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1350 Main Street  
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T: 413.726.2100  
F: 413.732.1249  
www.gza.com



May 16, 2022  
File No. 15.0167016.00

Deerfield Conservation Commission  
Deerfield Municipal Offices  
8 Conway Street  
South Deerfield, MA 01373

Re: DEP File No. 142-0226 Deerfield Park & Playing Fields,  
Clarification of Resources Onsite  
Site: 0 North Main Street, Map 151, Lot 1  
South Deerfield, MA

Dear Deerfield Conservation Commission:

On behalf of the Town of Deerfield (“Applicant”), and based upon a comment made at the April 28, 2022 Conservation Commission Public Hearing that was expressed by the consultants supporting 131 North Main Street, GZA GeoEnvironmental, Inc. (“GZA”) has conducted an additional review of the potential for a Riverfront Area (RA) resource to be within the limits of the above referenced project location. As a result of our review, we are identifying to the Conservation Commission that the property appears to contain a small portion of a RA associated with Bloody Brook.

Bloody Brook, located east of the Site across North Main Street, is identified on the 2021 Mount Toby United States Geological Survey (USGS) quadrangle map as a perennial river; therefore, this waterway has a 200-foot RA as described at 310 CMR 10.58(2)(a)(1)(a). As Bloody Brook is located on private property, GZA did not have rights to access those parcels to delineate the mean annual high water mark in the field. When measured using the aerial imagery available at MassMapper, the RA appears to extend approximately 32-feet into the property from the entrance on North Main Street.

The currently valid Determination of Applicability does not include the RA resource; however, a review of the applicable performance standards for an RA indicates the project meets the required performance standards as described in **Table 1** below. The RA alterations were determined from aerial imagery and estimated to total 3,200 square feet (SF). This total includes 2,080 SF of non-degraded RA located on the Site. Off-site, the work includes 1,120 SF consisting of 170 SF of non-degraded and 950 SF of degraded RA located within the North Main Street property.

The proposed work within the Riverfront Area onsite includes the 22-foot-wide asphalt access driveway as well as the 8-foot-wide asphalt shared use path (sidewalk) and wooden fence. These features are the minimum necessary to provide safe access into the park for two-way traffic. Additional areas of grading and limited tree removal will occur within the RA to construct the stormwater management system. Following construction, the RA north of the driveway access will be seeded with a conservation/wildlife seed mix and planted with native shrubs. The RA south of the sidewalk and wooden fence will be seeded with a rain garden seed mix and planted with native shrubs. Within the North Main Street property, the proposed work includes the connection of the access driveway and sidewalk with the existing infrastructure. The proposed work within degraded RA includes trenching necessary for utility interconnection. The road surface will be restored following the completion of the utility work.



**Table 1: Compliance with Performance Standards, 310 CMR 10.58(4)**

Performance Standard	Project Compliance	Discussion
<b>(a) Protection of Other Resource Areas</b>	Yes	As described in the Notice of Intent narrative, the Bordering Vegetated Wetlands and Bank resource alterations comply with their performance standards.
<b>(b) Protection of Rare Species</b>	Yes	The Site does not contain NHESP jurisdiction including Certified vernal Pools and Priority and Estimated Habitats for Rare and Endangered species.
<b>(c) Practicable and Substantially Equivalent Economic Alternatives</b> <ol style="list-style-type: none"> <li>1 Definition of Practicable</li> <li>2 Scope of Alternatives</li> <li>3 Evaluation of Alternatives</li> </ol>	Yes	<p>There are no practicable and substantially equivalent economic alternatives for the Town of Deerfield to develop a playing field and playground facility that meets the Town’s objectives that include:</p> <ul style="list-style-type: none"> <li>• Available for purchase by the Town;</li> <li>• Adequate area (at least 8-acres);</li> <li>• Location near downtown; and</li> <li>• Location near high school facilities.</li> </ul> <p>Additionally, the proposed work within the RA includes the restoration of disturbed vegetation during construction. The vegetation supports the interests of the Act to the extent practicable along the edges of the proposed driveway and sidewalk through seeding and planting of native shrubs.</p>
<b>(d) No Significant Adverse Impact</b> <ol style="list-style-type: none"> <li>1 Alteration of up to 5,000 SF or 10% of the RA within a lot, whichever is greater, recorded on or before October 6, 1997.           <ol style="list-style-type: none"> <li>a. A 100-foot-wide area of undisturbed vegetation is provided, or if it does not exist, it is preserved or extended. Proposed work that does not provide a 100-foot-wide area of undisturbed vegetation is allowed if the applicant provides a partial rebuttal of the presumption of significance is sufficient to justify a lesser area of undisturbed vegetation;</li> <li>b. Stormwater is managed Stormwater Policy standards;</li> <li>c. Proposed work may not impair wildlife habitat functions. Work exceeding 5,000 SF of undeveloped riverfront area requires a wildlife habitat evaluation under 310 CMR 10.60.</li> <li>d. Proposed work shall incorporate erosion and sedimentation controls to avoid impairing groundwater or surface water quality.</li> </ol> </li> </ol>	Yes	<ol style="list-style-type: none"> <li>1 The lot was recorded on “Plan of Land in Deerfield (Franklin Co.), Mass., Prepared for Francis Pervere” dated May 18, 1985, and recorded in Plan Book 56, Page 83, as such the Applicant can alter up to 5,000 SF and remain below the regulatory threshold that would qualify as a significant adverse impact. The Applicant proposes to alter 2,080 SF of RA on the Site and an additional 1,120 SF within the North Main Street property.           <ol style="list-style-type: none"> <li>a. A 100-foot-wide area of undisturbed vegetation does not currently exist, nor could it be constructed as the Town does not own the land within the inner 100-feet of the RA. Within the proposed work area, located in the outermost 32-feet of RA, the Applicant proposes to remove 8 trees with a DBH of 6-inches or greater and replace them with seeding and at least 10 shrubs as shown on the plans. The work area does not provide significant protection of the interests of the Act as described at 310 CMR 10.58(2) because it is physically and ecologically isolated from Bloody Brook by North Main Street to the east and residential development to the north, south, and east. See below for further discussion.</li> <li>b. The Project complies with the Stormwater Policy standards.</li> <li>c. The proposed work does not exceed 5,000 SF.</li> <li>d. The proposed work includes erosion and sedimentation controls.</li> </ol> </li> </ol>



We have prepared a summary of the Riverfront Area interests of regulations per 310 CMR 10.01(2) and we offer an explanation as to why the interest may be applicable or not.

**Table 2: Summary of Applicable Riverfront Area Interests, 310 CMR 10.01(2)**

Interest(s) of the Riverfront Area	Applicable	Explanation
Flood Control	No	On-site RA is not contiguous land, so flooding potential is low or non-existent.
Storm Damage Prevention	No	On-site RA is not contiguous land, so storm damage prevention from flood water is not expected. The land is topographically unable to retain stormwater to reduce the potential for on-site or off-site storm damage.
Protection of Land Containing Shellfish	No	Shellfish are not present in Bloody Brook or in the RA.
Protection of Public and Private Water Supply	No	No Public well is in the area and the private adjacent properties are on Town water.
Protection of Fisheries	No	Fish are not expected use the RA portion of the site since it is mainly upland grasses lacking an aquatic habitat.
Protection of Groundwater Supply	Yes	The small portion of non-degraded RA (2,250 SF) may provide support to the groundwater supply through infiltration in a limited area. The degraded portion of the RA (North Main Street) does not provide groundwater infiltration as it is currently an impervious surface.
Protection of Wildlife Habitat	Yes	North Main Street is expected to act as a movement barrier for wildlife that is dependent upon Bloody Brook. We suggest that wildlife would not be inclined to cross over the road with suitable upland habitat to the east side of Bloody Brook that would avoid the need to cross the road.
Prevention of Pollution	Yes	The RA has an access way to the site that is exposed earth in some locations that would continue to erode over time; therefore, the RA portion of the site is unlikely to prevent pollution in its current state.

We appreciate the opportunity to clarify the work located within a State regulated Riverfront Area resource. We look forward to working with the Commission to finalize the issuance of an Order of Conditions approving the work as described.

Sincerely,  
 GZA GeoEnvironmental, Inc.

Adrienne Dunk, WPIT  
 Assistant Project Manager

Daniel M. Nitzsche, CPESC, CESSWI, SE  
 Senior Consultant

Cc: Town of Deerfield  
 ProTerra Design Group, LLC.  
 Freshwater Wetland Services