



TOWN OF BRIMFIELD

Salisbury Annex Building, 2nd Floor
23 Main Street
Brimfield, Massachusetts 01010

Ian Lynch, Chair
Roger deBruyn
Joe Collins
Matt Toth
Steve Phifer

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CONSERVATION COMMISSION

MEETING MINUTES

WEDNESDAY AUGUST 14, 2013 @ 7:00 PM

Members Present: Ian Lynch (Chair)
Roger deBruyn
Joe Collins
Steve Phifer
Angela Panaccione (Agent)

Members Absent: Matt Toth

Members Absent: Katie Szymaszek, Roux Associates
Jim Dick, Roux Associates
Bob Schattgen, ExxonMobil
Mark Denning, 10 Hastings Lane Brimfield, MA
Joe Vecchiarelli, Post 430 Sportsman's Club
Jim Damian, Post 430 Sportsman's Club
John Callahan, Rolling Hills Estates
Mark Farrell, Greenhill Engineering
Kirt Mayland, SH SolarNE 2/Soltas

Meeting Opens: 7:00 PM – Ian Lynch (Chair)

7:00 PM NOI DEP #117-0334: 229 Palmer Rd, ExxonMobil (Pipeline Maintenance)

On July 2, 2013 the BCC received an Notice of Intent (NOI) submitted by Roux Associates, Inc., c/o EXXONMOBIL Pipeline Company for the work at 229 Palmer Rd (Assessors Map 10E Lot 11), pertaining to the preventative maintenance activities for the ExxonMobil pipeline. Specifically, the work includes raising the stream bed by approximately 3-feet to reestablish cover over the currently exposed pipeline.

DEP has issues with the project as proposed and are requiring an alternative analysis exploring the option of installing a culvert under the pipeline to maintain current stream flow.

Motion made by Roger deBruyn to continue the hearing until Wednesday August 28, 2013 at 8:40PM.

Motion Seconded by Steve Phifer

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

7:12 PM NOI DEP #117-0333: 10 Hastings Lane, ExxonMobil (Pipeline Maintenance)

On July 2, 2013 the BCC received a Notice of Intent (NOI) submitted by Roux Associates, Inc., c/o EXXONMOBIL Pipeline Company for the work at 10 Hastings Lane (Assessors Map 9C Lot 21), pertaining to the preventative maintenance activities for the ExxonMobil pipeline. Specifically, the work includes installing a system of articulating concrete revetments mats to armor the exposed pipeline. The project will involve approximately 2070 square feet of disturbance, with 80 linear feet of disturbance to the Bank, 890 square feet of

disturbance to land under water, 70 square feet of disturbance in BVW, and 2000 square feet of disturbance within the BLSF.

Overtime, erosion has resulted in the exposure of the existing Mobil pipeline. The proposed project is to protect the currently exposed pipeline and prevent future erosion on site. The preferred alternative for Exxon Mobil is to armor the pipeline with a system of 10 individual articulating concrete revetment mats. Prior to placing the mats, the stream banks will be graded and a layer of fill placed over the exposed portion of the pipeline to create gentle, stable slopes. The fill will be from the site, and no outside fill will be brought in. The mat system will be trenched in to a depth of 3-feet, and will cover both banks and the bed of the stream along the length of the pipeline, and will be anchored in a stone-filled trench upstream of the pipeline to prevent soil around the mats from washing out. The east bank of the stream will be stabilized using natural coir fabric to limit future erosion of the stream bank and limit the soil around the mat system from washing out.

Construction activities are expected to take up to one week to complete (with the water diversion taking a maximum of five days). All work will occur during the last week of August, and must be completed by September 1, 2013 in order for the Applicant to satisfy the conditions of the 401 WQC release.

The replication area will be established first. The work will begin by digging the replication area to a depth of 2.5 feet. The hydric soils (approximately upper 1 to 1.5 feet) from the disturbed BVW areas will be trans-located to the proposed wetland replication area to provide an overlying layer of approximately 4 to 6 inches. The non-hydric excavated soils from the proposed wetland replication area will be used as part of grading activities described above. The proposed plot plan for the wetland plantings, including an estimate of percentage total cover for each species, is shown on Figure 4.

Foskett Mill will be diverted up gradient of the proposed work. Temporary coffer dams will be constructed to stop the flow. The stream will then be pumped to at least a 10'X10' dewatering area described in Figure 3. The dewatering area will be composed of a filter fabric base, surrounded by staked straw bales. The water will be allowed to free flow out of the dewatering area, across the land, and back to the stream, downstream of the work. The area will be 100% dewatered to allow work in the dry. Surveys completed 5/2/2013 and 8/7/2013 demonstrated the flow is relatively low at this time and showed an average fluctuation in stream depth from 1-foot to 4-feet.

Compensatory flood storage, at 1-foot intervals, was provided to the Commission. Overall, the work will result in a 5% increase in flood storage on site; totaling 426-cubic yards.

*****All work will occur on the side of the stream, away from the house and yard, per the request of Mr. Denning.

Mark Denning, whose property the exposed pipeline is present upon, expressed several concerns with the project. Mr. Denning would have like to have been notified about this three years ago, when the project was first proposed. He believes he should have been an active participant in the process, considering the work is occurring on his property and will be adding 140-square feet of wetlands to his property. Mr. Denning is not happy the pipe is exposed, and he is also not happy about the replication area as well. Mr. Denning stated he will not sign the NOI, but he will issue a consent letter since he sees no other alternative

Roger deBruyn did express concerns over the legal considerations in issuing the Order without the property owner's signature.

Motion made by Steve Phifer to close the hearing
Motion Seconded by Joe Collins
No further discussion – 4-0-0 – Motion Carries

Motion made by Roger deBruyn to issue the Order of Conditions with the accepted drafted special conditions
Motion Seconded by Joe Collins

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

8:18 PM NOI DEP # 117-0335: 2 Brookfield Road – Hitchcock Free Academy

On July 16, 2013 the BCC received an Notice of Intent (NOI) submitted by Lisa and Steven Lanne, c/o the Hitchcock Free Academy for the work at 2 Brookfield Road (Assessors Map 6C-D Lot 17), pertaining to the removal and reconstruction of the existing parking lot.

The project is buffer zone only, with the closest distance to the BVW at approximately 5-feet. The project will involve approximately 16,475 square feet of disturbance, with approximately 12,000 square feet of disturbance within the buffer zone.

The proposed project will increase the impervious surfaces on site by 445-square feet, with approximately 230-square feet of new impervious surfaces in the buffer zone.

The hearing was stopped because the abutters we not notified

Motion made by Steve Phifer to continue the hearing until Wednesday August 28, 2013 at 9:00PM.

Motion Seconded by Joe Collins

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

8:40 PM NOI DEP # 117-0339: 8 St. George Road – Brimfield Sportsman Club

On August 5, 2013 the BCC received an Notice of Intent (NOI) submitted by Joseph Vecchiarelli, c/o Post 430 Sportsman's Club for the work at 8 St. George Road (Assessors Map 2 Lot B-2), pertaining to the removal of invasive species. Specifically, the work includes the chemical and mechanical removal of invasive species from resource areas and/or buffer zones.

The project will involve approximately 20 acres of disturbance, with 13acres of disturbance in River Front Area of Taylor Brook and at least 14.5 acres of disturbance within the BVW. The project is proposed as a limited project under 310 CMR 10.53(4): Restoration Project.

The proposed project is anticipated to reclaim abandoned farm land and restore the land and the wildlife habitat on site. Much of the past farm land has naturally reforested itself, but has also developed an extensive amount of invasive species. Invasive include Barberry, Mulitflora Rose, Autumn Olive, Oriental Bittersweet, Winged Euonymus, Buckthorn, Brush Honeysuckle, and Phragmitus.

The treatment will consist of mechanical and chemical treatments, and will be completed in accordance with Invasive Plant Control: Treatment type and Best time of year for treatment.

No DEP file # has been received and abutters were not notified

Motion made by Steve Phifer to continue the hearing until Wednesday August 28, 2013 at 8:20PM.

Motion Seconded by Joe Collins

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

8:50 PM RDA: 4 New Millbrook Road – Rolling Hills Estate Realty

On August 2, 2013 the BCC received a Request for Determination of Applicability (RDA) submitted by John Callahan c/o Rolling Hills Realty Trust to determine if the work associated with the installation of an artisan well within the 50-foot Riverfront Area of Mill Brook and the Bordering Land Subject to Flooding.

The project will involve approximately 25-square feet of disturbance, with 25-square feet of disturbance in the 50-foot RFA of Blodgett Mill Brook and BLSF.

The proposed project will take a day to complete at max.

Motion made by Steve Phifer to close the meeting and issue a Negative Determination, Box 2&6
Motion Seconded by Joe Collins
No further discussion – 4-0-0 – Motion Carries

9:05 PM NOI DEP # 117-0336: 82 First Street – Sharon Carty

On August 2, 2013 the BCC received an Notice of Intent (NOI) submitted by Greenhill Engineering c/o Sharon Carty for the work at 82 First Street (Assessors Map 5C Lot A-54), pertaining to the repair of an existing dock. Specifically, the work includes the replacement of the landing and the dock support beams. This is an after the fact filing, the work has already been completed.

The project will involve approximately 5-linear feet of disturbance within the Bank of Little Alum Pond, with and 5-square feet of disturbance within the Land Under Water of Little Alum.

This project requires a Chapter 91 License and possible 401 WQC. Additionally the project requires NHESP approval, which the Commission has still yet to receive.

Motion made by Steve Phifer to continue the hearing until Wednesday August 28, 2013 at 7:20PM.
Motion Seconded by Joe Collins
No further discussion – 4-0-0 – Motion Carries

9:13 PM NOI DEP # 117-033: 45 Seventh Street – Patrick & Laurie Morrill

On August 2, 2013 the BCC received an Notice of Intent (NOI) submitted by Greenhill Engineering c/o Patrick and Laurie Morrill for the work at 45 Seventh Street (Assessors Map 5A Lot B-4), pertaining to the replacement of an existing septic system. Specifically, the work includes the installation of a new 1500 gal septic tank, 1000 gal pump chamber and a new leach field.

The project is buffer zone only, with the closest distance to the Lake being approximately 55-feet.

The project requires NHESP & Board of Health (BOH) approval, which the Commission has still yet to receive.

Motion made by Joe Collins to continue the hearing until Wednesday August 28, 2013 at 7:40PM.
Motion Seconded by Steve Phifer
No further discussion – 4-0-0 – Motion Carries

9:18 PM: Sign Payable Voucher - Quill \$245.40

Motion made by Joe Collins to sign the payable voucher to Quill in the total amount of \$245.40, for the payment of office supplies.

Motion Seconded by Steve Phifer
No further discussion – 4-0-0 – Motion Carries

9:20PM NOI DEP # 117-0338: 145 Sturbridge Road (Boy's Club Property) – SH Solar NE2

On August 2, 2013 the BCC received an Notice of Intent (NOI) submitted by Greenhill Engineering c/o SH Solar2NE LLC for the work at 145 Sturbridge Road (Assessors Map 14A Lot 21.3), pertaining to the removal of trees. Specifically, the work includes the clearing of 60,000 – square feet of wetlands for Solar Array Development.

The project will involve approximately 60,000 square feet of disturbance, with 60,000 square feet of disturbance in both a bordering and isolated vegetated wetland, which are also shown on Mass GIS Maps as a potential Vernal Pool.

Commission Issues Addressed to the Applicant Include:

1. A locus map for site not included in the NOI

2. Plans clearly showing access to the site and clearly identifying where the work will take place are not included in the NOI
3. The NOI states 60,000 sq. ft. of BVW alter will occur but where exactly that will take place or how exactly the BVW will be altered is not shown or explained in the NOI
4. There is no narrative stating how the work complies with the General Performance Standards for work in BVW per 310 CMR 10.55(4)(a) or 310 CMR 10.55(4)(b)1-7
5. DEP Appendix G Data sheets supporting either IVW or BVW classification are not included in the NOI
6. The work of removal of the trees in the BVW may require a Category 2 approval from the Corps and a 401 WQC application submitted to Mass DEP as there may be a discharge of dredged or fill material
7. Both the BVW and IVW shown on the plans, also shows as Potential Vernal Pools in the latest Mass GIS overlay. An assessment of the areas as certifiable vernal pools is not included and should be required
8. There is no stormwater management plan for the proposed access road, as previously requested before the application was submitted
9. Abutters were not properly notified

Motion made by Steve Phifer to continue the hearing until Wednesday August 28, 2013 at 8:00PM.

Motion Seconded by Joe Collins

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

10:20PM Administrative Matters: Letter to the Brimfield BOS

Steve Phifer expressed concerns over the Selectmen's handling of the OOC issued to the Brimfield Highway Department for the culvert replacement on Champeaux Rd.

Motion made by Steve Phifer to send a letter to the BOS asking them if they have concerns with either an NOI or an OOC, that they contact the Commission directly and not the Applicant

Motion was seconded by Joe Collins

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

Meeting adjourned 10:30 PM –

Motion made by Steve Phifer to adjourn at 10:30 PM

Motion was seconded by Joe Collins

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

Sincerely Submitted

Angela Panaccione, Conservation Agent