



# TOWN OF BRIMFIELD

Salisbury Annex Building, 2<sup>nd</sup> Floor  
23 Main Street  
Brimfield, Massachusetts 01010

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

Agent: Angela Panaccione

Telephone: (413) 245-4100 x:8  
FAX (413) 245-4111

## CONSERVATION COMMISSION

### MEETING MINUTES

WEDNESDAY FEBRUARY 26, 2014 @ 7:00 PM

**Members Present:** Ian Lynch (Chair)  
Roger deBruyn  
Matt Toth  
Michele Restino  
Steve Phifer  
Angela Panaccione (Agent)

**Members Absent:** Joe Collins

**Also Present:** Daniel Chalue, Scout Master – Monson, MA  
Brian Boucher, Boy Scout – Monson, MA  
Nathaniel Boucher, Boy Scout – Monson, MA  
Alana Chain, SH SolarNE 2/Soltas  
Wesley Flis, Whitman & Bingham  
Joe LaFreniere, SH SolarNE 2/Soltas (Project Manager)  
Scott Beaulieu, SH SolarNE 2/Soltas  
Ray O'Toole, ProStar

**Meeting Opens:** 7:10 PM – Ian Lynch (Chair)

#### **7:10 PM Amendment to NOI DEP # 117-0338: 145 Sturbridge Road (Map 14A Lot 21.3) – SH Solar**

Ian Lynch reopened the public hearing on the request to Amend the current Order of Conditions issued to SH Solar NE2, for the proposed Solar Array located at 145 Sturbridge Road. Currently there are several areas of non-compliance at the site, including: the heavily sedimented unnamed intermittent stream on the property, damages to several areas of the silt fence and straw wattles (erosion and sediment controls) on site, and the presence of excessive amounts of blasting debris in the buffer zone. Heavily silted runoff is also exiting the property onto Old Sturbridge Road.

Wesley Flis, of Whitman & Bingham presented a new revised plan since the last meeting held on February 12, 2014. The newest revised plan has Mass DOT stormwater requirements for Old Sturbridge Road depicted; as well as the upper wetlands delineated. The only changes to the plans since the 2/13/14 plans are changes to sheet 1 of 11 depicting the riprap swale; and the addition of sheet 8 of 11 showing the delineations of the upper wetlands. The upper wetlands have been flagged for review and the project is approximately 250-feet away from the flagged edge of the BVW.

The applicant spoke with DOT, who agreed to allow a riprap swale opposed to a paved swale. Panaccione asked if there has been any discussion with DOT about the culvert or its blockage, and if anything is being

done to mitigate against it. Wesley Flis said he tried to speak with their DOT representative but was referred to the Maintenance department. He does have a request in to the maintenance department, but has yet to hear back. Restino stated the applicant or DOT does need to at least inspect the culvert before sending more water to it. Flis stated he did not believe they would be sending more water into it than it already received.

The Commission also discussed the excess sediment coming off the access road, onto Old Sturbridge Road. Panaccione inquired if they had an anti-tracking pad at the end of the road to prevent the transfer of sediment from the equipment to the road. Joe LaFreniere stated they did, but it's worn out. He will replace it as soon as possible. Panaccione also asked LaFreniere if the blasting debris had been removed from the buffer zone yet, and he stated it has not due to the weather.

The Commission scheduled a site visit to review and confirm the delineations of the upper wetlands on Saturday March 8, 2014 at 9am.

Motion made by Matt Toth to continue the hearing until 7:00PM on Wednesday March 12, 2014.

Motion Seconded by Michele Restino

No further discussion – 5-0-0 – Motion Carries

### **7:25 PM Administrative Matters: Minute Approval**

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Motion by Michele Restino to approve the minutes from Wednesday January 8, 2014

Motion Seconded by Matt Toth

No further discussion – 4-0-1 – Motion Carries

Motion by Michele Restino to approve the minutes from Wednesday February 12, 2014 as corrected

Motion Seconded by Matt Toth

No further discussion – 4-0-1 – Motion Carries

### **7:30 PM Administrative Matters: Letter from Doug Hutcheson regarding Boys Club Forest Cut**

The Commission reviewed a letter from DCR Service forester Douglas Hutcheson regarding the finalization of the Forest Cutting Plan for the Springfield Boy's club. In the letter, Hutcheson states:

“At some point after August 15<sup>th</sup> and before September 25<sup>th</sup>, this (forest cutting access) road was transformed into a haul road to deliver project-related materials to the solar field. When the use of the road changed from forestry use to non-forestry use, any impacts on hydrological resource areas became the purview of the Brimfield Conservation Commission”

Ian will contact Doug and Angela will contact the boy's Club about a site visit on Saturday March 8, 2014. Kim Ladue and Sid Johnson gave the Commission access on their property to view the area of concern. Kim Ladue also supplied picture of what the streams looked like before the tornado and forest cutting.

The Commission discussed its issues with DCR trying to shift jurisdiction to the Commission, when over the past six months the Commission has been informing DCR this was occurring. The Commission wants DCR to continue to oversee the project and require restoration of damaged areas, regardless of the “change of use”

### **7:55 PM Administrative Matters: Sign Payable – Quill \$51.27**

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Motion made by Roger deBruyn to sign the payable voucher to Quill in the total amount of \$51.27, for the payment of office supplies.

Motion Seconded by Matt Toth

No further discussion – 5-0-0 – Motion Carries

**8:00 PM Administrative Matters: Sign Payable – Angela Panaccione \$31.95**

Motion made by Michele Restino to sign the payable voucher for Angela Panaccione in the total amount of \$31.95, for the payment of mileage to and from the MACC conference; held on March 1, 2014 at Holy Cross in Worcester, MA.

Motion Seconded by Matt Toth

No further discussion – 5-0-0 – Motion Carries

**8:05 PM Administrative Matters: Right of First Refusal – Roland Blake, Champeaux Road 15B 2**

The Board of Selectmen is requesting comment on the Right of First Refusal for the transfer of 4.2 acres of 43.507 acres from Chapter 61 to residential use. The remaining 39.307 acres will remain in Forest Management. The Commission discussed the request. An Order of Conditions currently exists on the lot for a wetlands crossing and Mr. Blake has expressed interest in closing the order and requesting a certificate of compliance. There is no “reasonable offer” included with the request. The Commission would like to see the land purchase and maintained as open space, and discussed sending the standard letter to request the property be purchased. Steve Phifer did not agree, and stated he believes the land is useless and land locked.

Motion made by Roger deBruyn to send our standard letter to the Board of Selectmen

Motion Seconded by Matt Toth

No further discussion – 4-1-0 – Motion Carries

**8:15 PM Administrative Matters: Proposed Wetlands Bylaw**

The Commission discussed the proposed wetlands protection bylaw and a plan for the Monday March 3, 2014 public informational session and open comment period for the residents to review it. The bylaw has been edited since the last attempt to address some concerns raised at the 2013 Town Meeting and at the bylaw committee hearing; including the protection of only “certified” vernal pools and the removal of the 200-foot RFA designation to intermittent streams.

Currently there is not a bylaw committee, but Angela Panaccione will again get in touch with Nick Power, Chair of the bylaw committee to see the status of its formation. Ultimately, the Commission is looking for a positive recommendation from the bylaw committee.

A major point of concern brought up last year was the lack of information provided about the bylaw. Panaccione has the Bylaw posted on the Commissions web page, as well as the Town’s main page. She also has a handout available summarizing the bylaw. She also sent out press releases to local papers discussing the Commissions attempts to put the bylaw through again, as well as the informational meeting for the public to raise their concerns.

**Meeting adjourned 9:00 PM –**

Motion made by Steve Phifer to adjourn at 9:00 PM

Motion was seconded by Michele Restino

No further discussion – 5-0-0 – Motion Carries

Sincerely Submitted

Angela Panaccione, Conservation Agent