



TOWN OF DEERFIELD

Conservation Commission
8 Conway Street
South Deerfield, MA 01373

Deerfield Conservation Commission – Meeting Minutes *May 11, 2023*

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

Members Absent: none

Town Staff Present: Amy Hahn, Building Assistant, Chris Nolan, Assistant Town Administrator
Also present, Tim Hilchey, Selectboard

Notes:

The meeting was called to order at 6:30 pm, virtually via Zoom

Minutes: Minutes of the 5/4/23 meeting will be reviewed during our next meeting on 5/25/2023

New Business: none

Old Business:

- 88 Old Main Street Hearing Continuation: Pursuant to the Wetlands Protection Act MGL Chapter 131, Section 40, the Deerfield Conservation Commission will hold a public meeting on May 4, 2023 at 7:00 PM, to consider a Request for Determination of Applicability filed by The Town of Deerfield to see if work depicted on submitted plans for multiple locations along Old Main Street, property identified in the Assessors records as Map 49 Lot 33, is subject to the Wetlands Protection Act. Copies of the Request for Determination of Applicability documents are on file for public review at the Municipal Offices during office hours and on the town's website at www.deerfieldma.us in the calendar event

Chris Nolan, Town of Deerfield and John Davis President of Historic Deerfield in attendance. Update from the last meeting is that the RDA will be limited to 1 tree box to be located near the Deerfield Inn at Old Main Street. The other project items in the NOI including the rain garden and other tree boxes have been put on hold. We received clarification from the DEP that the RDA can be modified this way without resubmission.

John Davis mentioned that there was a slight modification to the location of the tree box to locate it about 12 feet to the north of the location indicated on the map in the plans. There was concern that snow plowing might adversely affect the tree in the box. Moving the tree box slightly will not compromise its ability to do its work.

Sean Libbey made a motion to proceed with a Form 2 negative 3 determination for the Request for Determination of Applicability filed by The Town of Deerfield regarding 88 Old Main Street specifying 1) accept the single tree box plan that has been presented tonight located near the Deerfield Inn, 2) the applicator will submit a new map showing the location of the tree box 12 feet to the north of location on the current map.
Seconded by Ben Byrne. Roll Call Vote: 4:0:0

- SunnyDayz Hearing Continuation: Pursuant to the Wetlands Protection Act MGL Chapter 131, Section 40, the Deerfield Conservation Commission will have 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.

Ken Bouquillon, John Furman and Dave Pickart in attendance representing SunnyDayz Cannabis, Inc. Lucy Conley in attendance representing Berkshire Design Group.

Peter Law explained that in the last meeting we requested that the Conservation Commission receive a consolidation of information from the applicant in response to Berkshire Design's Peer Review. However, we did not receive this. The Planning Board issued approval the project on Monday, 5/8/2023. Berkshire Design sent a letter summarizing the remaining action items they have identified on 5/9/2023. We discussed this latest letter from Berkshire Design (dated 5/9/2023) in detail.

Summary of discussion of the items in the 5/9/2023 letter from Berkshire Design:

1. Both Ken Bouquillon and John Furman have passed the exam to become erosion control inspectors. The SWPPP is an important document and they are working on it now. Peter Law commented that the Commission would have preferred a phased plan and that the SWPPP needs to be provided to the commission for review and approval before construction begins. The SWPPP may need to go for peer review, but we'll need to wait until we see it to determine this.
2. The Planning Board waved the tree replacement policy because there isn't any more space available in the cleared area for more trees. If they can put in more trees than currently planned, then they will – they will know this when they can dig the test pits to determine if smaller detention basins can be used instead of the size that is currently in the plans. There was some discussion about the content of the seed mix. They need to send an updated planting list to the Planning Board and will send it to the Conservation Commission as well. Lucy Conley commented that Berkshire Design was concerned about the thermal impact of the parking lots and roads. Dave Pickart commented that once the trees in their planned planting mature, they will provide shade over the access roads and the matrix mix planted on the edge of the detention basins has large shrubs that will also provide shade.
3. Discussion of test pits and impact on detention basins. Peter Law requested that the applicant submit all test pit information and any subsequent design modifications prior to construction. John Furman explained that the current detention basin design is for

the largest basins for the site, if there are any modifications it will be for smaller basins based on the results of the test pits. Ken Bouquillon asked for clarification – does he need building construction permit before clearing trees? Or can he access the site to clear trees so he can then bring the equipment in to dig the test pits? Amy Hahn was able to text Bob Waldron and the applicant does not need a building permit before tree clearing – the building permit is just for building construction. There is natural phasing to the process: At the first crossing they will use mats to get across to cut trees, stack and chip debris, then they will clear a swath. As they continue to clear, they will put in erosion control, do the test pits, check with Conservation Commission, make any necessary changes to plans and then move on with the stumping and clearing.

4. Stormwater – Lucy Conley commented that Standard 2 is met at the final study point for the site (at Route 116). There may be an issue of one part of the wetlands not getting as much water that it is used to getting based on the modeling done but overall the plan works with making the detention basins larger than needed to er on the side of protection so that discharge is not increased.
5. Continued discussion about the detention basins. Final plans rely on the results of the test pits. They may be able to reduce the size of the basins and they may modify plans to have lined basins or unlined basins. Right now the plans are for the worst case scenario. Some towns are changing plans to accommodate 1.5x the current storage of basins to account for the possible changes coming due to climate change.
6. The current plan was based on what the applicant can currently see – things may change once they get into the field and see the conditions after digging the test pits. Some modifications will be made in the field, e.g. to make the detention basins look more natural – the floor will be developed during the excavation process. More details will be covered in the order of conditions developed by the Conservation Commission.
7. Revisited the discussion about the box culverts. Natural bottom will be soil substrate from the area (with no invasive species) or will be manufactured wetland soils if not enough natural soil available.

Additional discussion. Initial plan had 2 culverts at the front crossing, then switched to have 1 larger culvert, now back to 2 culverts. The 2x4 culvert units are available. They are smaller and easier to work with (unlikely that they will need a crane to move them).

Conservation Commission will work on draft order of conditions and send to applicant. Additionally in the future we'd like to talk about educational signage – this might be a great model site to have some signs about detention basins and plantings around them. Expressed thanks to everyone for patience with all of the input on this project.

Sean Libbey made a motion to continue the hearing 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 at our next scheduled meeting on 5/25/2023. Seconded by Kate Devlin. Roll Call Vote: 4:0:0

General Discussion

- There will need to be a meeting on 6/1/2023 at 6 pm

- Peter Law heard back from Damien Goudreau of Treehouse Brewing Co and they are very interested in the educational signs. Peter Law wants to coordinate with the Selectboard about signs and will talk with Tim Hilchey.

Mail: No new mail

Items Unanticipated 48 hours prior to posting: none

Upcoming Meetings: May 25, 2023 at 6 pm and June 1, 2023 at 6 pm

Adjourn: Sean Libbey moved to adjourn the meeting at 8:36 pm. Seconded by Kate Devlin.
Roll call vote: 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>.