

**TOWN OF GRANBY  
CONSERVATION COMMISSION  
Meeting of January 25, 2011**

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In attendance: W Shaheen (BS), N Milkey (NM), E Chapdelaine (EC) Quorum met.

7:00 **Building & Board of Health Permits:** none

7:15 **Administrative Duties:**

1. Commentary: The Conservation Commission (“CC”) accepted M. Labonte’s resignation letter dated 5 Jan 11. Accordingly, the CC’s quorum requirement is now at 3 members (of 5).
2. Post next meeting: February 8, 2011 by BS  
Approve Minutes: Meeting of January 11, 2011. Need 1 additional signature to confirm.
3. CC Financial accounts update (quarterly) none
4. Bills to Pay - voted to reimburse BS for foam board the sum of \$ 8.57.
5. Outreach/Education MACC annual meeting in March at Holy Cross College.
6. Notices (ZBA) none
7. Announcements/News:
8. Con Com Web site update: none
9. New members for Con Com: E-mail from Joan Dwight: Ms. Dwight intends to resign upon her return North this Spring for personal reasons.  
CC to compose a Spring recruitment letter to bolster corps.
10. Site Visits to be scheduled: none as of yet.

**Appointments:**

Time	GCC#	DEP#	LOCATION	DESCRIPTION	Name/Owner/Rep
7:30		240	Chicopee St	“ANRAD”	Ted Ondrick Sand and Gravel Dan Nitzsche of GZA

D. Nitzsche offered ANRAD Form 4A with plan for consideration.  
CC conducted supplemental site visit on 15 Jan to review several flags in question.  
Upon further review, flags approved as originally located.  
CC voted to issue ORAD Form 4B for flags depicted as per plan dated.  
NM motioned, EC seconded, all in favor.  
NM and EC participated pursuant to the rule of necessity as both have had or currently have a business relationship with Ondrick S&G.  
ORAD form 4B submitted via eDEP.

**Discussion (Case Files)**

8:00	60 West State Street	Jill Johnson-Granby Liquor Store
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Jill Johnson and Regina Perry-Abbott, Esq. of Soja and Abbott attended to discuss with the CC the use of the proposed parking area prior to project completion. CC reviewed its RDA permitting requirements highlighting specific water collection details and the permitted MADOT off-site discharge of surface runoff together with the requirement for formal pressure testing of the conveyance pipe network. The stormwater management system was permitted via the CC to mitigate potential pollution to the nearby public water supply well (“PWS”) owned by Mr. Marion. The project work is within the MADEP defined Zone 1 protective radius. Reportedly, this well is subject to monthly contaminant testing. CC reiterated that though not explicitly stated in the

permit special conditions, the intent of the design/construction sequence was for the construction to be completed prior to initiating usage of the facility.

The concern is that at this time the PWS wellhead is not protected in any way from a fuel release or other pollutant discharge to the new region of granular fill and maintains it is not prudent to park vehicles in the affected area until full project completion.

Accordingly, after much deliberation, the CC strongly recommended that vehicles not be permitted to park at any point further south than the mid point of the eastern wall (approx. 25 feet from the NE corner) of Mr. Marion's building until the project is complete and successfully tested. A plastic snow fence will suffice as an adequate demarcation barrier. The CC did not waive its right to invoke an enforcement action if it is deemed necessary. While Attorney Abbott argued that the special conditions did not explicitly disallow parking before project completion, the CC argued the contrary based on an implicit interpretation of the goals and intents of the special conditions.

In closing, any action by the applicant (Jill Johnson) to ignore the CC's recommendation does so on the formal record and by doing so enhances the potential for a pollution related liability claim.

8:15            165-0246        20 Aldrich Street        COC                    Richard  
Beaulieu  
CC conducted a site visit on 15 Jan. Consequently, CC Signed COC Form 8B with no conditions.

8:30            165-0280        51 Kendall Street        COC                    Joyce L. Harrop  
Action on COC Form 8B to be continued until wx permits an unobstructed site observation.

### **New Business:**

Revisited Lot 4 Trout Lily – Suzanne Clarke

CC reviewed letter by Pete Levesque re: wet area in front portion of property. After reviewing available maps, CC concluded either an RDA or NOI may be required pending specific site plan logistics as a significant portion of the lot is in the riverfront resource area.

CC to update its consultant list

CC to conduct site visits of Town-owned dams in March.

### **Adjournment:**

At 9:30 by EC, second NM all in favor.