



TOWN OF BRIMFIELD

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Matt Toth
Steve Phifer
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CONSERVATION COMMISSION

MEETING MINUTES

WEDNESDAY JANUARY 22, 2014 @ 7:00 PM

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

Members Absent: Joe Collins
Steve Phifer

Also Present: Carol Platnik, 45 St Clair Road (Brimfield OSRP Member)
Kirt Mayland, SH SolarNE 2/Soltas
Alan Chain, SH SolarNE 2/Soltas
Wesley Flis, Whitman & Bingham
Joe LaFreniere, SH SolarNE 2/Soltas (Project Manager)
Scott Beaulneu, SH SolarNE 2/Soltas
John Rahkonen, 46 St Clair Road
Robert Bertin, Professor at Holy Cross
Ronald & Michele Cox, 6 St Clair Road

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

7:00 PM Public Inquiry: Carol Platnik – Brimfield Open Space and Recreation Plan Committee

Carol Platnik attended the meeting to request an in-kind contribution from the Conservation Commission to help the Open Space and Recreation Plan (OSRP) Committee fulfill their mandate. The OSRP committee is working without funding currently and requested from the commission the donation of paper, envelopes, folders, ink and other various office supplies; as well as office space, so the committee can conduct business and begin survey distribution. Platnik submitted a letter of request as well. The Agent will keep track of supplies given to OSRP and has a desk available for the OSRP committee to use.

Motion made by Matt Toth to donate supplies to the OSRP Committee

Motion Seconded by Roger deBruyn

No further discussion – 3-0-0 – Motion Carries

7:15 PM Enforcement Order: 150 Haynes Hill Road – Chris Batista

The Commission received notice from Mr. Batista's Lawyer Ed Neal that all but one vehicle has been removed and site access has been restored by the neighbor. The remaining piece of equipment will be removed when weather and ground conditions allow. Even through during portion of the winter the ground

has frozen, it has not been a deep frost as evidenced by the disturbance created within the buffer zone with the removal of the two lighter pieces of equipment and the attempt to remove the 40,000 lb. excavator. While the representation has been made that removal will take place this spring, removal is totally dependent on ground conditions.

The area in question is at the bottom of a slope heavily covered with topsoil. As such, percolation is slow, the water ends up at the bottom of the slope and remains for weeks, making ground conditions in the subject area more difficult than would be normally present, contributing to the difficulty of removal. Therefore, it was requested that the Commission allow Batista time for removal to a later time when ground conditions allow. The Commission obliged.

Upon removal of the last piece of equipment, the disturbance area will be assessed by the Commission. Batista will then back blade the disturbed area as closely as possible to the original contours. The area will then be assessed by the Commission within a short period of time thereafter to ascertain the self-growth of plants native to the remaining area. In the event further planning is required by Batista, it would be mutually agreed by the parties as to what material would be planted to stabilize the area to allow natural growth of native species to occur.

The Commission instructed the Agent to notify Mr. Neal that we look forward to updates as they occur, and when the last piece of equipment is removed then Commission will reassess the restoration of the damaged wetland resource areas.

7:30PM NOI DEP # 117-0338: 145 Sturbridge Road (Boy's Club Property) – SH Solar NE2

At the request of the Commission several Soltas representatives attended tonight's meeting to discuss the status of the project and the observations the Commission made during their previous site visit held on January 11, 2014. 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.

Joe Lafreniere stated the erosion and sedimentation noticed on site was due to the significant snow melt and rain storm, and unseasonably cold temperatures accompanied by unseasonably warm temperatures interspersed with heavy rains. He believes they successfully remedied the silted water coming down the access road by installing bales before Old Sturbridge Road. They have also installed check dams and flock logs along the access road to clean the water if it does leave the site. They also had some run-off go over the straw wattles at various locations and this was remedied by installing new wattles and/or straw bales.

The construction of the storm-water basins will begin at end of week, weather permitting. In the meantime, they have installed temporary ponds and stump grinding berms to handle much of the snow-melt and water run-off. They will also be installing more silt fence in anticipation of the spring runoff. The blasting debris located in the buffer zone will also be removed within the next 2-3 weeks.

Also discussed was the possibility of Amending the current NOI to change the Stormwater basins from 2 basins to 1 basin. The applicants will be submitting a revised site plan with new stormwater calculations to the commission for review for the next meeting. They will also look into adding an additional stormwater management structure at the end of the access road, before Old Sturbridge Road, to mitigate against any runoff not captured by the basins up top.

The Commission did express concerns again with ensuring all runoff was kept on the property, as any discharge of sediment laden water to abutting properties is a violation of both the Order of Conditions and DEP stormwater policy.

A site visit was scheduled for Saturday February 1, 2014 at 9:30am

8:00PM Possible Violation: 46 St Clair Road – John Rahkonen

On January 8, 2014 it was requested by the Town of Brimfield's Building Inspector, Nelson Burlingame, that the Conservation Agent accompany him on a site visit to 46 St Clair Road. Pursuant to the site inspection the Agent observed approximately 25-linear feet of disturbance to the bank resource areas of an un-named intermittent stream from the installation of a culvert. The culvert installed appeared to be a 24-inch diameter pipe which resulted in the direct vegetation cutting and removal, soil disturbance, and changes to the natural hydrologic regime from undersized culvert installation. The Agent also noted the driveway itself may have bisected a wetland resource area, constituting an unpermitted filing of a BVW.

John Rahkonen attended the meeting with his representative, Robert Bertin to discuss the possible violation. Both Mr. Rahkonen and Mr. Bertin argued the area is not protectable under the WPA.

The Commission requested an RDA be submitted to them, so they could determine if the area is subject to protection. The RDA will be submitted by the end of the month and the Commission will hold a meeting on it on February 12, 2014.

A site visit was scheduled for Saturday January 25, 2014 at 9:30am

8:45 PM Administrative Matters: Little Alum Drawdown Letter

The Commission reviewed a letter from the Little Alum Lake Association, to the Brimfield Board of Selectmen, discussing their disappointment with the quick decision by BOS to begin overseeing the drawdown of Little Alum Lake without giving the Association an opportunity to discuss the issue. The Association is concerned that the needs of the lake may not be met in a timely fashion, or at all, if they are not included in the dam management process.

As an association, they have over 50 years of documented experience handling the needs of the lake and they take great pride in its exceptional condition. The Association pays for yearly water quality testing and in 2012 residents from each street were trained by a member of the Department of Conservation and Recreation to be able to spot nuisance aquatic weeds before they spread and become a costly problem. The lake association also paid to treat a small section of the lake in 1994. They believe that the knowledge and experience they have from their years of taking care of the lake should warrant their involvement in the management of the dam.

The Little Alum Lake Association would like the BOS to reconsider its decision not allowing them to manage the dam. They worry that an already busy highway department will become too busy to do a good job in a timely manner. They are requesting an opportunity to meet with the BOS to discuss this matter further and would like to be able to work with the highway department to maintain the dam. They are requesting support from the Commission in their endeavor.

The Commission decided to send a letter to the BOS stating they support the collaborative working between the Lake Association and the Highway Department in the continued drawdown of Little Alum, and believe it would be the best approach to ensure all the interests of the Wetlands Protection Act are met during the drawdown.

8:50PM Possible Violation: 6 St Clair Road – Ronald & Michele Cox

Pursuant to a site inspection conducted on January 8, 2014, by the Conservation Agent it was observed from both Route 20 and St. Clair Road that a green dumpster full of trash has fallen from the driveway/ledge above into the stream below. The Agent sent a letter informing the Cox's of the possible violation and requesting their attendance at tonight's meeting.

Mr. Cox explained the situation and stated he would cable the dumpster out within the next month, and notify the Commission when it was completed. Currently the stream is frozen, and it would be impossible to remove it at this time. Mr. Cox also expressed concerns about the blocked culvert under St. Clair Road, and how it is leading to the impoundment of water adjacent to his property. The Agent stated she would speak with the Highway department about cleaning the culvert out this coming spring.

9:05PM Administrative Matters: Third Street Drainage Issues

The Commission reviewed site photos of drainage problems on Third Street, between residents of 8-12. Currently there is improper drainage and runoff from the road is going directly into little Alum. A catch basin by 8 Third Street is heavily sedimented and there is no know owner. The Town does not assume responsibility for the basin, since Third Street is a private road. Roger deBruyn offered to find out who owns the catch basin, and once ownership is determined the commission will issue an Enforcement Order requiring the basin to be cleaned.

9:15PM Administrative Matters: FY 15 Budget Request

The Commission discussed the upcoming FY15 budget requests. Given the overload of work and the continual increase in filings, the Commission is again requesting an increase in hours for the Agent Position.

Motion made by Matt Toth to send a budget request to the Finance Committee requesting an increase of 10 hr/week; totaling 25 hr/week for the position of Conservation Agent

Motion Seconded by Roger deBruyn

No further discussion – 3-0-0 – Motion Carries

Meeting adjourned 10:00 PM –

Motion made by Matt Toth to adjourn at 10:00 PM

Motion was seconded by Roger deBruyn

No further discussion – 3-0-0 – Motion Carries

Sincerely Submitted

Angela Panaccione, Conservation Agent