

Holyoke Conservation Commission Meeting Minutes 3/24/2022 (Remote via Zoom)

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

Conservation Commission Members Absent: None

Staff Present: Yoni Glogower (Holyoke Conservation and Sustainability Director)

Members of the Public Present: Bob Peirent (City Engineer)

1. Call to Order

Chairperson Bowler called the public meeting to order. She went over the protocols of remote meetings and asked the visitor 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

Director Glogower received an email from Tighe & Bond notifying the Commission that they had not yet received comments from Natural Heritage. As the public hearing cannot be closed without that correspondence, Tighe & Bond requested that the Notice of Intent be continued to the next meeting on April 14. Commissioners Dodge and Arnold informed the Commission that Director Glogower sent them the information to review as they was not present at the last meeting.

3. Roll Call Vote - To Continue the Public Hearing to 4/14/2022

Vice Chair Horan moved to continue the public hearing on DEP 186-0293 to the next meeting, and Commissioner Perdrizet seconded the motion. The Commission voted unanimously to approve the motion.

4. Item No. 2 - RDA No. 1

Applicant: City of Holyoke (Bob Peirent, City Engineer)

Location: Swail between Fairmont Street and Mowry Avenue

Description: Drain damage repair and replacement

Chairperson Bowler first explained the difference between an RDA (Request for Determination of Applicability) and an NOI (Notice of Intent). An RDA does not require a public hearing or an Order of Conditions and is usually done for minor projects on developed lots. It lasts for a three-year period and is not ongoing. So, if a project needs ongoing conditions, an NOI with an Order of Conditions would be required.

Chairperson Bowler then turned the floor over to Bob Peirent, who requested that Director Glogower share the submittal on his screen. Mr. Peirent explained that there are two pipes that come down to the swail location, and the pipeline is on the property labeled Lot No. 30. There are two adjoining properties, one on Mowry Avenue and one on Sky View Terrace. There is an easement that runs from Sky View down into the subject property. During a storm, the large willow tree located adjacent to the pipeline along the Fairmont Street property line partially toppled. As a result, the Nicholls Drive property owner did some tree-cutting, as the tree had partially fallen onto the adjoining property on Mowry. Mr. Peirent explained that, as the willow tree toppled, it picked up the last section of drainpipe, uprooting it and leaving it inactive. The drain now outlets at the end of the rootball of the willow tree, and water has continued to flow from that broken pipe. Mr. Peirent stated that it does not seem worthwhile to try to remove the willow stump; rather, they would cut the remainder of the tree back to the top of the stump. This would prevent further damage and prohibit more invasive species from entering the swail area. They would also stabilize the outlet of the broken pipe with riprap to avoid potential erosion or blockages. Mr. Peirent pointed out the access point to the Commission.

Chairperson Bowler asked the Commissioners if they had any questions. Commissioner Moriarty opined that Mr. Peirent's description of the project sounded different than what was laid out in RDA Section C2: "The project involves removing the existing tree stump and roots that are surrounding the pipe, replacing the broken pipe, and restoring the outlet, and stabilizing the surrounding area, and restoring it to original condition." Mr. Peirent apologized and agreed with Commissioner Moriarty, stating that he wrote the description before visiting the site. He later came up with a more straightforward approach that would achieve the desired result. Commissioner Moriarty then asked what kind of vehicle could be used to gain entry, as the access point appeared steep in the picture. Mr. Peirent explained that it is more steep on the opposite side of the property, and that they would likely use a track-mounted piece of equipment, like an excavator.

Vice Chair Horan inquired about the classification of the area, whether it is a wetland or a stream. Director Glogower stated that, when he visited the prior summer, there seemed to be some intermittent water at the bottom, but it was part of an associated bordering vegetated wetland that was not completely inundated. Commissioner Moriarty explained that the watery area is located at the bottom of the same hill as the Soldiers' Home, and that she believed it to be a stream. She added that, when the Department of Transportation made changes to the 91 entrances, extra work was performed to protect the area where the waterway comes out, as it is inundated with invasives. Vice Chair Horan then asked Director Glogower if this could be considered a limited project, and he replied in the negative. Director Glogower added that he sent a citation to the Commissioners earlier in the day for them to review. Commissioner Moriarty then asked under which category the project would fall. Director Glogower stated that, since 2012, stormwater systems have been included in these activities.

Chairperson Bowler asked whether any trees or shrubs would need to be cleared in order to work on the tree stump, and Mr. Peirent stated that only a couple of small ornamental trees may have to be moved. Commissioner Moriarty questioned whether the property is city-owned or privately-owned. Mr. Peirent explained that the city has an easement to maintain the area, as there is a second drain perpendicular to this drain that takes water from the Mowry area and discharges into the same channel.

Director Glogower stated that the Commission could consider issuing a negative determination for the work. He has already spoken with the Chairperson and reviewed the local Wetlands Protection Ordinance, but the Commission would need to consider what to do with the 50-foot no-build zone for this type of work. For instance, if they consider it to be exempt, how does that relate to the local regulations, which do not have the same exemptions as the Wetlands Protection Act in terms of performance standards for buffer zones. Vice Chair Horan asked whether the Commission could provide a variance in the case of an RDA. Director Glogower responded that there was nothing in the Ordinance stating that it needed to be an NOI filing. Chairperson Bowler pointed out that, with a variance, there would be more conditions to be met before they could approve the project.

Chairperson Bowler asked the Commission whether they would be comfortable approving the project as an RDA if they had the necessary information to approve a variance, and Commissioners agreed that they would. Mr. Peirent informed the Commission that Director Glogower sent him the variance criteria earlier that day. Chairperson Bowler requested that he provide the documentation to Director Glogower a couple of days before the next meeting on April 14, and he confirmed that he would.

5. Roll Call Vote - To Continue RDA No. 1 to 4/14/2022

Vice Chair Horan moved to continue the first RDA to the next meeting, and Commissioner Dodge seconded the motion. The Commission voted unanimously to approve the motion.

6. Item No. 3 - RDA No. 2

Applicant: City of Holyoke (Bob Peirent, City Engineer)

Location: 640 Homestead Avenue

Description: Emergency generator installation of a paved area within the buffer zone of an unnamed intermittent stream

Mr. Peirent explained that Fire Station No. 6 used to have an emergency generator, but it failed and was removed a long time ago. It is not possible to install a natural gas fire generator at this location, so it would have to be a diesel-fueled generator. It would be a small piece of equipment, 2.5' to 3' wide by 6' to 8' long, installed where the storage shed adjoins the rear corner of the fire station. To install power lines, a little bit of excavation work would occur between the generator and the building, but no work would be performed on the intermittent stream side. As fuel releases would be a concern, a double-wall tank with a leak detection system would be installed, as well as a spill containment unit around the fill location of the generator. Also, sediment erosion control would be put in along the top of the slope at the edge of the paved area to protect the intermittent stream.

Chairperson Bowler opened up the floor to questions. Commissioner Perdrizet asked if the conduits would be located underground or aboveground, and Mr. Peirent confirmed that they would be underground. Vice Chair Horan inquired about the distance from the site of the generator to the stream, and Mr. Peirent responded that it is probably less than 50 feet. Vice Chair Horan expressed concern that work would fall within the 50-foot buffer, and Chairperson Bowler suggested that a site visit may be helpful in determining that. Commissioner Moriarty asked if there would be a roof to cover the generator, and Mr. Peirent said that it would be fully enclosed by steel panels. Commissioner Moriarty expressed concern about the possibility of fuel leaks through the secondary containment, and Mr. Peirent agreed to look into options to mitigate that problem. Director Glogower shared a picture of the parking lot to show where the generator would be in relation to any vehicles and the buffer zone.

Vice Chair Horan asked what could be done at this meeting. Chairperson Bowler stated that they would need measurements and possibly a variance. Vice Chair Horan suggested that they would need an RDA as it is not a natural area. He wondered if the Commission would need to condition the project in some way. Chairperson Bowler stated they could put conditions down for a three-year period, then asked Mr. Peirent if it would need any ongoing maintenance. Mr. Peirent stated that it would require regular service like any type of combustion engineering. Commissioner Moriarty stated that they should condition that they stay within a certain boundary. She then asked how frequently fuel would be added, and Mr. Peirent answered that the generator would not be refueled on a frequent basis and would only be run once a month for testing. Chairperson Perdrizet reiterated that Mr. Peirent should look into options for containment in case of a fuel spill.

Chairperson Bowler asked if the Commission should schedule a site visit or if documented measurements and Director Glogower's visit would suffice, and Vice Chair Horan stated that they could trust Director Glogower's judgment.

7. Roll Call Vote - To Continue RDA No. 2 to 4/14/2022

Commissioner Moriarty moved to continue the second RDA to the next meeting, and Commissioner Dodge seconded the motion. The Commission voted unanimously to approve the motion.

8. Item No. 4 - RDA No. 3

Applicant: City of Holyoke (Bob Peirent, City Engineer)

Location: Rail spur behind 49 Garfield Street

Description: New drain installation within the buffer zone of an existing pond

Mr. Peirent pointed out the relevant pond area for the Commission, which was originally a source of process water for manufacturing, dating back to at least the early 1900s. The ponds are situated at the base of a very steep slope and are believed to be fed by a combination of springs and wells. In 1954, the city redirected the pond outlet to a drain line, and a building was constructed over it. Mr. Peirent pointed out that the drain line also serves as a sewer line for the facility, which is tied into the city's combined sewer. Currently, the water drains from the pond area into the city's combined sewers, then gets redirected to the wastewater treatment plant and gets treated. This situation was rediscovered when there was an overflow event at the pumping station in Springdale Park, and the drain line was tracked back to this location. Mr. Peirent stated that the goal is to install 1,400 feet of new pipe and connect it to an existing outlet structure outside of the pond. He suggested that the Commission set up a site visit to this location. Mr. Peirent informed the Commission that they already have approval from Pioneer Valley Railroad to run the new drain parallel to the railroad tracks and construct the piping as pictured.

Chairperson Bowler asked if Commissioners had any questions. Vice Chair Horan inquired as to whether anyone had ever tested the pond water, as it would eventually be pumped into the Connecticut River. Mr. Peirent explained it had been a water supply facility for manufacturing, so it differs from a settling pond. Commissioner Moriarty requested more details about the history of its use. Chairperson Bowler asked if the proposed work at the Main Street end of the property would fall within 200 feet of the riverfront, and Mr. Peirent stated he believed it would occur well outside of that area. Director Glogower suggested that, if a variance were requested, for mitigation, the Commission should note that the project would provide a benefit to wetland resources. Commissioner Moriarty asked how many feet are between the manhole and the pond, and Mr. Peirent stated they would definitely be within 50 feet and would need a variance.

Chairperson Bowler asked if the project would come under one of the exceptions. Director Glogower explained that the project entailed replacing an existing sewer system and creating a new pathway, which does not explicitly meet the guidelines for exemptions. However, the Commission can still issue a negative determination if they decide the project is unlikely to have an impact on wetland resource areas, as with RDA No. 2. Commissioner Moriarty asked what the value would be of an abbreviated Notice of Intent, and Director Glogower stated that the form would be shorter but is intended for smaller projects. Chairperson Bowler stated she would like more information about how many square feet would be disturbed by the work, as well as how much of the work would occur between the 50-foot and 100-foot buffer zones. Vice Chair Horan brought up the possibility of splitting the project in two to reduce the number of abutters that would have to be contacted. Director Glogower reminded the Commission that they would have to issue a determination on the RDA before

opening a new abbreviated NOI. For clarification, Mr. Peirent asked if they could withdraw the RDA if they decided it was not the best path to follow, and Director Glogower stated that it could be withdrawn. When asked by Vice Chair Horan for clarification on the project, Mr. Peirent assured the Commission that the pond itself would not be touched in any way. Mr. Peirent then asked Director Glogower to display the profile of the pipeline on his screen.

Chairperson Bowler reiterated that the Commission would need to schedule a site visit before making any determinations on the project. They settled on 3:30 p.m. on March 28.

9. Roll Call Vote - To Continue RDA No. 3 to 4/14/2022

Vice Chair Horan moved to continue the third RDA to the next meeting, and Commissioner Dodge seconded the motion. The Commission voted unanimously to approve the motion.

10. Upcoming Items

Chairperson Bowler stated that, at the next meeting, the Commission will discuss the NOI for the Whiting Street Reservoir and the RDAs. Director Glogower also pointed out that, within the next month or so, they should receive a new NOI for Jones Ferry. Commissioner Moriarty asked about the former Maplecrest Apartments location, and Director Glogower stated that they should be receiving something from them.

11. Adjourn

The Commission voted unanimously to adjourn the meeting.