



TOWN OF DEERFIELD

Conservation Commission
8 Conway Street
South Deerfield, MA 01373

Deerfield Conservation Commission – Meeting Minutes *March 23, 2023*

Members Present: Peter Law, Kate Devlin, Sean Libbey, Ben Bryne

Members Absent: none

Town Staff Present: Amy Hahn, Building Assistant;

Notes:

The meeting was called to order at 7:00 pm, virtually via Zoom

Minutes of the 2/23/23 meeting were reviewed and accepted as written with a motion from Sean Libbey, seconded by Kate Devlin. Roll call vote approved, 3-0-1.

New Business:

1. 72 Mill Village Road Map 123 Parcel 18 Update given by Peter Law. The health board's visit had been postponed to today (3/23/23). The process is moving forward at this time, a site visit by the Conservation Commission has not yet been determined necessary.
2. 670 River Road Map 44 Parcel 10 Landowner Kevin Bourbeau was present and explained that he is looking to replace a barn in disrepair using the same footprint. Peter Law asked the use of the building, and Mr. Bourbeau replied to store tractors. Mr. Bourbeau said the size of the building would be 1500 square feet. Currently he has applied for a building permit and is looking for an agricultural exemption for the building. At this point there are no applications before the commission regarding this work. Peter Law did not see a formal application process for the Conservation Commission to cover this process beyond the landowner working with the building permit. Peter Law did express the Commission's appreciation for providing us with advance notice and information. Amy Hahn suggested following up with a quick letter from the Conservation Commission for our files.
3. RDA 70 Old Main Street Map 61 Parcel 14 Kate Wilkins (Tighe & Bond) Proposed work is a curb cut for maintenance. An aerial of the area was shared to show the area where the hedgerow would be cut. The adjacent property on the opposite side of routes 5 and 10 has a vegetated BVW within the 100' proposed project area (2200' of work with the buffer zone). The primary purpose will be use by maintenance vehicles, so Alex Bouthillette said the consideration of impervious surfaces (stone) was ruled out due to vehicle weight. Peter Law asked to see details of the erosion controls and was shown silt

sacks will be utilized for added protection (staking every 5'). Kate Devlin moved to give a negative 3 determination on Form 2 in accordance with the details provided to the commission. Sean Libbey seconded the motion. Roll call vote approved, 4-0-0.

Old Business:

1. 0 Clark Cross Road Map 113 Lot 8 Peter Law, Kate Devlin, and Sean Libbey met the landowner Tom Avery on site today. Mr. Avery has agreed to put in place erosion controls to address some of the immediate erosion concerns. Sean Libbey and Kate Devlin noted that some short term stabilization will be necessary. Peter Law will map and send a letter to the landowner describing where the Commission would like temporary erosion controls put in place and what is acceptable for use as materials.
2. Eaglebrook School (Represented by Wes Smith) Map 62 Lots 13 & 14; Map 68 Lots 5 & 6; Map 69 Lots 52 & 58 Notice of Intent filed for construction of a new dining hall, ballfield, and affiliated infrastructure.
 - Jesse Moreno (Proterra Design Group) gave a presentation overview of the Notice of Intent for the dining hall, ball field, stormwater management system, and installation of a new culvert. 38,000 square foot building will serve as the dining hall will be built into the hill to preserve the western facing views. Fully outside of the flood plain and outside of rare habitat or ACEC. The project is within some well water protection zones addressed in the stormwater management plan. There is some BVW associated with a stream along Pine Nook Rd., along with some isolated BVWs that are outside the work area. A temporary haul road will be utilized with back fill being utilized to build up the ballfield (so a majority of material will stay on site). Mitigating the increase in runoff by treating and enhancing the runoff (green roofs) on site as well as level spreaders will be utilized to slow runoff. A lot of stormwater mitigation will be provided under the ballfield and leading to level spreader outlet structures to handle the larger storm events. A 50-acre drainage area was considered, and the system is designed to distribute water in several different directions. DEP file number has been provided with comments that they are working to respond to.
 - Peter Law, Sean Libbey and Ben Bryne did a site visit (3/22/23), RFP peer review process has started.
 - Sean Libbey inquired as to any additional regulations or concerns regarding the installation of the additional culvert. The peer review process can address that concern.
 - Jonathan Rutka is a neighbor to the haul road and expressed concerns that additional water may drain down into his property and wanted repairs for any damage done to the road. He also inquired as to boring to determine soil permeability, noting an area of clay that would be of concern. Jesse Moreno did note that the work will be above that area and has done boring and plans to do additional borings during the process. Mr. Rutka also inquired as to why the oak trees were cut, Wes Smith (Eaglebrook School) addressed the storm damage issue relating to the tree removal.

- Peter Law asked how much material will be stockpiled at any one time during the construction process. Jesse Moreno did mention the retention wall will be in place to hold back any material and that the level spreaders are in place 50' and 100' from existing BVWs to add additional protection.
 - Kate Devlin moved to continue the public hearing of the NOI filed by Wes Smith on behalf of Eaglebrook School for construction of a new dining hall, ballfield, and affiliated infrastructure. Ben Byrne seconded the motion. Roll call vote approved, 4-0-0.
3. 0 Greenfield Road SunnyDayz Cannabis Inc. (Represented by Ken Bouquillon) Map 159 Lot 14 Notice of Intent Filed for 3 buildings, access drives, parking and utilities for creation of a cannabis cultivation campus.
- John Furman (VHB) started the discussion with introductions and a presentation speaking to the plan for the site (28 acres). Access for driveway is dictated by MassDOT. A second wetland crossing will be utilized to access cultivation building. There are three MassDOT permits, one to extend utilities along 5 and 10, the second provides access, and the third addresses sewage discharge.
 - David Pickart (wetland specialist for Ecological Resource Consultants) then presented the NOI details. Land underwater includes a perennial water way tributary extending into Bloody Brook, as well as associated bank, the two BVW crossing areas (altering 3,500 square feet of BVW) as well as work in riverfront area (stormwater management and parking area) as well as the impacts noted at the driveway access now amounting to 9,000 square feet of work within riverfront. The project will also work in buffer zones (3.2 acres total). To compensate for impact to BVWs they propose to build a replacement wetland larger than the area impacted and monitor (and report) for at least two years.
 - John Furman presented the stormwater management plan. All of the detention basins (8) are designed to be shallow and fill will be brought in to build basins based on high ground water. Work is being done to finalize stream flow volumes, but initial review shows a reduction in flow rate in storms greater than the 2-year.
 - Peter Law asked what the timeframe was for the stormwater review to be done. John Furman thought the second week of April might be possible with peer review.
 - Chris Chamberland & Lucy (Berkshire Design Group – Peer Review) submitted their NOI comments earlier this week, and previously submitted comments on the stormwater review for the planning board. Chris Chamberland provided an overview of the review process and concerns. The first concern was regarding standard #1 that the plan does not demonstrate that the stormwater outlets do not create soil erosion (due to proximity to BVWs). Another issue under standard #2 the project may not demonstrate that impacts in the buffer zone will not adversely impact the adjoining BVWs. Standard 4 regarding water quality was mentioned regarding wet versus dry basins. The basins are listed as wet but appear to operate as dry basins which reduces water quality controls.

- Sean Libbey moved to continue the public hearing on the NOI filed by Ken Bouquillon of SunnyDayz Cannabis, Inc. for creation of a cannabis campus to the next scheduled meeting on April 27th at 7 pm. Roll call vote approved, 4-0-0.

General Discussion:

1. Special Terms and Conditions most recently revised 1/1/23 and are ready for use. Amy will send copies out to the commission members.
2. Mail
 - PanAm – ERM Cleanup website change is no longer functional, moving forward all files can be viewed at western mass DEP office.

Next Meeting:

The next regularly scheduled meeting of the Deerfield Conservation Commission will be held on Thursday April 27th, 2023 at 7 pm via Zoom.

A motion was made by Sean Libbey to adjourn the meeting at 9:14 pm, motion seconded by Kate Devlin. Roll call vote approved, 4-0-0.

Respectfully submitted, Sean Libbey, Conservation Commission

All Materials and Documents discussed during this meeting are publicly available on the Town of Deerfield's website (excepting those in draft form).

The link to the Conservation Commission page is:

<https://www.deerfieldma.us/243/Conservation-Commission>.

Approved 4/27/2023