



## ***TOWN OF DEERFIELD***

*Conservation Commission*  
8 Conway Street  
South Deerfield, MA 01373  
Voice: 413.665.1400  
Facsimile: 413.665.1411  
Web: [www.deerfieldma.us](http://www.deerfieldma.us)

### **Deerfield Conservation Commission – Meeting Minutes**

November 10, 2022

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

**Members Absent:** none

**Town Staff & Other Board Members Present:** Amy Hahn, Building Assistant

**Notes:**

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

Minutes of the October 27, 2022 meeting were reviewed and accepted as written with a motion from Kate Devlin, seconded by Peter Law. Vote approved, 3-0-1.

**New Business:** no new business

**Old Business**

1. Public Hearing Continuation for a Notice of Intent filed by NUPRO for construction of a 124,680 square foot building, parking area, loading dock apron, site lighting, site landscaping, utilities, stormwater management, riverfront resource area improvements on property identified in the Assessors records (Map 168 Lot 21 and Lot 21.2).
  - Updates - Greg Henson (Berkshire Design - peer review for stormwater and wetlands) - SVE and applicant have responded to all concerns and he has no further comments
  - Mark Stadnicki – changes to plans –
    - Wetland D – within wetland buffer is a manmade drainage basin – peer review asked it be shown on the plan. There will be a little swale to western discharge, wetland has 2 concrete outlets that discharge down to stream.
    - Derek Helie (SVE) added there is a storm water easement on a project to the south – if the pond ever fills up water goes into Wetland D. There is existing old drainage from the pickle factory that enters it, outflow goes down through ripwrap and to the brook, a swale runs along northern edge of the property that angle towards Wetland D.
    - Conducted test pits to confirm the groundwater – raise site 1.5 feet – allowed to direct stormwater into basins (eliminated dry wells)



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- Relocated the foundation drain to daylight towards the brook – 520 new sq feet of disturbance – 6 inch pipe – improving the riverfront over existing conditions – mitigate disturbance by allowing grass, shrubs, plants and trees – the ripwrap is 6”- stone. It won’t allow erosion of bank and covers approximately a 2 ft section.
  - Greg Henson – there is very little flow. The invert of the foundation drain is now above seasonal high ground water.
- Peter L. asked if all points that were missing from NOI identified in peer review letter of 10/27/2022 –page 3, item 3 sections a-h have been addressed
  - Greg Henson is satisfied that all of it has been addressed.
- Conditions for ensuring maintenance – will need to add conditions to plan – periodic reports necessary for the stormwater management plan
  - Mark Stadnicki - follow the BMP’s design for maintenance. Derek Helie will go through stormwater collection system plans with client and recommend that they be inspected regularly – Peter L. - sensitive to it and requested that we get the reports regularly
- Derek Helie noted that they did receive Selectboard approval at their last meeting – do you have more questions?
- Plantings / Vegetation –
  - Tried to choose plants that do well here – want to use trees as screening for neighbors
  - Sean Libbey asked where are you putting the pines?
    - Mark Stadnicki - There’s an abutter that wants some evergreens along edge of infiltration basin, in the plan removed some blueberry bushes to put in pines. These trees will be 1-1.5 inch diameter and 8-10 ft tall.
- Erosion control – 2 construction entrances, catch basins, outside siltsacks, any slope steeper than 3:1 will have jute batting put on / placed over it.
  - Peter Law noted a couple of isolated spots in the plan that had erosion control listed and wanted to know what they were for. On west side lists 3 silt sacks for the dry wells – but there are no dry wells now (after changing plan to raise the building) – these erosion controls need to be removed from plan as they are no longer needed.
  - Details on fiber rolls – staked every 4 ft – rolls need to be overlapped and not butted up against each other



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- Motion to approve a Notice of Intent filed by NUPRO for construction of a 124,680 square foot building, parking area, loading dock apron, site lighting, site landscaping, utilities, stormwater management, riverfront resource area improvements on property identified in the Assessors records as Map 168, Lot 21 and Lot 21.2 as submitted dependent on conditions to be detailed by the commission within the required timeframe made by Sean Libbey, seconded by Ben Bryne. Vote approved: 4:0:0
  
- 2. Public Hearing Continuation- for a Notice of Intent filed by Daniel Hartman/All States Materials Group. To make improvements to an existing gravel road, including widening the road, replacing the steam crossing and constructing a pad site for parking at 901 River Road (Map 21 Lot 1).
  - Dan Hartman, Sami Pretzel (project manager), Stephanie Hubbard and Emma Mrowka – update tried to focus in the revision cloud to note areas of change - provided a review response to peer review 11/9/2022
  - Emily Stockman – 11/2/2022 most recent update on review – didn't see latest version. Recognize 10/26/22 submittal - tremendous effort work and detail - we had just gotten those materials at the time of the last hearing
    - First 3 comments – acknowledging that the applicant has addressed additional delineation, labeling of flags and fine tuning of boundaries – there hasn't been a return site visit to review
  - Provide updates exhibit A and B – primary question stream 3 as approaches new culvert - is there an area of the stream that is going to be lost that had not been accounted for?
    - Response previous grading design created a small berm – it has now been modified to remove berm. Sheet C130 shows the re-establishment of connection that will allow water to go downhill into the stream maintaining connection.
  - Page 3 of peer review notes – reroute of S6 and S1 – realignments of streams – concerns about the level of detail that had been provided in plans to directing a contractor to create – there is new material in latest response to address those concerns
    - Sami –in the plans now showing channel restoration section – have made depictions of the plan detailing how to reuse the natural substrate and notes on channel restoration – and an engineer and wetland scientist will be on site to review work as happening.



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- Emily Stockman asked can you talk about stream widths and how stream stability will be maintained?
  - Stephanie H. S6 – now delineation in blue there is a more defined stream channel – (3- 3.5 feet wide), culverts are small, there is some ponding
  - Pete - what is depth of embedded substrate?
    - Dan Hartman – 2 feet
  - Emily Stockman – while on pipe embedment – in the October response there was a lot of detail on the culvert – is the purpose of embedment to make it more secure?
    - Stephanie – yes, the culvert is not oversized – to do that we would need a bridge and different requirements for the road
  - Emily Stockman – page 4 item 10 – reminding commission – limited project status under 10:53(3)e – can impose conditions prohibiting further activities
    - Dan Hartman responded we want to minimize future changes, but don't want to be prohibited if an emergency occurs. There's currently no intent to do more work here.
    - Emily Stockman responded: If the applicant decides to embark on other activity they would have to come before the commission
- Emily Stockman asked for detail on type of vegetation seeding and plan for control of invasive species?
  - Dan Hartman – would use the native seed mix according to MA regulations and will refer to the MA erosion control guidelines for urban and suburban areas see on page 8 of response (the 11/9 response).
- Under additional comments –
  - There is a plan for stream bypass only to be used if needed, ok with general conditions, see stream flow bypass notes comment 7. Monitoring of bypass can be the members already nominated and approved by commission – doesn't have to be someone different
  - LOD line on south – removed from project entirely (don't need to do work there - contacted EPA Boston office – would be part of the current NIPTE stormwater permit.
  - Erosion controls – have put some in near the intersection.



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- How will you designate the LOD for contractors?
    - Dan Hartman – will stake out/ lay out silt fence and he'll be on site while work is going on.
  - Test pits
    - Dan Hartman – test pits – they believe design plan is confirmed to be viable based on what was found in the test pit
  - Sean Libbey – Will you be bringing in any additional substrate materials if there aren't enough natural materials available?
    - Dan Hartman – see Channel restoration notes 4 — if we don't have enough material there, we will mimic a similar gradation – quarried in the same area – through our crushing and sorting operation. Any additional material won't be trucked in from elsewhere.
  - Dan Hartman - will resubmit without the revision clouds and will submit signed and stamped copy of plans.
  - Motion to continue Public Hearing for a Notice of Intent filed by Daniel Hartman/All States Materials Group. To make improvements to an existing gravel road, including widening the road, replacing the steam crossing and constructing a pad site for parking at 901 River Road (Map 21 Lot 1) at the meeting on November 17, 2022 made by Sean Libbey, seconded by Kate Devlin. Vote approved 4:0:0
3. Public Hearing Continuation - for an Abbreviated Notice of Resource Delineation (ANRAD) Wetlands Delineation filed by Kenneth Bouquillon, SunnyDayz Inc. The ANRAD asks the Conservation Commission to accept, revise, the wetland delineations shown on the submitted plan. The property is located Off Greenfield Road (Map 159 Lot 14).
- Ken Bouquillon, Fred King reported that the applicant hasn't received the peer review letter from Kate Bednaz (FWS) yet. Amy will send asap.
  - Kate Bednaz went through peer review letter point by point
  - Comment 2 notes that the wetland boundary does not extend to the edge of the subject property in multiple locations along the northerly boundary. In addition the southwest side of BVW J and F has not been delineated. Extending the delineation probably won't change buffer zones. The limits of this review are to the plan presented.



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- Comment 3. The BVW buffer zone extends into the middle of the highway and over the street into a little area on NE. There was discussion on how to include this area on the plan to show some approximation of BVW. Can use aerial photo to mark on the plan.
- Comment 8. Refers to an area that might be a vernal pool – needs to be evaluated during the spring season.
- Motion to continue Public Hearing for an Abbreviated Notice of Resource Delineation (ANRAD) Wetlands Delineation filed by Kenneth Bouquillon, SunnyDayz Inc. The ANRAD asks the Conservation Commission to accept, revise, the wetland delineations shown on the submitted plan. The property is located Off Greenfield Road (Map 159 Lot 14) at the next scheduled meeting on November 17, 2022 made by Sean Libbey, seconded by Kate Devlin, vote passed 4:0:0

### **General Discussion:**

1. VESH RFC – stormwater – vet hospital building expansion – planning board was looking for comments. Peter Law looked and there was no wetlands application where they want to expand parking lot. They will put in some erosion controls for run off during construction.
2. Atlas Farm – River Road – notice of concern filed with DEP, DEP is looking into discharge close to river and might be in touch with commission.
3. DCR Survey Request – general interest – Sean Libbey - can review issues in another meeting we can go through it together
4. Enforcement action (Map 132 Lots 29 & 30) – letter back from review and was sent out on Monday, 11/7/2022 – no comments back so far.
5. North Main Street Park (Map 151 Lots 0 & 1) Site Visit 11/8/2022 within the DEP review – 10 am - 2 pm – DEP made observations, soil pits, took pictures, will send out observations and comments to applicant (Town of Deerfield).
6. Stillwater Bridge RFC – comments Peter Law working on it
7. Treehouse Brewery erosion control (Map 150 Lot 9) – Peter Law discussed via email with one of the owners - they understand letter.
8. General Terms and Conditions – Pete will send out draft to commissioners to review.

### **Next Meeting: Thursday, November 17, 2022 at 7 pm**

Motion to adjourn meeting at 9:24 pm made by Kate Devlin, Seconded by Sean Libbey,  
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).



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The link to the Conservation Commission page is:  
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Approved 11/22/2022