:0).
- 8:10 Notice of Intent, Cont. – Emily Lane, house construction, DEP #104-979, JP Builders, Inc., applicant, Map 240, Lot #55.07(11). The applicant was present for the meeting. Alan Weiss, Professional Sanitarian was also present representing the applicant. L. Connolly conducted a follow-up site visit to confirm the Resource Area delineation. There is a Vernal/Ephemeral pond located in the back of this property. The existing silt fence is 98 ft. from the Ephemeral Pool and no work is allowed any closer. The work was moved out of the 50 ft. Buffer Zone for the BVW. After restoration, the final limit of work will be 50 ft. and will be marked with permanent markers. The restoration will include planting with indigenous plants; a plan was submitted to the Commission. In the plan the applicant expects to grade to original grade and plant trees; red and white pine and high bush blueberry. The Commission would like a revised restoration plan showing the spacing of trees. The Commission would like pictures taken before and after the restoration work and will re-evaluate the restoration plan at the end of the year. M. Cavatorta motioned to issue an Order of Conditions, J. Babineau seconded. The motion passed unanimously, (5:0).

8:17 PM M. Cavatorta recusing himself from 8:27 hearing.

8:27 Notice of Intent, Cont. – Lake Holland, Vegetation Management, DEP #104-978 , Belchertown DPW & Belchertown Lake Committee, applicants, Maps 101 & 102, various lots. L. Connolly was present to represent the Lakes Committee and Steve Williams was present to represent DPW. Commissioner M. Cavatorta recused himself as an abutter. This hearing is for the management of nuisance aquatic vegetation to Lake Holland, a 11-acre lake located off Federal St., Grela Terrace, Channel Dr., to control the excessive growth of non-native aquatic vegetation, specifically Cabomba caroliniana (fanwort) and Myriophyllum heterophyllum (variable milfoil). Management techniques will include the herbicide treatment of Sonar and Mechanical Harvesting of the channel to Lake Arcadia. The Commission has determined that the proposed project, as stated in the Notice of Intent dated January 2016, prepared by Solitude Lake Management and the supplemental information, meets the General Performance standards of 310 CMR 10:56(4) and 310 CMR 10.60(1) as conditioned. This project is an Ecological Restoration Limited Project subject to 310 CMR 10.53. Commissioner D. Haines reminded the audience in attendance (see sign-in sheet) that comments made by the Commission about this hearing will be regarding, and in the prevue of, the Wetlands Protection Act. Mark June Wells from Aquatic Environmental Research (AER) was present to present to the Commission and audience a 10 minute presentation which covered his investigation/research and findings for Lake Holland in 2015. Mr. Wells discussed the nature of the invasive plants, the options of treating them and maintenance after treatment, and an in depth discussion of the herbicide Sonar that is proposed to be used. The purpose of using Sonar is to reclaim/restore the lake habitat which is infested with non-native species. Commissioner J. Henry asked what a possible cause was of the introduction of these non-native species into the Lake and Mr. Wells, (AER) replied that a common source is the aquarium trade where people toss unwanted fish with the aquarium plants into bodies of water. Currently, 40% of the water body, 4 acres, consists of non-native species. The non-native plants reduce animal life in the area by reducing food sources and nutrient recycling. Mr. Wells confirmed that the initial attempt to use benthic barriers had no strategic approach and was ineffective; the barrier was in the wrong place which harmed the native plants and helped the non-natives because the barriers were put in the coves. The two coves with the most vegetation diversity must be protected by using limnobarriers (curtains that separate water columns) during the herbicide treatment. M. Cavatorta, a Lake Holland resident, stated concerns over the lack of hearings held through the Lake Committee and also wanted additional detail on the budget and the water column depth of the herbicide treatment. Audience member Barry Prescott inquired about the water-lilies on the lake. Mr. Wells (AER) informed him that the white water lotus is one of the native species that can thwart the non-native plants and a solid portion of them will be protected in the coves. Sean Gallagher, from the Tri-lakes Association, confirmed that even after the Sonar treatment in Lake Metacomet, the white water lilies are back and abundant. The applicant has 2 full growing seasons after application of the herbicides, in which to demonstrate that the native plant community has substantially returned to pre-treatment conditions. Elaine Cat, a Lake Holland resident, brought up rain gardens and other protections from runoff into the lake. The Commission agreed to take that under advisement for implementation in future maintenance plans. L. Connolly requested a final report from AER detailing compliance with the OOC. No algaecides, Copper or Diquat (Reward) will be applied to Lake Holland under this Order of Conditions. J. Henry motioned to issue an Order of Conditions, J. Babineau seconded. The motion passed unanimously (4:0).

Discussion Items: Bills - The Commission voted unanimously, (5:0) to pay the bills, as amended.

- ✦ Minutes – The Commission voted unanimously, (5:0) to approve the 1/11/16 minutes as amended. The Commission voted unanimously, (5:0) to approve the 1/25/16 minutes as amended.
- ✦ Miscellaneous Matters – There were no miscellaneous matters.
- ✦ New Business – A Partial Certificate of Completion has been requested for Trillium Way, Paul Lussier, applicant. L. Connolly conducted the site visit. The lot is stable and is not within the Commission's jurisdiction. L. Connolly recommended the release of this lot from the subdivision OOC. J. Henry motioned to issue a Partial Certificate of Completion, E. Knight seconded. The motion passed unanimously, (5:0).
- ✦ Holland Glen Conservation Area Update – L. Connolly informed the Commission that the Warrant Article for Holland Glen II land purchase at the Town Meeting had passed unanimously.
- ✦ Conflict of Interest Forms – Most forms have been turned in and will be forwarded to the Town Clerk's office.
- ✦ MACC Annual Conference – Saturday March 5, 2016 – Commissioners were encouraged to attend the conference.
- ✦ ANR Plan – North Liberty St., Pioneer Valley Custom Homes LLC, owner - The Commission reviewed the ANR plan and a standard letter will be sent to the applicant.
- ✦ Deed Restriction- South Liberty St., Robert Van Zandt, owner. The Commission signed the Deed Restriction.
- ✦ Special Permit Review Appeal - 88 Channel Dr., Arthur Bessette, petitioner. The Commission had concerns regarding whether there was any proposed work within their jurisdiction. The Commission will write a memo to ZBA indicating their concerns regarding the wetlands and will require minimal work within the Buffer Zone of the associated wetlands and the Lakes. The Commission also stated that they have not been presented with any plans showing a wetland delineation and confirmation as to whether or not it's been reviewed and any proposed development.

9:35 E. Knight motioned to adjourn, J. Babineau seconded. The motion passed unanimously, (5:0).

NEXT MEETING Monday, March 14, 2016