

Whately Conservation Commission
Wednesday, December 19, 2018
Whately Town Offices, 4 Sandy Lane, Whately MA 01093

Commissioners present: Andrew Ostrowski, George Owens, Ann Barker, Montserrat Archbald, Scott Jacskon (Chair), and Patricia Devine (Associate Member)

Commissioners absent:

Others present: Andrea Lacasse and Melissa Coady from Tighe and Bond, Inc., Keith Bardwell (Whately Highway Department), Johanna Stacy (Northampton DPW), Mike Rose (Rose Engineering), Ward Smith (Wendell Wetland Services), Richard Thayer, Steven Yvon, Thomas Leue (Homestead Engineering), Carol Therrien Szady, Michael Szady, Rick Lyr

Meeting convened at 7:00 p.m.

1. Continuation of public hearing for Whately Highway Department Williamsburg Road Bridge Replacement Notice of Intent. The public hearing was reconvened at 7 pm. Commission Chair Jackson reviewed the file number letter from MassDEP. MassDEP recommended that the NOI be considered a redevelopment project so that it can meet performance standards for Riverfront Area. After discussion, it was decided that the project would be considered a redevelopment project with the larger spans under each of the two bridges being sufficient to meet the standard of a net environmental benefit.

Commission Chair Jackson acknowledged receipt of a letter from the Northampton DPW listing a number of concerns about the project. On behalf of the Whately Highway Department, Melissa Coady and Andrea Lacasse explained changes made to the project plans and addressed concerns raised at the last meeting and by the Northampton DPW. Here are issues raised and discussed.

- Need approximate bank elevations relative to cut down abutment elevations shown on the plans.
 - Clear spans for the two bridges are about 10-12 feet, which is significantly less than the bankfull width of the stream itself. This is another reason why the old abutments should be cut down to bankfull height. Otherwise, the project will not be compliant with the MA River and Stream Crossing Standards.
 - Refueling/staging areas for both Williamsburg and Whately sides of the project should be designated and shown on the plans.
 - The Commission may want to require an environmental monitor to oversee construction and to allow Northampton DPW to monitor construction, along with an environmental monitor.
 - Needed from contractor prior to construction
 - Demolition and construction phasing plan
 - Demolition containment plan, especially for concrete dust and cooling water
 - Dewatering plan: turbidity standard for drinking water is 1 NTU
 - Hazardous material control and management plan
2. Public Hearing for Notice of Intent submitted by Richard Thayer for Construction of a Single Family Home on Egypt Road. A site visit for this NOI was conducted on December 15, 2018. Commission Chair Jackson opened the hearing with an explanation that the filing of a Notice of Intent followed a

violation of the Wetlands Protection Act that involved the clearing of trees well within the buffer zone to a Bordering Vegetated Wetland without Commission authorization. He stated that the Commission had not issued a formal Enforcement Order but reserved the right to do so, if necessary. On behalf of the applicant (Richard Thayer), Ward Smith presented the project. Q & A and discussion followed. The Commission directed the applicant to consider the following.

- Given how little buildable land exists on the lot outside of the buffer zone, the applicant should seek propose a site plan that minimizes the footprint of the buildings, driveway and yard to the maximum extent possible.
- Significant areas of buffers zone, essential all areas not proposed for buildings, driveway and yard, should be restored.
- Detail is needed on the proposed installation of a water pipe through BVW to the proposed house.

With permission from the applicant, the hearing was continued until Wednesday, January 16, 2019, at 7:30 pm.

3. Request for a Determination of Applicability submitted by Steven Yvon for the repair of a septic system at 144 Conway Road. A site visit for this Request for a Determination of Applicability was conducted on December 15, 2018. Chairman Jackson described the situation at 144 Conway Road. A RDA was submitted after work to install a new septic system was stopped because it lack authorization under the Wetlands Protection Act. The site visit revealed significant groundwater seepage into a pit excavated for installation of a septic tank and pump. A follow up site visit involving Jackson, Pat Devine, and Fran Fortino from the Board of Health, let to a discussion of the need for an adjustment in the design of the septic system. The Commission voted unanimously (5-0) to issue a negative Determination of Applicability with the following condition.

“Prior to construction: 1) The Commission must receive notice from the Board of Health that the system is compliant with Title 5; 2) Erosion and sediment control adequate to prevent siltation of the West Brook shall be in place; 3) Any site drainage necessary for the installation of the septic system must be reviewed and approved by the Commission Chair.”

The Commission also agreed to allow the dewatering of the pit for the septic tank into a hay bale corral, to avoid undermining the foundation of the house.

4. The Commission voted unanimously (5-0) to accept minutes from the November 27th meeting.
5. The Commission reviewed the mail.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,
Scott Jackson