

Holyoke Conservation Commission Meeting Minutes 7/14/2022 (Remote via Zoom)

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

Conservation Commission Members Absent: None

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

Members of the Public Present: Bruce Hermans (Holyoke Revolver Club), Terry Reynolds (T Reynolds Engineering), Mickey Marcus (SWCA), Sarah Trujillo Rippere Thornbrugh (Connecticut River Conservancy), Melissa Coady (Tighe & Bond), David Askew (Eversource), Joe Fazio (DCAMM), Susan Blomquist (Payette), Chelsea Christenson (Nitsch Engineering), Dan Shaw (GZA GeoEnvironmental)

1. Call to Order

Chairperson Bowler called the public meeting to order at 6:15 p.m. She explained the protocols of remote meetings.

2. Public Hearing - Notice of Intent (DEP186-0294)

Applicant: Delorean Power
Representative: BL Companies

Location: 361 Whitney Avenue

Description: Construction of a battery energy storage

Delorean Power requested an extension to the next meeting on July 28. The Commission voted unanimously, with Commissioner Dodge not yet present, to approve the continuance.

3. RDA Filed 6/26/22

Applicant: Holyoke Revolver Club

Representative: Bruce Hermans, President

Location: 431 West Cherry Street

Description: Repair of an underdrain stormwater system and verification of the wetland boundaries

Bruce Hermans (Holyoke Revolver Club President) explained that there were concerns of potential restrictions to the proposed repair project due to wetlands located to the west and south of the Revolver Club property. He stated that Director Glogower and Commissioner Arnold performed site visits to see if the construction area fell within the protected wetlands area. He explained that the drain system is currently not working in that area, which could potentially cause washouts in the wooded area during rainstorms.

Chairperson Bowler pointed out that Commissioner Dodge joined the meeting.

Chairperson Bowler stated that the Commission must determine whether the project falls within the buffer zone. Director Glogower spoke about the site visit to aid in this decision. He shared the RDA and maps on his screen. He stated that there is upland vegetation on each side of the site but nothing below, suggesting that it was designed to drain overflow into the bordering wetland area. He added that the activities would not fall within Conservation

Commission jurisdiction. Chairperson Bowler stated that, if outside the Commission's jurisdiction, it would require a Negative 1 determination.

Roll Call Vote - RDA No. 1 - Negative 1

Director Glogower read the definition of Negative 1 out loud, and Vice Chair Horan moved to make a Negative 1 determination on RDA No. 1. The motion was seconded by Commissioner Dodge and was approved unanimously.

4. RDA Filed 6/29/22

Applicant: Massbiology Technology Inc.

Representative: T Reynolds Engineering

Location: 6 Appleton Street

Description: Warehouse building redevelopment within riverfront area

Terry Reynolds (owner of T Reynolds Engineering) shared his screen with the Commission. He pointed out the riverfront limits. He stated that no new pavement is proposed. He described the proposed work as being the installation of a fence along the rear of the property, a new 10-by-10 concrete pad in the existing paved area, the reconstruction and extension of a wall, the creation of a walkway leading to a new entrance, the rebuilding of a stairway, and two new mechanical pads. He stated there would be no new impacts or impervious areas.

Chairperson Bowler pointed out that Mr. Reynolds sent an email to Director Glogower detailing the specific work proposed for the 50-foot and 100-foot buffer zones. Chairperson Bowler informed the Commission that she, Director Glogower, and Commissioner Arnold conducted a site visit the previous Monday. She agreed with Mr. Reynolds that the site is currently degraded and that most of the proposed work falls between the 100-foot and 200-foot buffer zones. She stated that, during the site visit, she asked if any erosion control would be needed. It did not seem like there were any issues in that regard thanks to the railroad system, which provides a buffer to the property. Chairperson Bowler asked Commissioners if they had any questions or conditions to add. Commissioner Perdrizet asked what kind of fence would be installed, and Mr. Reynolds stated that it would be an 8-foot chain-link fence.

Roll Call Vote - RDA No. 2 - Negative 2

Commissioner Moriarty moved to describe RDA No. 2 as a Negative 2 determination, and Commissioners voted unanimously to approve the motion.

5. RDA Filed 6/29/22

Applicant: Sparkboro Corporation

Representative: T Reynolds Engineering

Location: 120 Middle Water Street

Description: Warehouse building redevelopment within riverfront area

Terry Reynolds shared the project plan with the Commission. He pointed out the riverfront areas. He described the proposed fencing, mechanical pad, generator pad, catch basin, and pipe reconstruction. He also explained that, because the drain system is underground, a manhole would be needed to rebuild the piping. Mr. Reynolds then added that, like the 6 Appleton site (RDA No. 2), no new paving or resurfacing would take place.

Chairperson Bowler asked for more detail on the manhole and re-piping area. Mr. Reynolds explained that the trenching would have to be approved by the railroad, as they own the parcel where the construction would take place.

The 6- to 8-foot trenching would allow for removal of the old storm line from the new manhole and the installation of a new plastic line.

Chairperson Bowler and Director Glogower mentioned the need for erosion control on this work site. Mr. Reynolds agreed that the erosion control would need to be extended down to the work area. Commissioner Moriarty then asked for clarification as to what would go on the two pads. Mr. Reynolds explained that one was a dumpster pad and the other was a CO2 tank.

Roll Call Vote - RDA No. 3 - Negative 2 and 3 with Condition for Erosion Control

Vice Chair Horan made a motion for a Negative 2 determination and a Negative 3 determination that would allow for erosion control around the piping. Commissioner Moriarty seconded the motion, and the Commission voted unanimously to approve it.

6. Public Hearing - Notice of Intent (WE 186-0296)

Applicant: Holyoke Rows

Representative: SWCA Environmental Consultants

Location: 8 Oscar Street

Description: Improvement of existing boat ramp, dock addition, other site improvements within riverfront area, banks, land under water bodies and waterways, and bordering land subject to flooding

Sarah Trujillo Rippere Thornbrugh (Connecticut River Conservancy) introduced herself and stated that Connecticut River Conservancy partnered with Holyoke Rows and the City of Holyoke to expend an ARPA award due to tripled usage since the start of the pandemic. They hope that the funds will improve infrastructure and provide safer and broader access to river programming for the community.

Mickey Marcus (SWCA) shared his screen. He stated SWCA have not yet received a National Heritage & Endangered Species response letter, though National Heritage had asked them previously about bank stabilization and control. He explained the elements of the project, which are to repair the existing boat ramp, which is eroded; to create more ADA-compliant walkways and ramps; to replace docks; to control invasive species; to make viewing platform ADA-compliant; and to remove old structures (like an old staircase and chunks of concrete). Mr. Marcus stated that the only element they are unsure of is whether the plans will change based on Natural Heritage's comments.

Chairperson Bowler opened up the floor for questions. Commissioner Moriarty asked if they could include this language on the contractor's plans, "The contractor will communicate with the conservation agent before any work begins." Mr. Marcus agreed that they could. He then asked if the Commission wanted SWCA to hold a pre-meeting conference with the site contractor. Director Glogower and Commissioners agreed that they did. Chairperson Bowler reminded Mr. Marcus and the Commissioners that they would also perform a site visit before the next meeting. Vice Chair Horan asked whether there would be new impervious surfaces, and Mr. Marcus answered that there would not.

Chairperson Bowler asked about the invasive species: what time of year that portion of the project would be worked on, whether they would simply be pulling or stumping, whether herbicides would be used, etc. She then requested more details on the invasives by the time of the next meeting. Mr. Marcus stated that they were proposing herbicide on the poison ivy, and there were some invasive shrubs that they planned to cut then wipe with herbicide. He assured the Commission that he would provide them with more detail on this matter.

Director Glogower asked Mr. Marcus to speak about the DEP comments, such as the Chapter 91 Waterways License. Mr. Marcus stated that the dock requires that license, as well as an application to the U.S. Army Corps of Engineers. However, they are first supposed to go to the Conservation Commission, see if any plan changes are needed, then file the applications with the DEP and the Army Corps of Engineers. Director Glogower then reiterated that they would like

more detail on the site plans as to the type of herbicide they plan to use, the methods, the timing and seasonality, whether there will be a monitoring period, etc. That along with a site visit would help the Commission make their decision. The site visit was scheduled for Monday, July 25.

Roll Call Vote - Continue Public Hearing on NOI (DEP 186-0296) to 7/28

Vice Chair Horan moved to continue the public hearing on NOI (DEP 186-0296) to July 28, and Commissioners voted unanimously to approve the motion.

7. Public Hearing - Notice of Intent (WE 186-0297)

Applicant: Eversource Energy Service Company

Representative: Tighe & Bond

Location: Transmission lines 1428 through 1447 row

Description: Replacement of utility lattice structure with associated tree trimming and tree removal within the riverfront area and bordered lands subject to flooding

Melissa Coady (Tighe & Bond) shared her screen and explained that the project is located on the west side of the Connecticut River. Several years ago, the Commission reviewed a significant site decommissioning and cleanup project at the location. The goal of the current project is to replace the lattice structure due to age and condition. The replacement is two separate steel monopoles, which would be at a higher elevation outside of the limits of 100-year flooding. It is located within the existing right-of-way, and a temporary construction work pad would be utilized for equipment stability. The estimated clearing needed would result in a loss of 20 to 25 trees. Shortly before this meeting, Natural Heritage issued their findings, stating that the project would not adversely affect resource area habitat. The project also would not require any conditions to avoid a take of rare species under MESA.

With regards to the last comment by the DEP, Ms. Coady stated that the project has several easements utilized by telecommunication and power utilities. Of those file numbers, two have been closed out with Certificates of Compliance. The other two relate to open Orders of Conditions for work that has not yet been completed; however, none of that work pertains to the project in this NOI.

Chairperson Bowler asked the Commissioners if they had any questions. Commissioner Moriarty mentioned the special report in regards to the eagles and asked if anything was written in relation to the 20 to 25 trees that would be cleared. Ms. Coady stated that the trees are at the edge of the existing maintained right-of-way, and there is no active eagle nesting activity in that area. Similar surveys were performed as part of previous projects at that location, and none of the trees there are large enough to support a bald eagle nest. Vice Chair Horan asked if Ms. Coady could point out the area where the tree removal would take place, and she agreed to do so. Commissioner Moriarty asked if that area would be kept free of trees from that point forward. Ms. Coady stated that it would become part of the routine vegetation management cycle. Commissioner Moriarty pointed out that the right-of-way is part of a long swath starting from where the vehicles enter. She then asked if that area is still open from the previous decommissioning, and Ms. Coady affirmed that it was. Chairperson Bowler asked Ms. Coady if she could speak to the Commission about potential plans for re-vegetation following completion of the project. Ms. Coady shared a photograph of the right-of-way with the Commission then agreed to send a detailed email to Director Glogower.

Director Glogower asked Ms. Coady if she knew when construction would begin and if there were any outstanding permits. She replied that they have not had any updates from South Hadley Electric Light, which was one of their open Orders of Conditions. Tighe & Bond was not involved with the other one, which was Sprint Spectrum. She stated, however, that the South Hadley project does not overlap with the Holyoke project. Director Glogower asked again for a start date, and David Askew (Eversource) answered that construction would begin in mid-to-late fall. A site visit was set up for Monday, July 25.

Roll Call Vote - Continue Public Hearing on NOI (DEP 186-0297) to 7/28

Vice Chair Horan moved to continue the public hearing on NOI (DEP 186-0297) to July 28, and Commissioners voted unanimously to approve the motion.

8. Public Hearing - Notice of Intent (File # Pending)

Applicant: Division of Capital Asset Management and Maintenance

Representative: Nitsch Engineering Inc.

Location: 110 Cherry Street

Description: Demolition of an existing building and construction of a new building, parking area, landscaping, partially within bordered vegetated wetlands

Joe Fazio (DCAMM) introduced the designers of the new facility and grounds, Susan Blomquist from Payette Architects and Chelsea Christenson from Nitsch Engineering. The project consists of the construction of a new building on top of a hill. Ms. Christenson is the designer of the entire site, the applicant for the NOI, and is in charge of being the guardian of the adjacent wetlands. Ms. Christenson shared her screen with the Commission. She explained that the existing building will remain in use until the new building is constructed, at which point the residents will be moved. The site is increasing impervious area but maintaining the existing roadway. The work within the buffer zone will include repaving of impervious areas and stabilizing the slope on the west side of the property. Work will also extend slightly into the bordering vegetated wetland. There will be perimeter erosion control around the site. The stormwater management has been designed to reduce the rates of runoff by 25%. MSE (mechanically stabilized earth) wall plans have been included. It will be re-vegetated with native and adaptive plants. In the wetland area, they plan to use the New England Wetland seed mix as a starter for restoration.

Chairperson Bowler opened up the floor for questions. Commissioner Moriarty asked why no Stormwater Authority Permit would be needed. Ms. Christenson responded that, as a state agency, DCAMM does not fall under the local bylaws; however, they are complying with the conditions of the permit. Commissioner Moriarty asked for clarification on the three blue and two green structures on the plan. Ms. Christenson stated that the blue structures are below grade plastic structures that aid with runoff. The green structures are surface basins that slow down water to comply with local bylaws. They will temporarily hold water but will not be wet on a regular basis.

Ms. Christenson traced the limit of work line at Chairperson Bowler's request. Chairperson Bowler then asked if heavy equipment would be utilized within the 50-foot buffer, and Dan Shaw (GZA GeoEnvironmental) stated that excavators would likely be needed to build the MSE wall. Vice Chair Horan asked how much clearing would take place and whether there would be any forest remaining in the buffer below the MSE wall. Ms. Christenson responded that some vegetation would be restored, but they did not yet have the plans fully mapped out. Chairperson Bowler requested more details on the number of large trees in the proposed work area and whether planting would be possible in the future. Mr. Shaw reiterated that all vegetation within the work limit would be cleared.

Director Glogower asked for more detail on the construction of the MSE wall and the sequence of the work. Mr. Shaw agreed to provide construction information for the MSE wall to the Commission. Director Glogower then asked for more information about the proposed replication area. A site visit was scheduled for Tuesday, July 26.

Roll Call Vote - Continue Public Hearing on NOI (DEP TBA) to 7/28

Commissioner Moriarty moved to continue the public hearing on NOI (DEP TBA) to July 28, and Commissioners voted unanimously to approve the motion.

9. Certificate of Compliance for Order of Conditions (DEP 186-0257) issued 6/2/16 - Log Pond Cove (MBP 071-00-020 & 064-00-001

Chairperson Bowler stated that the Commission was notified by DEP that there was a prior Notice of Intent (DEP 186-0257) for which the Commission never issued a Certificate of Compliance. The Order of Conditions had to be closed out on this NOI before the Commission could proceed with the new one (DEP 186-0295). Director Glogower clarified that the DEP's comments were that they could not have two concurrent projects in the same area with open items. Now that the prior Order of Conditions has been closed out, a Certificate of Compliance may be issued for NOI DEP 186-0257.

Roll Call Vote - Motion to Issue Certificate of Compliance

Vice Chair Horan moved to issue the Certificate of Compliance for NOI (DEP 186-0257), and Commissioners voted unanimously to approve the motion.

10. Formal Vote - Meeting Minutes from 1/13/22, 2/10, 2/24, 3/10 3/24, 4/14, 4/28, and 5/12

Commissioner Moriarty suggested that it would be better if they could receive one to two sets of minutes at a time to review. That way, Commissioners could review them while the meetings are still fresh in their memory. Director Glogower stated that they are almost caught up at this point and that they would receive the June minutes in time for the next meeting. Commissioner Moriarty moved to approve the minutes from January 13 to May 12, and Commissioners voted unanimously in the affirmative.

11. Discussion - Upcoming Items for 7/28 Meeting

Director Glogower mentioned that the allowance of remote meetings per the Open Meeting Law is set to expire on July 15. He does not know what date the remote meetings will be extended to or if they will have to switch to a hybrid form.

12. Adjourn

The Commission adjourned the meeting at 7:56 p.m.