



TOWN OF BRIMFIELD	Salisbury Annex Bld.
CONSERVATION COMMISSION	23 Main Street
COMMONWEALTH OF MASSACHUSETTS	Brimfield, MA 01010

**BRIMFIELD CONSERVATION COMMISSION
MEETING MINUTES
WEDNESDAY JUNE 26, 2013 @ 7:00 PM**

Members Present: Joe Collins
Matt Toth
Roger deBruyn
Steve Phifer
Angela Panaccione (Administrator)

Members Absent: Ian Lynch (Chair)
Joey Resseguie

Meeting Opens: 7:28 PM – Roger deBruyn

7:30 PM Cont. NOI DEP # 117-0325 & Previous Violation: Dave Mayo – 10 Shaw Road

The DEP is still reviewing the case and requested we stay the hearing until further notified. An Administrative Consent Order has been issued against Mr. Mayo and the DEP has supplied a restoration plan to follow. Mr. Mayo is required to hire a professional environmental consultant to complete the DEP issued Restoration of the area. A Fine has also been issued from the DEP.

Motion made by Matt Toth to continue the hearing until 7:00PM on Wednesday July 24, 2013.

Motion Seconded by Steve Phifer

No further discussion – 4-0-0 – Motion Carries

7:31 PM Cont. NOI DEP #117-0329: Brian Caron/SE Solar NE – 170 Palmer Rd; Route 20

The Applicant requested a continuation for one month in order to deal with outstanding issued regarding the proposed use of the property.

Motion made by Steve Phifer to continue the hearing until 7:00 PM on Wednesday July 24, 2013.

Motion Seconded by Matt Toth

No further discussion – 4-0-0 – Motion Carries

7:32 PM Cont. NOI DEP #117-0332: Brimfield Highway Department – Champeaux Road Culvert Replace

The applicant has requested we continue the hearing while they prepare the relevant documents for a 401 WQC and a possible 404 certification as well. Brimfield Highway has hired Sherman & Frydryk as consultants.

Approved Plans and Documents:

“Notice of Intent – Culvert Replacement and Road Reconstruction: Champeaux Rd”; prepared by Zach Lemieux, dated 4/1/13

“MESA Exemption Letter– Champeaux Rd Culvert Repairs;” prepared by Zach Lemieux, dated 4/1/13

“Mass GIS Map (Wetlands, NHESP and Topographic);” prepared by Zach Lemieux, dated 4/1/13

Motion made by Steve Phifer to continue the hearing until 7:00 PM on Wednesday July 10, 2013.

Motion Seconded by Matt Toth

No further discussion – 4-0-0 – Motion Carries

7:33 PM RDA: Jeff Jolin – 109 East Brimfield Holland Rd, Septic Upgrade – Roger deBruyn Opens

A site visit occurred today, June 26, 2013 with the Jeff Jolin, Administrator Angela Panaccione and BCC members Matt Toth and Steve Phifer. The work proposed includes replacing the existing septic system with an upgraded system. The area proposed for work is a landscaped lawn. No work proposed in any resource area, though it is within 50-feet of the wetlands. All work will occur from the roadside and machinery will be limited on site. The filling of the old septic system with concrete and the installation of a new well is proposed.

A silt fence was present on site, though not toed in. The Administrator explained proper erosion control methods and recommended installing straw wattles as well. During the site visit the Administrator noted that Japanese Knotweed was present (infested) throughout the property, and in the proposed work area. Due to the extensive amount present, the Administrator recommended conditions to mitigate against the on and off site spread of the knotweed.

Approved Plans and Documents:

1. Request for Determination of Applicability – 109 East Brimfield Holland Rd, dated 5/11/2013
2. Site Plan: Septic Installation; prepared by Laurie McCool, dated April 17, 2013

Motion by Steve Phifer to accept the drafted conditions of:

1. Siltation fence and straw wattles shall be installed according to site visit discussion and according to the site plan; with the silt fence toed/dug in and the wattles on the side of the silt fence facing the road. The siltation barriers shall serve as the limit of work and shall remain in place until all disturbed areas are revegetated and stabilized.
2. When feasible, work will be scheduled during times when the ground water table and/or surface water level may be low (i.e., seasonal fluctuations and/or when an adequate amount of time has passed following significant precipitation).
3. Excavated and stockpiled material shall be located at the furthest possible distance from all resource areas to prevent erosion into wetland areas. Material removed from the site shall not be deposited in any resource area under the jurisdiction of the Wetlands Protection Act. All disturbed areas shall be stabilized before siltation barriers are removed.
4. The applicant shall immediately control or correct any erosion problems that occur at the site and shall immediately notify the Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary.
5. All disturbed areas, slopes and proposed landscape areas shall be loamed and seeded or as specified. Loaming and seeding shall occur within 30 days of final grading. Seed stock and plants shall be native plants and seed as specified and shall emphasize the natural flora and be of proven value to local wildlife. Seeding shall be completed within 48 hours of spreading loam. Areas that cannot be permanently stabilized within 30 days of disturbance shall be stabilized by temporary measures acceptable to the Commission.
6. The areas of construction shall remain in a stable condition at the close of each construction day. Erosion control measures shall be inspected at this time, and maintained or reinforced as necessary. All such devices shall be inspected, cleaned or replaced during construction and shall remain in place until stabilization of all areas that may impact resource areas is permanent. These devices shall also be inspected to assure that the maximum control has been provided. Any entrapped silt shall be removed to an area outside the buffer zone and resource areas, and maintained or reinforced as necessary.
7. In order to prevent the spread of invasive species from one portion of the project site to another, construction vehicles may not enter locations infested with invasive species (Japanese Knotweed). If this is unavoidable, vehicles shall be washed or broomed clean prior to leaving the infested portion of the site.
8. Because invasive species (Japanese Knotweed as identified at site visit) establish and thrive in disturbed areas, to the extent feasible, all soil and vegetation disturbance on site must be minimized, and existing native vegetation shall be maintained intact. In addition to erosion controls, orange construction fencing is strongly encouraged to protect existing vegetated areas.
9. Upon completion of the project, the applicant shall submit a statement from the project engineer that all work has been completed in conformance with the approved plans and this Determination of Applicability.
10. The contractor shall be provided a copy of this Determination, and the Conservation Commission shall be notified

of the name, address, phone number, and the contact person of the contractor.

Motion seconded by Matt Toth

No further discussion – vote taken –4-0-0- Motion Carries

Motion by Joe Collins to close the meeting and issue a Negative Determination 3 with the above approved conditions

Motion seconded by Matt Toth

No further discussion – vote taken –4-0-0- Motion Carries

7:50 PM RDA: Harry Rogers – 137 Holland Rd, Construct Single Family Home – Roger deBruyn Opens

An RDA was submitted by Mark Farrell c/o Harry Rogers for the construction of a single family home, septic and driveway. Neither the applicant nor the representative was in attendance to present the proposed plans.

The area is located in close proximity to the 100-year flood plain and surrounding BVW. A site visit was conducted on June 17th by the administrator. She determined the commission may not even have jurisdiction in the area proposed for the house, but recommended the applicant submit an RDA due to the close proximity of the BLSF. It was also requested Farrell flag the wetland boundary, the 656 benchmark boundary, the proposed house corners and driveway location for the commission to inspect on their own.

The commission reviewed the filing and determined they would wait to gather more information and conduct individual site visits to determine if the area is subject to jurisdiction. The Commission will also wait for BOH approval of the septic system.

Motion by Steve Phifer to continue the public meeting until 7:30 PM on Wednesday, July 10, 2013

Motion Seconded by Joe Collins

No further discussion – vote taken –4-0-0- Motion Carries

8:58 PM Enforcement Order/Violation: 14-18 Marsh Hill Road

BCC received a complaint from about unauthorized land clearing in a Red Maple swamp.

Panaccione, Toth and deBruyn conducted individual site visits and came to the same conclusion that unauthorized clearing was occurring in the BVW of an intermittent stream. Panaccione took picture of the clearing supplied them to the commission for review. Panaccione also issued an Enforcement order, on June 18, 2013, to the property owner, issuing a cease and desist on the land clearing and requesting the owner and/or representative to attend tonight's meeting. No representative was present.

Motion by Matt Toth to ratify the Enforcement Order, issued June 18, 2013 and request a representative attend the meeting on July 24, 2013 at 7:30 PM

Motion Seconded by Joe Collins

No further discussion – vote taken –4-0-0- Motion Carries

8:40 PM Administrative Matters: Springfield Boys Club FCP Issues

The Commission has received several various complaints about the FCP occurring on the Boy's Club property, preformed by Rocky Mountain Wood, Co. They include:

1. Shirley LaPierre, 189 Old Sturbridge Rd: She complained the work was encroaching onto her property. Slash and debris were being stored on her land and all her property survey markers have disappeared. She also claimed Rocky Mountain was harvesting live trees from her property. She also expressed concerns about the runoff from the mountain causing flooding of her parcel. She has since dug a trench to divert the water to the road, away from her home. Shem also expressed concerns about the vernal pools located upland, and the effects of the logging on the pools.
2. Robert Sullivan, Town Clerk: Robert conducted a site visit on his own accord, with permission from the Boys Club, in regards to the Ch.61 sale. On his visit he noted no BMP were in place on site. There was no evidence of water bars or other forms of erosion controls. The skid trails are all over the area, up and down

ever slop in several locations. Rocky Mountains process for removing the logs is unorthodox and severely damaging to the landscape. They are using live trees a “bump” trees, and taking many live trees in their “Salvage Cut”

3. Rob Mahler, Brimfield Trail Committee: Washout from the logging operation is impacting the Grand Trunk Trail across Rt. 20. Three culverts have either been blown out or have been completely filled with sediment since the logging operation and extensive clear cut began.
4. Thomas Chamberlin, Army Corp of Engineers: Same complaint as Rob from above. Three culverts have been degraded due to the logging operation. Army Corps will clean the culverts, since they are on Army Corps land.

There is also a concern Great Laurel, a state listed endangered species, is present on the site and in jeopardy due to the land clearing. Panaccione will contact NHESP to see the protocol for getting a state certified botanist to review the plants in question. Panaccione will also contact the new service forester, Doug Hutchinson, and request a site visit to ensure BMP are being utilized on site.

Meeting adjourned 9:05 PM –

Motion made by Steve Phifer to adjourn at 9:25 PM

Motion was seconded by Matt Toth

No further discussion – 4-0-0 – Motion Carries

Sincerely Submitted
Angela Panaccione, BCC Administrator