

## Deerfield Conservation Commission – Meeting Minutes

April 27, 2023

**Members Present:** Peter Law, Kate Devlin, Sean Libbey (chair, pro temp), 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 3/23/23 meeting were reviewed and accepted as written with a motion from Kate Devlin, seconded by Ben Byrne. Roll call vote approved, 4-0-0.

### New Business

#### • Antonellis Farm Conservation Restriction

Alain Peteroy – Franklin Land Trust presented the project which will put a conservation restriction on 157 actively farmed acres in the North Meadows of Deerfield. The land is currently part of the Antonellis Farm and contains prime farmland, riverfront, oxbow, and wetland. The Conservation Restriction will allow for continued agriculture, the building of agricultural structures, forestry as needed for traditional uses. The Franklin Land Trust is in the process of purchasing conservation restriction. The request put before the Conservation Commission is for a show of support for this project, there are still many steps to the full process. Peter Law made a motion to approve certification as written with the amendment to the wording clarifying that the land will be in the public view from the Pocumtuck range (not public access to the land). Seconded by Kate Devlin. Roll call vote to approved, 4-0-0.

#### • Eaglebrook Forest Cutting Plan

This was an informational presentation of a Forest Cutting Plan and Notice of Intent. Clarifications made: all the abutters have been notified. There were a couple of questions about the 4 crossings, #1 is put down as an existing culvert and on plan “temp bridge,” #3 culvert – on map is a possible culvert or temporary bridge – is it existing or not existing? Sean Libbey will check with Alison Wright-Hunter (DCR service forester who reviews and approves forest cutting plans such as this one). This is an agricultural exemption to the wetland protection act, so no action was taken at this time by the Conservation Commission.

• **Eaglebrook Track Renovation ANRAD:** Pursuant to the Wetlands Protection Act MGL Chapter 131, Section 40, the Deerfield Conservation Commission will hold a public hearing on April 27th, 2023 at 7 pm to consider an Abbreviated Notice of Intent filed by Wes Smith of Eaglebrook School for renovation of the existing grass athletic field to a synthetic turf field with sand/rubber infill, including a new drainage system installed as part of the storm water management system on property at 279 Pine Nook Road, identified in the Assessors records as Map 62, Lot 3

Jesse Moreno, engineer, ProTerra presented. The work is on the location of the existing track. Most of the work is outside the buffer zone, but there is a small part within the buffer zone. Work involves removing grass and topsoil from inside of track and installing a synthetic surface. There are forested wetlands on the edges of the track. Was able to have EcoTec review the wetland delineation when they were on site and suggestions were added into the plans (e.g. EcoTec noticed some old silt fencing that needs to be removed from the site). The existing drains will be reused, but modifications to drains include spreaders added to the drains and plunge pools. Added buffer disturbance on plan around these sites. They also plan to add an exterior drain along the outside of the track, the run off will head towards the inside of the track. Where previously there were catch basins, they are adding a trench basin around the edge of the new surface and there will be drains beneath the field, a stone reservoir (10-12 inches thick) will allow water to infiltrate and what doesn't infiltrate will exit via the pipes. The pipes have filters and the school will be responsible for regular checks and maintenance of the filters. Comments from DEP are addressed in writing in meeting packet.

As of this time they are not aware of any open orders on the site of the track. Peter Law asked for clarification and found that there was a typo in the meeting agenda the request is not for ANRAD but rather it is an Abbreviated Notice of Intent (ANOI).

Peter Law made a motion to approve the Abbreviated Notice of Intent for the Eaglebrook School for the renovation for track improvements with following conditions:

- 1) Updated designs discussed tonight and included in meeting packet – e.g. level spreaders at end of drainage areas and plunge pools in specific locations
- 2) To provide the TDAM filter maintenance schedule & Provide notification of responsible parties so we can monitor
- 3) Provide copy of UIC response that was signed off (with regard to lack of underground chambers for drainage storage)
- 4) Copy of SWPPP to be completed
- 5) Standard town of Deerfield OOC will be applied as applicable within the next 21 days
- 6) Removal of old silt fence

### **Old Business**

- Clark Cross Road site visit and follow up correspondence

Mr. Avery was not on meeting. Sean Libbey visited site on Monday, 4/23/2023 and it was clear that efforts have been made to begin to address the concerns of the Conservation Committee. Straw has been spread on slopes on the west side of the entrance and the west side of the cleared area. Plastic fencing has been installed. The approach is still not stable, some places have failed. Need to set up another appointment with Mr. Avery to talk about long term solutions of erosion control on that site. Photographs show some breakthroughs of latest erosion control efforts. Will plan a site visit.

- 1 Community Place 4/7 site visit results (Treehouse site)

Peter Law, Sean Libbey and Kate Devlin attended a site visit with Damien Goudreau at 10 am on 4/7/2023. We walked track they created, viewed wetland reclamation area. The 2<sup>nd</sup> wetland reclamation area had not grown in yet, there is delayed germination. We agreed that the temporary silt fencing could be removed at this time. We also talked about educational signage about wetlands. Treehouse is excited about that and willing to add them. Peter Law will work with Amy Hahn to put together a letter to Treehouse. We would like to go back to review the 2<sup>nd</sup> area, it should be at 85% development at some point this year, need to include this as part of letter and note they are open to expanding the replication area. Plan another site visit in 2-4 weeks.

- Eaglebrook Hearing Continuation: Pursuant to the Wetlands Protection Act MGL Chapter 131, Section 40, the Deerfield Conservation Commission will hold a public hearing on March 23rd at 7 pm to consider a Notice of Intent filed by Wes Smith of Eaglebrook School, for construction of a new dining hall, including construction of new sidewalks, reconstruction of a portion of a parking lot to a cul-de-sac access drive, site grading, and construction of a subsurface stormwater infiltration system on property identified in the Assessors records as Map 62, Lots 13 & 14, Map 68, Lots 5 & 6, and Map 69, Lots 52 & 58.

Jesse Moreno of ProTerra Design presented a recap of the proposal. Since the last meeting have had a peer review on wetland and stormwater plans. Have made response to comments and edits to plan accordingly. Some additional wetland flags were put in to the F5 isolated series. EcoTec prepared a memo dated 4/27/2023 and they believe that all peer review comments have been addressed. Reviewer Sarah Campbell of EcoTec on line.

Sean Libbey asked about additional details on sediment and erosion controls with regards to the additions of a culvert. It was explained that they want to improve the culvert and are proposing a fieldstone wall and will parallel a pipe through an existing shallow swale to help get rid of any run off. Plan shows erosion control on map and has been updated to provide additional detail.

Also added to the plan are profiles on drainage to better illustrate the design.

Item 4 – the project will be closely monitored during construction – SWPPP reports provided regular intervals need to clarify by who and at what frequency? As part of construction there are going to be several groups involved including Lucas environmental and Pro Terra. Peter Law – we would like to see details and need contacts of specific people who will be monitoring work. Details will be added to the SWPPP.

There will be a kick off meeting which Conservation Commission members will be invited to meet the parties involved in project. Peter Law will go over the order of conditions with Amy Hahn and send to Eaglebrook. We will need to allow an extended period to allow for the closing out of old orders of conditions.

Peter Law made a motion to continue this public hearing at a special meeting of the Conservation Commission on Thursday, 5/4/2023, to consider a Notice of Intent (NOI) filed by

Wes Smith of Eaglebrook School for the construction of a new dining hall. Ben Byrne seconded. Roll call vote to approve the continuation of the public hearing: 4:0:0

- SunnyDayz Hearing Continuation: Pursuant to the Wetlands Protection Act MGL Chapter 131, Section 40, the Deerfield Conservation Commission will a public hearing on March 23rd at 7 pm to consider a Notice of Intent filed by Ken Bouquillon of SunnyDayz Cannabis, Inc, for Construction of a Cannabis Cultivation Campus, including 3 buildings, access drives, parking, utilities and a drainage system on property at 0 Greenfield Road, identified in the Assessors records as Map 159 Lot 14.

Since last meeting submitted response dated 4/17/2023 back to Berkshire design and Conservation Commission on Peer Review. John Furman (VHB) and wetland specialist David Pickart (Ecological Resource Consultants) presented response. Have submitted updated plans today (4/27/2023) but at same time received additional comments from peer reviewer about stormwater plans so will need to resubmit new plans. Trying to assemble all comments and responses to present to Planning Board on May 8<sup>th</sup> and will send updates to Conservation Commission.

The Conservation Commission went through a detailed review of the 4/17/2023 response to DEP and peer review with Lucy Conley from the Berkshire Design Group and David Pickart adding clarification and discussion of each point.

There was discussion about the phasing of the project and request details of the order and timing of work e.g. tree clearing, silt fence/straw bales/wattle installation, stumping and clearing, sediment traps put in place and test pits.

On point 8 of DEP comments in the ANRAD a stream crossing mentioned, but it's an intermittent stream, not really a stream per se. The culverts that are being proposed exceed the stream crossing standards with respect to the cross-section area and the hydraulic opening but there needs to be some statement ecological connectivity on culvert. Berkshire Design also had questions about this point (sent in a later response) and this will be addressed in detail in a future response.

There was discussion about the need for additions to the landscape plan and these will be addressed later.

Peter Law made a motion to continue the hearing at a special meeting of the Conservation Commission on 5/11/2023 to consider the NOI filed Ken Bouquillon of SunnyDayz Cannabis, Inc. Kate Devlin seconded. Roll call vote to continue the hearing 4-0-0.

## **General Discussion**

## Mail

- Pan Am notification of pesticide application
  - Eversource notification of herbicide application
  - DEP Water Quality Certification: Army Corps of Engineers --- review on 5/4
  - DCR Flyer: Substantial Improvement & Substantial Damage Determinations
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- Kate Devlin suggested we change our Conservation Commission meeting times to start at 6 pm instead of 7 pm – we will come back to this
  - **Upcoming Meetings: Special meetings on 5/4/2023, 5/11/2023 and 5/25/2023 at 7 pm**

Peter Law made a motion to adjourn at 10:50 pm, Kate Devlin seconded. Roll call vote to adjourn: 4-0-0

Respectfully submitted, Kate Devlin, 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>.