

Holyoke Conservation Commission Meeting Minutes 09/22/2022 (Remote via Zoom)

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

Conservation Commission Members Absent: Jeffrey Horan

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

Members of the public present: John Tomaszewski (R Levesque Associates), Glenn Sullivan (1015 Hampden St.), James Fitzgerald (439 Northampton St.), Dave Moore

1. Call to Order

Chairperson Bowler called the public meeting to order, explained the protocols of remote meetings, and asked all present members of the public to check in via the chat.

2. Public Hearing – Notice of Intent DEP 186-0294 (Continued from 8/11/22 Meeting)

Applicant: Delorean Power

Representative: BL Companies

Location: 361 Whitney Avenue (MBP 176-00-036)

Description: Construction of a battery energy storage system within the buffer zone of Bordering Vegetated Wetlands

Chairperson Bowler announced that another continuance has been requested to October 27, 2022, due to an ongoing supply change challenge.

Commissioner Perdrizet made a motion to continue to October 27, 2022. Commissioner Moriarty seconded the motion, and the commission voted unanimously to approve the continuance. Commissioners Arnold and Dodge were not yet present.

3. Public Hearing - Notice of Intent WE 186-0299

Applicant: JSH Nominee Trust

Representative: R Levesque Associates, Inc.

Location: Northampton Street (MBP 223-00-1, 5, 8)

Description: Construction of a residential development within the buffer zone of Bordering Vegetated Wetlands

Upon Chairperson Bowler's request, Director Glogower confirmed that abutter notifications were received from the project representative.

John Tomaszewski, representative from R Levesque Associates, introduced himself and requested permission to share his screen. Mr. Tomaszewski shared his screen and announced that he will be presenting an Application for Notice of Intent for a proposed multi-unit residential development located on the westerly side of Northampton Street in the City of Holyoke. He explained that the proposed site

area is about 6.2 acres in total, with multiple bordering vegetated wetlands both on site and on adjacent parcels, which he pointed out on the screen. Mr. Tomaszewski indicated that the bordering vegetated wetlands were delineated in December of 2019 and some time in 2020, which were peer reviewed by GZA. He described the current condition of the site, including some foundations, soil stockpiling and tree overgrowth.

Mr. Tomaszewski explained the proposal of a single building with 12 residential units accessed off of Northampton Street. Each unit will have a driveway off of a cul-de-sac, as well as a garage. Water, sewer, gas and electric would be brought on site off of Route 5, with all work being done outside of the 50-foot buffer, which he pointed out on the screen. All existing structures and foundations will be removed. He indicated that stormwater management will be handled by way of catch basins on the access drive, which will feed back to a sub-surface infiltration system.

Chairperson Bowler questioned if the 100-foot buffer was on the map shown by Mr. Tomaszewski, which he then pointed out on the screen.

Mr Tomaszewski indicated that they received comments from Kris Baker, City Engineer, which they have reviewed and began responding to. He stated that a meeting was scheduled for September 26, 2022 with regard to the stormwater portion.

Chairperson Bowler welcomed questions from the Commission. With regard to the request for a meeting with a city official, referenced in the general notes on the NOI, Commissioner Moriarty requested that the Conservation agent be added. Mr. Tomaszewski agreed to do so.

Commissioner Moriarty asked for additional information regarding the access road. Mr Tomaszewski pointed out the existing roads (Juniper Avenue and Maynard Avenue) and indicated that they are private ways that are not controlled by the city. He added that one of the abutters' driveways is accessed off of Juniper Ave. Mr. Tomaszewski stated that all maintenance of the access road will be the responsibility of the development, not the city.

Commissioner Moriarty questioned where the sewer and the water would connect with the city. Pointing it out on the map shown on the screen, Mr. Tomaszewski indicated that the roadway drainage and roof leaders will tie into the sub-surface system. He stated that the water runs on the east side and the sewer runs on the west side. The water will cross Route 5 and come into the site. On the map shown on the screen, Mr. Tomaszewski pointed out the pipe and manhole that feed into the sewer, and stated that all of the utilities tie into Route 5.

Commissioner Moriarty pointed out that the stormwater drainage system looks very complicated, and questioned who would be responsible for the long-term maintenance of it. Mr. Tomaszewski stated that he believes that the residential units will be condos, and that there will be a condo association that would be responsible for the long-term maintenance once the developer is no longer involved. He agreed to provide a definite answer, hopefully at the next meeting.

Commissioner Moriarty questioned if there is any remediation planned with regard to the 50-foot and 100-foot buffer, to which Mr. Tomaszewski indicated that there is not.

Commissioner Perdrizet asked Mr. Tomaszewski to outline the boundary of the property that is owned, which he proceeded to do on the map shown on the screen. He indicated that where the private right-of-way is, is not owned by the applicant, but they have the rights to use it. Commissioner Perdrizet informed Mr. Tomaszewski of the Commission's duty to keep as much disturbance as possible from the wetland, including bordering vegetation up to 100 feet. Commissioner Perdrizet then questioned if any alternative was considered to push the units a little bit north in more a linear fashion. Mr. Tomaszewski then pointed out where Juniper Ave is located, which provides access to an abutters driveway and cannot be built over. Commissioner Perdrizet indicated that it would be nice if the three units that are proposed to be located in the 100-foot buffer could instead be put up in the northern corner. Mr Tomaszewski stated that he believes two buildings would not be possible due to a zoning issue, but he was not certain and mentioned he would have to check on that.

Commissioner Moriarty questioned the square footage of the area that would be used between the 50 and 100-foot buffer, which Mr. Tomaszewski was unaware of, but Director Glogower indicated was listed on the project information sheet as 15,410 square feet; 9,363 of which is impervious and 6,047 which is pervious. At Chairperson Bowler's request, Mr. Tomaszewski pointed out the 50 and 100-foot buffers, and reminded the Commission that the property was previously developed and is not undisturbed land.

At Chairperson Bowler's request, Mr. Tomaszewski explained the current landscaping plan, which includes a lawn area in the rear of the units and plantings and trees in the front and along the roadway (3 red maple, 21 boxwood, 25 hydrangea and 4 winterberry holly). He indicated that the cul-de-sac area would likely just be grass.

Commissioner Moriarty indicated there is a number things that the Commission will need for the next meeting, including an explanation of the following: Stormwater system; long-term maintenance plan; and reasoning behind no plan to offset the property in the buffer zone. It was confirmed that the stormwater plan is very thorough and includes things like the frequency of cleanings and sweepings.

Commissioner Moriarty expressed her concerns of having 12 different condo owners arguing over a maintenance plan, to which Mr. Tomaszewski reiterated that it is his understanding that there will be a condo association that would be responsible for all maintenance. He proceeded to explain how the stormwater system will work. There will be a pair of catch basins right as you come in off of Northampton Street, where all of the driveways, the cul-de-sac and parking spaces will drain to. The two catch basins will tie into a manhole and proceed to the southwest where there is a water claw unit that will clean up the water before it goes to the sub-surface system that will store and infiltrate the water. Mr. Tomaszewski indicated that the system is designed to contain up to and including a 100-year storm event. Should a storm come that exceeds 100-years, the system will surcharge from the catch basins and flow towards Northampton Street and drain into that system, not towards the wetlands. Mr. Tomaszewski indicated that there are roof leaders all around the building, and while it may not be all roofs, he knows that the fronts of all of the roofs that face the cul-de-sac will be tied directly into the sub-surface system. Looking at the current plan, he stated that the rear of the southerly units look like they discharge on grade.

Chairperson Bowler questioned if the condos will have basements, which Mr. Tomaszewski indicated that he assumes so, but would need to confirm.

Commissioner Moriarty asked for clarification concerning the surcharge and overflow onto Route 5. Mr. Tomaszewski explained that the water would indeed sheet flow off of the basins and into Route 5, but reiterated that that would only be the case in storm events greater than the 100-year storm event. He added that this is a subject that was commented on by Mr. Baker, the city engineer, so it will be further discussed.

Commissioner Moriarty questioned why it was decided that the southerly units would not have roof drains to attach them directly into the system, and mentioned that it would eventually flow into the wetland. Mr. Tomaszewski indicated that they are required to match the runoff in the pre-development, and in this case, the numbers match or are reduced. He stated that there will probably be four downspouts in the rear of those units that will discharge on grade and probably fizzle out before even reaching the property line. He mentioned that there is no direct route to tie the rear of those units directly into the system, and he doesn't believe the grade is there to pipe them all the way around to the sub-surface system.

Commissioner Perdrizet questioned if there is a plan in place already for snow removal, to which Mr. Tomaszewski indicated that he would need to check. Commissioner Moriarty mentioned that there is a comment about it in the long-term maintenance plan, but stated that it is something that will need to be clarified. Chairperson Bowler added that where plowed snow will be stored is another thing that will need to be clarified. Mr. Tomaszewski indicated that it is generally done in the lawn areas adjacent to the parking and driveways, but the long-term maintenance plan should state that if there's too much snow, preventing access to the site, it has to be trucked off site to an approved location. Chairperson Bowler asked that the snow removal/storage plan be explained and shown on a map at the next meeting, which Mr. Tomaszewski agreed to.

Commissioner Arnold questioned if wildflowers could be planted in the circle in the center of the condos as well as in the back where the wetlands are, to which Mr. Tomaszewski stated that they could look at that.

Chairperson Bowler opened the floor to the public, and started off with the reading of an email sent to Director Glogower from Ryan O'Hara, Esq. of Bacon Wilson, P.C., on behalf of James Fitzgerald, the immediate northerly abutter to the property. The letter indicates that both he and Mr. Fitzgerald participated in the process that set the wetland boundaries, and that Mr. Fitzgerald remains heavily concerned about the impact of development on the property. He explained the structures included in the current development plan, as well as their location with respect to the 100-foot buffer zone. He states that the wetland is integral to the existing way that water travels in, on and through the subject and neighboring properties. He explains that Mr. Fitzgerald and neighbors have watched the wetlands grow over the years as runoff continues to come down Mount Tom and into the basin where this property is located, and it's unclear what long-term impact the permanent structures could have to the wetland. Mr. O'Hara references historic issues with flooding at neighboring southerly properties, and explains Mr. Fitzgerald's request that the commission exercise its authority and require the applicant to hire, at its own expense, an expert consultant to review the application and submissions and ensure that the present and future vitality of the existing wetlands and their function in the overall local ecosystem are protected. Chairperson Bowler indicated that the Commission is aware of the authority available and that they used it initially in this project, but will make a decision on it after all input is received, questions are answered, etc.

Mr. Fitzgerald, the northerly abutter to the property, mentioned that a lot was covered during the meeting and that he learned some things that he was not aware of. He expressed the following concerns: Current issues with water down Northampton Street; additional water movement south from sealing off movement east; snow removal and location of plowed snow; increased frequency of significant storms; the large size of the proposed development; maintenance responsibility of the condos. After indicating that he has spent almost \$12,000 in the last two years on his driveway just trying to keep it operable, Mr. Fitzgerald shared a video he took earlier in the day of his driveway after a brief, but heavy rain fall. He explained that right now there is about a 1-foot trench and sizable potholes in his driveway, including the area between where the condo buildings and parking area will be located. Mr. Fitzgerald stated that prior to the start of this project, he called a water engineer to come and look at it because he was at his wits end with trying to figure out how to manage the water. His neighbor, Tom, who lives on the south side of the develop where the rear roofs will pour into, had ankle deep water at his property during the same rain fall earlier that day.

Mr. Moore stated that he's relying on Levesque Associates to do the best they can with what they're doing there, and mentioned that Mr. Fitzgerald lives up grade, so it seems like he's putting a lot of the water into the wetland.

Mr. Tomaszewski did not have anything to add after the public comments, so Chairperson Bowler opened the floor to questions from the Commission, and there were none.

A site visit was scheduled for Monday, October 3, 2022 at 2:00 p.m., and it was confirmed that the property is currently loaded with invasives. Commissioner Moriarty reminded the Commission to wear pants and boots for the site visit.

At Chairperson Bowler's request, Mr. Tomaszewski agreed to have the building outline and limit of work in place for review at the site visit, which the Commission and Director Glogower were satisfied with.

Commissioner Dodge made a motion to continue the public hearing to October 6, 2022. Commissioner Moriarty seconded the motion, and the Commission voted unanimously to approve the continuance.

4. Formal Vote – Minutes from 8/25/22 Meeting

Chairperson Bowler announced that the formal vote for the meeting Minutes from the 8/25/22 is continued in order to allow the Commission time to review the same.

Chairperson Bowler announced that the next meeting will be October 6, 2022 instead of October 13, 2022.

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

Director Glogower announced that there were no new filings.

Director Glogower reminded the Commission that the Slim Shad Point Source to Sea cleanup event is on Saturday, September 24th.

Commissioner Moriarty questioned if Director Glogower had any report that she should provide to CPA, which he indicated to be status quo.

Commissioner Perdrizet questioned if there was any update on what's happening with Dunkin Donuts on Mt. Tom, and Director Glogower indicated that he had not received anything. Chairperson Bowler stated that she read in the newspaper that they went before the planning board but did not accomplish much, so they are discussing when they will meet again.

6. Adjourn

The Commission adjourned the meeting at 7:27 p.m.