

**HADLEY CONSERVATION COMMISSION
MEETING MINUTES**

July 9, 2013

Approved at the 9/10/13 meeting

PRESENT: Paul Alexanderson, Chair; Paulette Kuzdeba, Vice-Chair; Edwin Matuzsko; Jim Hafner; and Janice Stone, Conservation Staff.

Conservation Commission had to wait for one more member to show up for quorum. In the interim, Janice mentioned the Chapter 61A letter from Mr. Kusek, and the Pioneer Valley Chinese Immersion Charter School letter. Someone from the audience had a question about the history of a house at 55 Aqua Vitae Road. It is for sale. Was this house ever raised for flood storage? Is it in compliance with the floodplain zoning? Was there a permit ever issued for the work? Commissioners did not know for sure. Janice will check the files and let the woman know if there is anything about this in them.

1. 7:25 PM Notice of Intent #170-220, continued. Filed by Foresight Land Services on behalf of Berkshire Gas, for installation of a new 12” gas main under the Connecticut River with horizontal drilling from *River Drive* opposite Huntington Road. Paul Scarpa present for Berkshire Gas, Mark Volk present for Foresight Land Services. They explained to the Commissioners a few changes in the plan. First, they added bentonite barriers in the trench around the pipe in the area near the wetland, to retain the groundwater at the site. They will be placed every 75 feet in the wetland area trench. Second, they have the “no adverse impact” letter from NHESP. They will notify the Commission 5 days before they begin work. They will use swamp mats at the drill site, and pull the pipe across the river from the Hatfield side to the Hadley side. Paulette made the motion to close the hearing and issue the Order of Conditions with conditions listed in the plans for work conditions and mitigation. Ed seconded, and all voted in favor. Mail the original to Paul Scarpa.

2. 7:30 PM Notice of Intent #170-221, filed by C. Johnson for construction modifications and addition to house in Riverfront Area of the Connecticut River and 100-year floodplain at *123 Hockanum Road*. Martha Hoppin, Trustee of the Hockanum House Realty Trust present for the applicant, and Chuck Dauchy present as consultant to applicant. Chuck explained their plans to remove an existing barn and concrete foundation, and replace it with an expanded addition with flow-through valves for flood storage. They are considering this “redevelopment” under the state wetland regulations. There will be a very small increase (100 sq ft) in “degraded area” with this plan. For compensatory storage they are removing the barn. There will be an overall increase in flood storage, with a net loss of about 8.6 cubic feet at the highest elevation, but providing much more at lower elevations nearby (a net gain of 453 cu ft). The 100-year floodplain elevation is 123’ in this area. They consider this an “improvement” for the Riverfront Area and floodplain. They will have a sediment barrier along the upper slope. NHESP has issued a “no adverse impact” letter, and DEP had no comments. Paul stated he was not sure if he should vote, since his company was approached to do the construction work (but did not get it). He wanted it on the public record. Paulette stated she did not think that amounted to a conflict of interest, and besides they needed his vote for a quorum, so it would be a “rule of necessity” situation. Paulette made a motion to close the hearing and issue an Order of Conditions, with

the condition that if the house is built differently than the approved plan, the Commission must get a stamped "as-built" plan. Jim seconded, and all voted in favor.

3. 7:50 PM Notice of Intent #170-219 continued. Filed by N. Leighton for construction of an expanded deck and living room bump out to existing single family house in Riverfront Area and floodplain at *105 Honey Pot Road*. Natalie presented a new large-sized plan, showing all the deck and posts back out of the local bylaw's 35-foot no-disturb zone. Paulette asked if the cantilevered part of the deck was also now out of the 35' buffer. Natalie stated that the compensatory storage would be taken from under the deck, which will be 8'4" high. Discussion continued about cantilevered deck not extending into the 35-foot buffer. Concern about this becoming eventually an enclosed part of the house. Commission does not want to set a precedent of allowing extension into the 35' buffer. Commission decided there should be an on-going condition that the deck be maintained as a deck and not enclosed beyond the 35' buffer line. Any permanent structure has to stop at the 35' no-disturb buffer line. Paulette made a motion to close the hearing and issue an Order of Conditions, as approved with exceptions that all structures cannot extend beyond the 35' no-disturb buffer zone line from the top of bank as shown on the plan. Ed seconded, and all voted in favor.

4. 7:35 PM Request for Determination filed by Bell Atlantic (dba Verizon Wireless), for construction of an 80-foot tall tower and associated compound at *319 River Drive* (Montgomery Rose). Dean Gustafson present to represent Verizon. He explained this was needed to increase coverage for wireless communication. There are three smokestacks now (tallest 60'). Verizon will construct similar but taller (80') and wider tower near them. Paulette asked if they had gotten a sign-off from the landing strip off Knightly Lane. Dean said Verizon is handling that part of the process. They will also be constructing a 40' x 45' fenced in compound on the south side. The pond is off a distance on the APR land to the east. At the site visit last week, Janice and Paul looked at the drainage ditches that are close to the work area. The only one that is a resource area under the Wetlands Bylaw is the one that flows to the south in the SW corner, and has a culverted driveway crossing over it. The banks have been flagged, but needed to be adjusted slightly near the culvert. The Commission reminded Dean that any changes to the plan being viewed tonight within 100' of wetland needs to come back to the Commission for approval. The plan has not gone before the Planning Board yet. Jim made a motion to issue a Negative Determination #3, with any changes to plan within 100' of wetland needing prior approval of the Commission. Ed seconded, and all voted in favor.

5. 8:25 PM Other Business. Right of First Refusal (ROFR) for property off *Moody Bridge Rd.* This is the Niedbala property, which the US Fish & Wildlife Service just purchased for part of the Conte Refuge. It is in Chapter 61A, but the ROFR had to be voted by the town before the closing, so the Selectboard has already voted not to exercise their right on this property. Janice thought the Commission should still vote on this to be legal and on the record. It is now protected as part of the Refuge. Paulette made a motion to pass on the Commission's ROFR. Ed seconded, and all voted in favor. Hartsbrook School, *193 Bay Road*, Request for change of plans in location of detention basin outlet structure at new facility under construction. Terry Reynolds, engineer for this project, explained the reason for the shift (closer to the wetland below) is that the Planning Board required them to move the discharge point further from Bay Road. They rotated the outlet so it is about 14' closer to the 35' no-disturb buffer zone (now up to the line). Commissioners asked if the discharge could be sufficient to scour the wetland down slope. Terry

said that there would be a riprap apron that will dissipate the flow. The estimated flow does not exceed 2 ft per second. He explained that 0.1 cfs at the 2-year event would be equal to 0.07 gallons per second (3 qts). In the 100-year storm it would discharge 0.16 cfs (6.5 qts). It will also have a stilling pad in the rip rap apron. Terry submitted a revised stamped and signed plan dated 6/18/13. Paulette made the motion to accept the revisions as shown on the 6/18/13 plan. Ed seconded, all voted in favor. Paulette mentioned that she had seen a realtor's For Sale sign on what looked like the Klimoski APR farm on *River Drive*. Is this for sale? No word. Janice mentioned that the CPA committee would be meeting in September to review projects for Fall Town Meeting. There will be several APRs coming up in the next year, how shall the Commission plan on funding them? What should be requested at this Town Meeting? S&J Trust APR on the *Rt 47* Sunderland border was purchased using the recently renewed (through Franklin County Council of Governments) *Rt 47 Scenic Byway* land protection grant money, so the \$73,000 set aside from CPA and Woodchuck can be returned to their funds. Janice will work on a list of APR projects, costs, and possible funding for next meeting. Question about who maintains "Forever Farmland" signs. Not sure, Janice will check with Kestrel Land Trust.

6. 9:00 PM ADJOURNMENT. Paulette made the motion to adjourn. Ed seconded, all voted in favor.

Respectfully submitted by

Janice Stone

Materials used in review and deliberation of agenda items will be found in corresponding project folder in Conservation Commission office.