



TOWN OF BRIMFIELD

CONSERVATION COMMISSION

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

Roger deBruyn (Co-Chair)
Michele Restino (Co-Chair)
Joseph Collins
Joseph Coan
Joseph Gallo
Carol Platenik
Steve Phifer

Agent: Angela Panaccione

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

MEETING MINUTES WEDNESDAY JANUARY 27, 2016 @ 7:00 PM

Members Present: Michele Restino (Co Chair)
Roger DeBruyn (Co Chair)
Carol Platenik
Joe Coan
Angela Panaccione (Agent)

Members Absent: Joe Collins
Joseph Gallo
Steve Phifer

Also Present: Richard Cayer, Haynes Hill Road
Glenn Krevosky, EBT Environmental Consultants

Meeting Opens: 7:00 PM – Michele Restino (Co Chair)

7:00 PM Request for Extension Permit DEP #117-0237 & 117-0240: Lot 3/4 Haynes Hill Rd – Cayer

Richard Cayer, of Haynes Hill Road and his environmental consultant Glenn Krevosky, of EBT Environmental Consultants attended tonight's meeting to request an additional three (3) year Extension Permit for the work regulated by a final Order of Conditions, issued June 7, 2006 and amended December 14, 2012, for property located at Lots 3 & 4 Haynes Hill Road (Assessors Map 13 F Lots 2.3 & 2.4, respectively), Brimfield, MA. The two orders were for the construction of two SFH with associate well, septic and driveways. The driveways required stream crossings with replication areas. Currently, the crossing and replication area have been completed for lot 3, but no work has occurred on lot 4 other than the restoration required under the Enforcement Order issued March 22, 2012. Mr. Cayer desires to keep the permits open so any potential buyer would have an approved site plan for the construction of a SFH. The Agent did inform Mr. Cayer that often times open Orders are required to be closed prior to the transfer of ownership, but she would send a letter stating the Commissions requirement of having the permits remain open to any potential buyer.

Motion made by Joe Coan to issue the Extension Permit for the Order of Conditions DEP #117-0237 & DEP #117-0240, for three (3) years.

Motion Seconded by Carol Platenik

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

7:20 PM Request for Certificate of Compliance DEP #117-0346: 119 Little Alum Rd – Maple Lane D.

Mark Farrell, of Greenhill Engineering submitted a request for a Certificate of Compliance for the work regulated by a final Order of Conditions issued to Maple Lane Developments c/o Roland Blake, dated 3/25/2015, for property located at 119 Little Alum Road (Assessors Map 5B B 14&15), Brimfield, MA. The project was for the after the fact filing (as a result of a violation) for the creation of a beach, and included the additional construction

of a new dock. A final site visit was conducted today, January 13, 2016 by the Conservation Agent. She supplied the Commission with photos of the finished dock.

Motion made by Joe Coan to issue the Certificate of Compliance for a Complete Certification of the Order of Conditions DEP # 117-0346

Motion Seconded by Carol Platenik

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

7:30 PM Administrative Matters: Minute Approval – Wednesday January 13, 2016

Motion made by Joe Coan to approve the minutes from Wednesday January 13, 2016

Motion Seconded by Carol Platenik

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

7:30 PM Administrative Matters: Other Projects, Monitoring, Enforcements and Violations

1. FY 16 Annual Report: The Agent has not yet completed the Annual Report
2. Solar Site Visit: Friday January 29, 2016 @ 1:30pm
3. Planning Board “SUPER MEETING” Wednesday February 3, 2016 @ 7pm: The Planning Board invited all town boards to a meeting to address the Large Scale Solar Bylaw and get every boards input and possible recommendations with regards to the bylaw. Town Counsel will be present as well. The Planning Board looks forward to working with everyone with regards to the bylaw.
4. Possible Violation – 80 Palmer Road: The Commission received a complaint about activities occurring at 80 Palmer Road. The Agent shared with the Commission photos supplied by Brian Caron, as well as 2015 aerial photos of the site. The complaint is there are oil tanks in the wetland, as well as 25 junk cars and storage trailer in the buffer zone. The Agent informed Mr. Caron that the land is currently under a Forest Management Plan, and is regulated under MGL 132 (Forest Cutting Practices Act), thereby exempting it from any requirements of MGL 131 (Wetlands Protection Act). As long as the land is in forest management it is the responsibility of the state service forester to ensure there is no change of use and investigate any violation complaints. The Agent forwarded the complaint to Kate Marquis, DCR Service Forester. Kate will investigate the complaint and report back to the Commission. If there is in fact a change of use (from forestry to junk storage) and/or a wetlands violation, the service forester must first remove the area from forest management or issue a stop work order before the commission can take jurisdiction in the matter and pursue enforcement under MGL 131. The Agent will also contact the property owner about conducting a site visit.
5. Request for Site Plan Review – Caron Family Farm Lands Solar Project: The Planning Board has distributed a site plan for a large scale solar project and has request any comments or recommendations on the site plans be submitted to the Planning Board by the March 2, 2016 Public Hearing. This is a plan for Caron Farmlands and Nursery. The Commission reviewed the plans, and noted they are the same plans submitted back in 2013 by Greenhill Engineering c/o SE Solarane 2, LLC. The project was withdrew due to several concerns by the Commission, including the accuracy of the wetlands delineated on site.

Based on previous discussion from the original 2013 permitting, the Commission would not approve the current plan since it proposes to fill in a wetland (plan states it's isolated but during our 2013 review the Agent and Roger deBruyn determined it is very much connected to the wetland complex located directly south of the IVW).

Additionally, under the new stream crossing standards the applicant would be required to upgrade the current crossing from a culvert to a bridge. The current crossing was permitted for Forest Management

probably 20 years ago, and any proposed change of use for the access road from forestry activities to commercial activities requires the applicant meet the 2014 Stream Crossing Standards.

Michele Restino stated the applicant will need to file an ANRAD with the Commission, prior to filing a notice of intent.

7:55 PM Administrative Matters: FY 2017 Budget Request

Motion made by Roger deBruyn to approve the FY 2017 Budget Request

Motion Seconded by Joe Coan

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

Next Meeting Date: Wednesday February 10, 2016 at 7pm

Meeting adjourned 8:00 PM –

Motion made by Joe Coan to adjourn 8:00 PM

Motion was seconded by Carol Platenik

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

Sincerely Submitted

Angela Panaccione, Conservation Agent