

SOUTH HADLEY CONSERVATION COMMISSION
MEETING MINUTES
September 15, 2008
Approved at 10/27/08 meeting.

PRESENT: Jack Fleming, Chair, Jim Canning, and Brad Allen. Janice Stone, Conservation Administrator. Dennis Swartwout at 7:30 PM.

1. 7:00 PM OPEN FORUM Opportunity for the public to come in and ask questions, discuss wetland concerns with the Conservation Commission. No one present, so Commission worked on *bills payable*. Jim made a motion to approve payment of \$80 for MACC dues. Brad seconded and all (Jack, Jim, Brad) voted in favor. *Updates:* Janice told the Commission about the work being done to replace the sidewalks and railings on the *bridge on Route 116* over Stony Brook, near Chapdelaines. Nothing had been filed with the Commission, but people were working over the river removing old cement. Janice spoke to the workers and called MA highway. The work is being done under a bond bill, and is therefore exempt from local or regional review (only DEP office in Boston). Janice spoke with the workers and DEP contact person about our concern of lack of staging or tarps to prevent debris from falling into the river, which is located within a NHESP rare species habitat polygon. They will put staging up. Brad mentioned the guard rail on *River Road* that was taken down for the emergency foundation drainage work has not been reinstalled, and lies in the bushes nearby.

2. 7:15 PM PUBLIC MEETING, continued on a Request for Determination filed by *Douglas Steininger* for wetland boundary confirmation on an undeveloped parcel east of 44 Mountain Avenue. Janice had gone out with Ward Smith, consultant for the Commission's peer review of the wetland boundaries, and Kevin Brooks for the applicant. They agreed on extending the wetland boundary in an area on the west side, and added some new flagging. Before the meeting, the Commission received a letter from the applicant requesting withdrawal of their application without prejudice. Brad made the motion, seconded by Jim to accept the withdrawal without prejudice. All (Jack, Jim, Brad) voted in favor.

3. 7:20 PM OLD & NEW BUSINESS Request for an Extension on Order of Conditions for *Adam & Eve Construction*, Lyman Terrace (288-353). Joyce Cote was present to discuss the request with the Commission. Joyce told the Commission they have followed the Order of Conditions, but need the extension to allow more houses to be built over time. The Commission discussed with her their concerns about the present lack of obvious access to the Bynan Conservation Area off Lyman Terrace. They agreed they did not want to encourage motorized vehicles, but did want a visible and safe entrance for pedestrians. The Commission would like to see the boulder that used to be at the entrance restored to the access point near the sign, so people would recognize the start of the trail. The Commission discussed with Joyce their concern about the No-Disturb zone permanent monumentation not being done yet, and the fence violation at #14. She told the Commission money had been set aside at the time of closing for the monumentation to be done, and the Commission should talk to the new owner. Joyce requested a 5 year extension, but the Commission can only grant at most 3 years. Jim made a motion to approve a 3 year extension with the condition that the entrance to the Bynan Conservation area is improved to provide easy access for walkers and a visible entrance. Brad seconded and all (Jack,

Jim, Brad and Dennis) voted affirmative. Request for Certificate of Compliance on Order of Conditions for *Fire District #1-Water Department*, groundwater exploration project (288-199). The owner (heir) of one of the parcels involved in the groundwater exploration project off Hadley Street is trying to sell her land, and was told she needed a Certificate of Compliance. The work was done in 1994, and the file records did not have much information. Fortunately the Tighe & Bond engineer for the project is still there, and he provided a map and statement that the work had been completed according to the Order. Only the first phase, and only some of the test sites were done. There was not enough water supply to pursue further. Jim made a motion, seconded by Brad, to approve the issuance of the Certificate of Compliance. All voted affirmative. Request for Certificate of Compliance on Order of Conditions for *South Hadley Common* (Rts 116 & 47) project, by Caracas Construction (288-328). Janice explained that the Selectboard was the applicant for this project, but Caracas is requesting the COC for itself and Mass Highway. All the culvert and street work has been done, but there is one remaining Special Condition. That condition requires some stream bank stabilization in mitigation for a small amount of stream bed that was filled with the new culvert and headwall. The former DPW chief had agreed to this condition, but it was not done. The Commission agreed to do a site visit to see if the bank still needs work, and whether there could be access to the site without destroying the vegetated slope. Meet Friday 9/19 at 8:30 AM. Commission needs to determine if this condition still needs to be done before issuing COC. Janice has written a letter of support for a town application to the DCR's *Heritage Landscape Inventory* grant program. Ratification of Emergency Certification for *Sean LeBlanc*, 80 River Rd. Jack, Brad and Janice visited this site, where the basement was flooded and moldy, and there were small sick children in the house. Board of Health declared it a public health Emergency. There was also a problem with the owner cutting down 4 large (1 dying) trees in the Riverfront. The foundation drainage work has been completed. As Brad mentioned earlier, the guard rail has not been reinstalled yet. Check with DPW. Brad made a motion, seconded by Dennis, to vote to ratify the Emergency Order. All voted affirmative. The Commission discussed the need for the applicant to still plant replacement native trees for the ones removed. There should be eight native trees, 6-8' tall, planted this fall. Janice should write the owner a letter reminding him of this requirement. Any further landscaping and paving work will need a Notice of Intent.

4. 8:00 PM PUBLIC HEARING, continued on a Notice of Intent (288-396) filed by the Trustees of *Mount Holyoke College* for routine maintenance and improvement of infrastructure on the Mount Holyoke College campus, within resource areas and buffer zones, on the campus, including Morgan and Park Streets. Paul Breen from Mount Holyoke College and Bruce Griffin from New England Environmental were present to answer questions. Bruce submitted a revised plan to the Commission. They also revised the content of the Notice, removing new culverts and revising descriptions of work. The Commission discussed a few items with Paul and Bruce, including the use of salt substitute and organic herbicides and pesticides. The Commission won't require them, but encourage their use within the Riverfront or buffer zone. There are a few more changes to be made to the plans. Commission voted to continue hearing to next meeting October 6 at 7:45 PM.

5. 8:25 PM OLD & NEW BUSINESS, continued. Paul Breen from *Mount Holyoke College* then discussed an emergency situation at Dickinson Hall. The old (1917) clay drainage pipe to Stony Brook is not functioning, and the basement where all the utilities are located has flooded.

The Commission told him to talk with the Board of Health, and if they declared it an emergency for public health and safety, let the Commission know and they will issue an Emergency Order to replace the pipe. Ratification of Emergency Certification for *InteliCoat*, 28 Gaylord Street. Part of their parking lot, including the tank storage area, was flooded by overflow from Buttery Brook. The brook appears to be clogged in a few places with woody debris carried down by the high flow after the recent heavy rains. Janice visited the site with Sharon Hart from Board of Health and Yem Lip from DPW. Because of the potential to pollute the stream from the flooded tanks holding chemicals, and some flooded sewer manholes, both DPW and Board of Health felt it was a public health & safety emergency. Jack signed it, but now the rest of the Commission needs to ratify it. Brad made a motion to ratify the Emergency Order. Jim seconded, and all voted in favor. The Commission discussed their recent site visit to *the Orchards*. The management needs to file a Notice of Intent for general maintenance work. The General Manager has left, and there is a new manager involved. Dan Nitzsche was present, and Matt Robert, and they will be working on the NOI. Janice should send follow-up letters to the two neighbors on *Plainville Circle* about their plantings and cleanup. The Commission discussed issuing Enforcement Orders to responsible parties for the lack of maintenance and improper functioning of the retention pond at *Shadowbrook Estates*. Town Counsel recommended sending to both Valley Planning and the Trustees of Shadowbrook, since it was difficult to determine who was responsible for the operation and maintenance of the pond at this point. The pond is very full of muddy water, there are no plants, and the forebay rocks (visible during “normal” water level conditions) have not been seen in a very long time. Very little water is coming out the outlet pipe at Buttery Brook, so it appears the outlet structure is clogged. Brad made the motion, seconded by Jim and approved by all, to issue identical Enforcement Orders to both parties, and signed.

6. 9:00 PM ADJOURNMENT. Jim made a motion to adjourn, which was seconded by Brad, and all voted unanimously in favor. Next regular Conservation Commission meeting will be October 6, 2008 at 7:00 PM.

Respectfully submitted,
Janice Stone
Janice Stone,
Conservation Administrator