

Whately Conservation Commission
Wednesday, February 19, 2020
Whately Town Offices, 4 Sandy Lane, Whately MA 01093

Commissioners present: Andrew Ostrowski, Ann Barker, Montserrat Archbald, George Owens, and Scott Jackson (Chair)

Commissioners absent:

Others present: Chris Kellogg, Ann Futter Lomeli, Mary Stuart, John Lukin, Wayne Hutkowski and George Bucala (Whately Water Department), Mark Darnold (Berkshire Design Group), Mark Wamsley and Chris Volonte (Kestrel Land Trust), Pete Westover (Conservation Works)

Meeting convened at 7:00 p.m.

1. The Commission voted unanimously (5-0) to accept minutes from the January 15th meeting.
2. The Commission reviewed the mail.
3. Public Hearing for Julie Beauchemim Notice of Intent for construction of a 1.9 MW large ground-mounted solar facility at 164 Chestnut Plain Road. The public hearing was opened at 7:05 pm. The Chair announced that the applicants had communicated to the Commission that they were not prepared to present the project at this date, and asked that the hearing be continued until the March 18th meeting of the Conservation Commission. The Chair responded to questions about comments made to the applicants by MassDEP and the Commission Chair by reading those comments and SVE's written responses to those comments. The Commission voted unanimously (5-0) to continue the hearing until 7:05 pm on Wednesday, March 18, 2020.
4. Public Hearing for Town of Whately Notice of Intent for construction of a water pumping station adjacent to the cemetery on Chestnut Plain Road. The public hearing was reconvened at 7:20 pm. A site visit for this project was conducted on February 1, 2020. Mark Darnold (Berkshire Design Group) described the project and presented an alternatives analysis in support of the applicants' conclusion that there was no practicable alternative to siting the water pumping station within the Riverfront Area. The Commission voted unanimously (5-0) to issue an Order of Conditions permitting the work, without any special conditions.
5. William Harlow Request for a Determination of Applicability for a pond at 140 Haydenville Road. A site visit for this project was conducted on February 9, 2020. The Commission found that the water body on Mr. Harlow's property was too small to be considered a "pond" under the MA Wetlands Protection Act and was not connected to any jurisdictional wetland, water body or waterway, and therefore did not fall within the jurisdictions of the Wetlands Protection Act. The Commission voted unanimously (5-0) to issue a negative Determination of Applicability without conditions.
6. Information Discussion with Pete Westover (Conservation Works), Mark Wamsley and Chris Volonte (Kestrel Land Trust) about permitting for a potential boardwalk on land that the Kestrel Trust hopes to acquire for the Whately Woods Conservation Area. The Commission Chair, Jackson, recused himself from the discussion due to his role as Chair of the Kestrel Trust's Board of Trustees, and left the meeting. Montserrat Archbald then chaired the discussion. Pete Westover showed a simple map of where the boardwalk would go, plus several photos of other boardwalks he has designed for protected areas. This project would include a 100' boardwalk and a 60' boardwalk, each 3' wide. He designed them as long as possible hoping that they wouldn't have to do a full wetlands delineation. The shorter boardwalk crosses a stream. Andy asked if it's perennial or intermittent; no one knew. The boardwalk would be held up with marine dock hardware--a pole is stuck in the ground and the bracket is screwed into the pole. Height can be adjusted. Decking material could be pressure-treated wood or fiberglass grating. Both allow water to flow through the cracks. Construction would be carried out entirely with hand tools; there would be no

excavation. The Commission indicated that a Notice of Intent, with a site plan and details of the boardwalk, would be required.

Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Scott Jackson and Montserrat Archbald