

Holyoke Conservation Commission Meeting Minutes 3/10/2022 (Remote via Zoom)

Conservation Commission Members Present: Bernice Bowler (Chairperson), Jeffrey Horan (Vice Chairperson), Mary Moriarty, John Perdrizet, Chelsea Gazillo

Conservation Commission Members Absent: Rosemary Arnold, Michael Dodge

Staff Present: Yoni Glogower (Holyoke Conservation and Sustainability Director), Alexandria Maysonet (License Clerk)

Members of the Public Present: Melissa Coady (Tighe & Bond), Steve Sroka (Tighe & Bond)

1. Call to Order

Chairperson Bowler called the public meeting to order at 6:17 p.m. She went over the protocols of remote meetings and asked visitors to sign in on the attendance sheet.

2. Public Hearing - Item No. 1 - Notice of Intent (DEP 186-0293)

Applicant: Holyoke Water Works

Representative: Tighe & Bond

Location: Whiting Street Reservoir

Description: Dam improvements within bordering land subject to flooding, land under water bodies, and inland banks

Melissa Coady (on behalf of Holyoke Water Works) and Steve Sroka (project manager and engineer) from Tighe & Bond were present. Ms. Coady shared her screen to give a presentation on the Whiting Street Reservoir. She explained that it is a Holyoke Water Works property and is an emergency surface water intake supply that is technically part of the drinking water system. She showed the Commission the dam, spillway, and gatehouse in the distance, stating that this area was the primary focus of the project. She gave historical details about the property. The dam that impounds the reservoir was constructed in the late 1800s and actively served as part of the drinking water supply system until the late 1990s. The city no longer actively relies on the reservoir, but it is there in case of an emergency. It is situated between Mount Tom and the former Mountain Park area.

Steve Sroka explained that the Whiting Street Reservoir Dam is considered a large-size structure and a high-hazard-potential dam due to critical infrastructure downstream. Route 91 is not very far downstream of this structure, as well as Route 5 and several residences. Currently, the existing spillway cannot meet the spillway design flood that is required in the Office of Dam Safety regulations. The spillway design flood is the one-half probable maximum flood, which is about 15.5 inches of rain in a 24-hour period. Beyond that, the whole dam embankment would overtop, which would cause erosion of the embankment and potential failure. This puts extra stress upon the Holyoke Water Works to manage the water level properly. Mr. Sroka gave an overview of the project, which consisted of replacing the current spillway with one with sufficient hydraulic capacity. The current spillway is only 33.5 feet long, and the proposed spillway is 110 feet long. There are no proposed changes for the pool elevation. There are three existing concrete box culverts that go underneath the access road downstream from the spillway. The plan is to replace them with significantly higher culverts.

Ms. Coady reminded the Commission that, in spring of 2021, they submitted an Environment Notification Form under the Massachusetts Environmental Policy Act. The Secretary's Certificate was issued on May 7, 2021. There are many permits and certifications required for such a project, including the Order of Conditions, Stormwater Permit, 401 Water Quality Certificate from the Massachusetts Department of Environmental

Protection, Natural Heritage's review under the local Wetlands Protection Act and MESA, and the Corps of Engineers review. So far, they have received permits or determinations from Massachusetts Historical Commission and Board of Underwater Archaeological Resources, as well as the Office of Dam Safety's Chapter 253 Permit. Ms. Coady stated that everything has been submitted, but some of these authorizations take a while to receive.

Mr. Sroka described the proposed points of access for the project, with construction vehicles having their own access to minimize traffic disturbance. He explained that there would be vegetation removal required just downstream of the spillway in order to construct the new culverts. There would also be demolition of the existing concrete spillway and portions of the embankment.

Ms. Coady stated that one of the key elements of the project was that there would be a temporary, 4-foot construction period drawdown of the impoundment. The discharge would be managed through two existing low-level outlets. The goal is to begin drawdown around mid-April, hit the target depth of the 4-foot drawdown by early May so that the contractor can install a temporary copper dam around the spillway itself, and then to complete the refill by early October or soon thereafter. She stated that the dam embankment would be loamed and seeded in accordance with the Office of Dam Safety policy, which prohibits woody vegetation on or within 20 feet of earthen embankment dams. They will also install native shrubs consistent with the shrubs currently on the property.

There are few alternatives to the proposed project given the nature of the Office of Dam Safety requirements. Dam removal would be a barrier to habitat continuity, an issue which was discussed with Natural Heritage. Further, completion of the project would allow the city to continue to use the reservoir as an emergency surface water intake as part of the drinking water system.

There would be direct and indirect impacts on wetland resource areas, such as banks, underwater land, bordering land subject to flooding, and riverfront area. Ms. Coady reminded the Commission that the 4-foot drawdown impact would be temporary. There would also be about 5,600 square feet impacted by the construction of the culverts, mostly within the impoundment itself. Further, there would be 180 linear feet of bank impacted for the spillway replacement. Natural Heritage expressed concern about certain rare botanical species, so Tighe & Bond and Holyoke Water Works worked with Oxbow Associates to conduct a preliminary botanical survey per Natural Heritage. The survey confirmed that none of these species, or any other state-listed plant species, fall within the footprint of direct impacts. She displayed a completed bathymetric survey to the Commission.

Ms. Coady went over the demolition plan. She pointed out a nearby population of plants, documented by Oxbow Associates, which will be excluded from the work. Mr. Sroka added that, not only is the existing spillway undersized, but it is in very poor condition. There is deterioration of the concrete on the spillway that is not restorable. He explained why there are two culverts on one end of the spillway and one at the other end. Ms. Coady provided further information about the wetland boundary and the existing access road.

Chairperson Bowler opened up the floor for questions. Vice Chair Horan asked if the perennial stream below the spillway would need to be armored at all. Ms. Coady and Mr. Sroka explained that there would be less water passing through the area once the new culverts are installed than there is currently. Vice Chair Horan then asked about whether there would be armoring in the stream below the larger spillway at the two 8-foot culverts. Ms. Coady shared her screen to show the existing bank line, explaining that armoring would be placed within the existing perennial stream channel. Vice Chair Horan inquired about the elevation difference between the highest and lowest steps at the outfall of the larger culverts. Mr. Sroka stated that it would be approximately five or so feet. Vice Chair Horan asked if the 9.5-acre, 400,00-square-foot area mentioned was the whole area that would be impacted. Ms. Coady stated that the 9.5-acre figure includes the temporarily exposed land under water due to the drawdown.

Commissioner Perdrizet asked why the size of the culvert needed to be increased so dramatically, and Mr. Sroka explained that the culverts must be sized for a large storm event, as that roadway would be washed out otherwise. Commissioner Perdrizet then asked about the dimensions of the culvert to the south. Ms. Coady explained that it would be 3' by 3'. Mr. Sroka stated that only about 20 feet of the spillway would normally go through that culvert. Commissioner Perdrizet asked for clarification on what is between the southern culvert and the two northern culverts. Mr. Sroka explained that it is an earthen channel, and Ms. Coady elaborated by saying that there is some armoring material in that area that will not be disturbed. Commissioner Perdrizet requested to see the picture of the drawdown and the land under water that would be affected. He wondered what kind of an effect the drawdown would have on nesting species. Ms. Coady displayed the picture but stated they could not be sure of the effect on nesting species.

Chairperson Bowler asked if there were any more questions, and Commissioner Moriarty requested that this comment be added to the plans: "The contractor will communicate with the Conservation Director previous to the start of any work." Mr. Sroka assented, and Ms. Coady stated that the contractors would have copies of all the permits as well. Commissioner Moriarty then asked for an approximate length of time needed to complete the project. Ms. Coady answered that the goal is to construct within one construction season and have it refilled before winter, beginning in early 2023. Commissioner Moriarty then inquired about the two maple trees that were going to be chopped down. Mr. Sroka explained that they are within 20 feet of the toe of the proposed embankment and, according to the Office of Dam Safety, would need to be removed. Commissioner Moriarty asked whether the dinosaur tracks along the embankment would be removed, and Ms. Coady stated that she had to look into that. Mr. Sroka added that the Holyoke Water Works planned to retain all stones removed from the dam, but they had not decided on a spot for them yet. Chairperson Bowler requested that Tighe & Bond notify the Commission when they have more information.

Chairperson Bowler asked for clarification on the staging areas, and Ms. Coady shared her screen and pointed them out. Chairperson Bowler then suggested that they explain the concept of "limited projects," as it was brought up in relation to this project at a prior meeting. Ms. Coady explained that it would be within the Commission's discretion to grant projects that do not meet 100% of the performance standards limited project status in order to approve them. Chairperson Bowler asked if the plans had been submitted to the city engineer, and Ms. Coady affirmed that the city engineer and the Stormwater Authority reviewed the Stormwater Permit and granted it. Chairperson Bowler asked what would happen to the construction timeline if approvals were not received by mid-April 2023 or if, by October 2023, construction was not complete. Mr. Sroka answered that, if they could not begin by mid-April, that would jeopardize their plan to finish the project by winter. Chairperson Bowler suggested conditioning a project start date.

Director Glogower asked Ms. Coady to discuss any potential downstream effects in the unnamed perennial stream. Ms. Coady stated that the goal is to use the roughness to protect the channel and slow down the water flow. Mr. Sroka added that the water should channelize more towards the center of the channel and go in the direction of the existing water course. Director Glogower stated that the Commission will have to issue an Order of Conditions until Natural Heritage gives a determination and confirms that they have received the 401 Water Quality Certification Application.

Vice Chair Horan expressed concern about the potential effects of the project on native species, and Ms. Coady indicated that the project would not be required to get a Conservation and Management Permit. Vice Chair Horan asked about the approximate length of the apron, and Ms. Coady answered that it is about 40 feet. Vice Chair Horan then asked if there was any design consideration for the possibility of a treatment facility in the future, and Ms. Coady and Mr. Sroka said there was not.

Chairperson Bowler suggested setting up a site visit before the next meeting, and Commissioners settled on March 22 at 9:00 a.m.

3. Roll Call Vote - To Continue Public Hearing to 3/24/2022

Vice Chair Horan made a motion to continue the public hearing to the March 24 meeting, and Commissioner Moriarty seconded the motion. Mr. Sroka pointed out that Natural Heritage's deadline to comment was March 31 and wondered if they needed that response by the time of the next meeting. Ms. Coady stated that Tighe & Bond could request a continuation prior to that date if necessary. Commissioners agreed then voted unanimously to continue the public hearing to the next meeting.

4. Item No. 1 - Approve Minutes from 12/2/2022 and 12/16/2022 as Amended

Chairperson Bowler discussed the minutes received from InfraWare, making note of two errors: a typo ("that that") and a missing commencing time. Commissioner Moriarty made a motion to approve the minutes, and Vice Chair Horan seconded the motion. Commissioners then voted unanimously to approve the minutes.

5. Upcoming Items for 3/24/2022 Meeting

The Commission received three Requests for Determination of Applicability for municipal projects. Director Glogower explained that the RDAs were sent in time for the last meeting, but the matter was continued to March 24 since the city engineer was going on vacation. Chairperson Bowler asked Director Glogower if any of the RDAs required a site visit, or if there were any other urgent matters. Director Glogower stated that he already visited every site and was provided site images by the city engineer. It was agreed that they would make a determination at the next meeting.

Commissioner Moriarty suggested that one of the RDAs may require more urgency, as it appeared to be a fallen tree either on a house or on Dwight Street. She asked Director Glogower if that would be considered more of an emergency. Director Glogower asked if she was referring to the Fairmont Avenue (sic) RDA, and Commissioner Moriarty responded that she believed the owner's last name was Higgins. Director Glogower stated the tree had been there for approximately a year, according to the DPW Superintendent, and that he recommended the superintendent to file an RDA.

6. Mail/Other Items Not Reasonably Anticipated by the Chair

Director Glogower shared his screen to display a communication received from Matt Bernard of 35 Keyes Road. The Commission had authorized close to 10% of tree-cutting along the 200-foot riverfront line at a single-family home on Keyes Road. The property owner also applied for a shared-use driveway with the existing house at 35 Keyes Road, which would cross the gas line right-of-way. As they were interested in starting construction soon, Director Glogower asked Commissioners whether they wanted to file an amended Order of Conditions. He also pointed out that the wetland resource area would not be affected in any way. Commissioner Perdrizet stated that most Commissioners preferred this alternative because the proposed driveway is farther away from the wetland, but it originally did not seem feasible as it crossed a gas line.

7. Roll Call Vote - Motion to Approve Field Change

Vice Chair Horan made a motion to instruct Director Glogower to approve the field change, and Commissioner Moriarty seconded the motion. The Commission voted unanimously in the affirmative.

8. Pre-Construction Conference Date

It was decided that the Pre-Construction Conference would be held on March 24 at 9:00 a.m. and that Chairperson Bowler would be in attendance.

9. Budget Talks with Mayor

Chairperson Bowler informed the Commission that she and Director Glogower met with the Mayor and his assistant earlier that day to discuss the budget. The mayor went through each line item and asked how the money was being used. One of the items discussed was the \$2,500 budgeted for the TreeKeeper software. Because there was an extra \$2,500 available, the mayor suggested that Director Glogower put in a request for the funds within the next week. Then, the mayor could approve the request, and that money would not have to come out of the Commission's budget. The mayor questioned the \$3,500 allocated to the Connecticut River channel markers. As four towns pay annual dues for these channel markers, he wanted Director Glogower to find out whether the other three towns were current with their payments.

As for the minutes, Alex stated she would try to work on the two short meetings from January and February. However, with longer meetings such as this one, Chairperson Bowler believed it would be beneficial to have InfraWare complete the minutes.

Commissioner Perdrizet asked if the possibility of obtaining a longer-term subscription to TreeKeeper was broached at the meeting. Director Glogower responded that, if something did not get funded this year, the mayor would consider it for the next fiscal year; and, as they were able to obtain the \$2,500 needed for a one-year subscription without dipping into their own funds, that would be satisfactory for now.

Commissioner Moriarty inquired about the issue of the Park Grant, and Director Glogower stated that Maureen from the Parks Department might have a Veterans Tax Work Off Program. He also stated that the final reimbursement is contingent upon the required updates to the Open Space and Recreation Plans. However, if the Commission does not expend the funds until the next fiscal year, they would have that entire fiscal year to complete the updates, request the reimbursement, and get it awarded. Vice Chair Horan asked if there were other grants pending, and Director Glogower stated that the only two were the Park Grant and the Land and Water Conservation Fund Grant. They are still working on the Google Forms for the ADA Park Accessibility Survey.

10. Adjourn

The Commission voted unanimously to adjourn at 7:47 p.m.