

Holyoke Conservation Commission Minutes 10/8/2020 (Remote via Zoom)

Conservation Commission Members Present: Michael Dodge (Chairperson), Jeffery Horan (Vice Chairperson), Mary Moriarty, Bernice Bowler, Rosemary Arnold, Price Armstrong

Conservation Commission Members Absent: None

Staff Present: Yoni Glogower (Holyoke Conservation Director)

Members of the public present: Robert Levesque (R. Levesque and Associates), David Pickart (Ecological Resource Associates), Matt Donohue (Resident and Project Applicant, Item 3), Stephen Rosenbush (Resident)

1. Call to Order

Chairperson Michael Dodge called the public meeting to order at 6:15 PM. He explained protocols for remote open meetings.

2. Continued Public Hearing – Abbreviated Notice of Resource Area Delineation (DEP 186-0284)

Applicant: JSH Nominee Trust

Representative: R Levesque Associates, Inc.

Location: Northampton Street (MBP 223-00-001, 223-00-005, & 223-00-008)

Rob Levesque represented the project on behalf of the Applicant. He restated his understanding that the Commission would likely request a peer review and move this item to the next meeting, but that he would be available to answer any questions in the meantime.

Chairperson Dodge called on Director Glogower to give a brief summary of the history of this item. He told the Public that on the 9/24 public meeting, the Commission voted to request a third party review at the Applicant's expense, as permitted by the provisions of 310 CMR. Acting on the Commission's behalf, he solicited bids and received proposals from the following three firms: SWCA, GZA Geoenvironmental, and Lucas Environmental. He reached out to R. Levesque to ensure that against any potential conflicts of interest with R. Levesque and Associates. Rob Levesque shared that though there are no conflicts, he wanted to disclose that his firm and SWCA were currently working together on a separate project at the Mt. Tom Quarry.

The Commission discussed the merits of the three different proposals, considering application completeness, overall experience, price, and proximity to Holyoke. The Commission voted unanimously to select GZA Geoenvironmental to conduct the peer-review.

The Chair instructed Director Glogower to follow up with the consultant to arrange for their services and communicate with R. Levesque and the Commission on the wetland survey results, such that the work would be completed in time to discuss at the 11/12 public meeting. It was agreed that Director Glogower would be cc'd on any correspondence to ensure that the peer reviewer is able to complete their work unencumbered.

The Commission voted unanimously to continue this item to the 11/12 public meeting.

3. Public Hearing (continued) – Abbreviated Notice of Resource Area Delineation (WE 186-0285)

Applicant: Mt. Tom Companies, Inc.

Representative: R Levesque Associates, Inc.

Location: Mt. Tom Ski Road (MBP 217-00-005 & 217-00-006)

Chairperson Dodge invited the representative, Rob Levesque, to update everyone on the status of this item. He said they had completed two site visits earlier that week: two site visits earlier that week, the first to look at wetland resource areas with the Commission, U.S. Fish & Wildlife, DCR, and DEP, and a second with regulatory stakeholders to talk about the future proposed filling project. From the wetlands review, The main area of contention was the inundated area within the quarry itself, which could qualify as a wetland under the Holyoke Wetlands Protection Ordinance, and consideration of soil conditions. Rob Levesque further stated that they planned to collect vegetation plot data, and provide ILSF statistics to determine whether that wetland designation could be ruled out. Per DCR's request, there was also a note to look over placement of wetland flags that mark the mean annual high water line along the abutting section of Serendipity Stream.

Director Glogower suggested another site visit to verify placement of wetland flags. Also requested the analysis mentioned in the ANRAD that identifies presence of at least two amphibian species, and noted that the HWPO also considers Isolated Wetlands as a separate category, with a looser definition than ILSF in the Massachusetts Wetlands Protection Regulations.

Vice-Chair Horan also requested clarification on the status of the stream on the eastern side of the quarry face, that was listed as intermittent in the ANRAD but which was observed to be flowing during the site visit. Rob Levesque answered that it would likely still not meet the threshold of a perennial stream, but said he would seek additional information to clarify their finding.

Seeking next steps forward, Director Glogower suggested that the representatives collect the additional data requested of them, and that the Commission schedule another site visit to re-examine some of the wetland resource areas in contention. David Pickart recommended reviewing the 2010 wetland delineation that had been conducted in the area for insights into the status of the eastern stream, and to compare findings with a closer look at the regulations on Riverfront Area.

Commissioner Bowler suggested that a copy of the 2010 delineation be sent to R. Levesque for their use in comparing historical wetland delineation limits, especially on the Boys and Girls Club parcel that adjoins the Quarry. She requested that for the next meeting a quick overlay be created to show the delineations side by side. Commission members also requested that the seasonal wetland in the quarry be flagged or staked should it be determined to meet that designation.

Commissioner Moriarty raised questions about how the quarry would be used, how trucks would be accessing the site, and how the Boys and Girls Club parcel would be used. Rob Levesque explained the general plan of access, fill the quarry with material, restored, and that both parcels would be permanently protected. Matt Donohue, the project applicant, gave background on the origin of soils that would be used, and recommended that Director Glogower, who was present at both site visits, be able to share information on what was discussed at the stakeholders site

visit. Matt Donohue's internet connection cut out, but Robert Levesque agreed to share the pre-permitting site plans via email to share with Commission members.

Commissioner Moriarty asked about the involvement of the Natural Heritage and Endangered Species Program. Robert Levesque explained that his firm had been working closely with NHESP and SWCA to conduct the work properly and ensure that all requirements be met, including discussions open the length of the project.

Chairperson Dodge reminded the Commission and members of the public that the purpose of this public meeting is to review the wetland delineations, not to consider the project proposal which would be part of a separate future NOI submission.

Chairperson Dodge opened the meeting to comments from the public. Jennifer Howard of DCR shared concerns made by Nancy Putnam at the site visit regarding placement of bank flags, and that she would be willing to join any future site visits to look at the site again.

With no further comments, The Commission and Rob Levesque discussed the next steps for the application: Gathering requested data and another site visit to look at questionable wetland resource area boundaries.

The Commission voted unanimously to continue this item to the 10/22/20 meeting.

4. Discussion – Community Preservation Act Committee Delegate from Conservation Commission

The Commission discussed the replacement for Commissioner Arnold as the representative on the Holyoke CPA Committee with the upcoming ending of her 3 year term, which she had taken over from Commissioner Ryan after her departure. Members discussed responsibilities and obligations incumbent upon the CAP Committee members, and that it would be ideal to have a new member who could listen in on meetings to get a sense of the committee before officially joining.

Commissioner Moriarty volunteered to sit in on upcoming CPA Committee meetings with the intention of eventually joining at the close of Commissioner Arnold's term.

5. Mail/other items not reasonably anticipated by the Chair

Director Glogower shared information about the upcoming Massachusetts Association of Conservation Commissions online conference, and that members should contact him if interested in attending any of the educational offerings.

Director Glogower shared an update on the application status of Dr. John Perdrizet to the Commission.

Commissioner Armstrong shared his concern about an attendee at the previous meeting who joined via video while operating a motor vehicle, which was distracting and potentially a violation of the open meeting rules of decorum. The Commission discussed their latitude and responsibility to address these concerns. Chairperson Dodge directed Director Glogower to reach out to the attendee about the concern, and to talk with the City Attorney to learn more about the rules of problematic conduct at remote public meetings. The Commission further agreed that a note

should be added to future agendas to remind members of the public about meeting guidelines related to decorum and conduct.

Resident Stephen Rosenbush related concerns about pesticide use and sewer drainage issues on adjacent parcels having a negative impact on the wetland system on his Northampton Street property. Director Glogower arranged to meet with him in the coming week to look at the site.

6. Adjourn

The Commission voted unanimously to adjourn at 8:17 PM

These minutes were prepared by Conservation Director Yoni Glogower on behalf of the Holyoke Conservation Commission.