



CITY OF NORTH ADAMS, MASSACHUSETTS

Conservation Commission

PUBLIC MEETING

MINUTES

June 10, 2020

Call to order Chairman Moran called the public meeting to order at 6:00 p.m. with the presence of a quorum.

Members present virtually Chairman Jason Moran, Jason Canales, Adam Galambos, Andrew Kawczak, and Elena Traister

Members absent Tim Lescarbeau

Others present virtually Robert Fournier, SK Design Group, Eric Kerns and Brent White, White Engineering

Chairman Moran read the following statement regarding virtual meetings:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public hearing of the North Adams Conservation Commission is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but the public can listen to this meeting while in progress by via teleconference at zoom.us. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by teleconference.

Public hearings old business

- A Request for Determination of Applicability submitted by SK Design Group, Inc. on behalf of Charter Communications for property located at Natural Bridge Road to install conduit necessary to provide high speed internet to Natural Bridge State Park.

Chairman Moran opened the public hearing to Bob Fournier from SK Design Group. Mr. Fournier addressed the concerns from the last meeting. The first concern was regarding the drilling process. There is a boring pit excavated on one side of the river and a drilled machine is drilled down through the earth at any depth that they would like. When it comes out, they attach a piece of apparatus to the end of the drill to open it up a little and the conduit gets attached and dragged back through the hole. There is a slurry mixture of bentonite and water used to clear the hole so the conduit can easily be pulled back through. Some of the slurry mixture will come out into the hole where the drilling begins and will get vacuumed up so that nothing will go into the river.

The second issue was the depth below the river. They initially indicated it would be 4 feet below the river. They did some research and the dredging is going to be dredged to an 8-foot depth. The depth of this conduit will likely be twelve to fourteen feet below the bottom of the pond if it's done before the pond is dredged.

The last issue was erosion control. The length of the wattle has been extended so there is no chance of any sediment leaving the site.

Commissioner Kawczak inquired about whether Mr. Fournier thought the conduit installation would be done before the dredging based on his communication with DCR. Mr. Fournier is not sure of the timing of either project.

Commissioner Traister inquired about the status of the Natural Heritage application. Mr. Fournier stated that he is waiting on the filing fee so that he can submit the application to Natural Heritage.

Commissioner Galambos explained that he reviewed the minutes from the last meeting to the regs about what qualifies as minor activities. It appears that that proposed work is closely aligned with the definition of minor activities under item G. It includes exploratory borings as well as some other activities. Based on the updated plan, there are fourteen cubic yards of soil that will be removed and promptly put back in place. He would like the approval of the commission to be contingent on the approval of Natural Heritage as previously discussed.

Due to technical issues, Chairman Moran turned the meeting over to Vice Chairman Kawczak. Vice Chairman Kawczak requested a motion to close the public hearing to continue the decision-making process. Commissioner Traister made a motion to close the public hearing. Commissioner Canales seconded the motion. All in favor. Motion carried.

Vice Chairman Kawczak turned the meeting back to Chairman Moran for discussion of the determinations of applicability as applicable to this project. Chairman Moran offered a negative determination, category 3 as the best option in his opinion. Vice Chairman Kawczak made a motion for a negative determination, category 3 with the narrative that would lean on the requirements feedback from the Natural Heritage program. Commissioner Traister seconded the motion. All in favor. Motion carried.

Other business

- File #241-0184 - A Request for a Partial Certificate of Compliance (Restaurant) submitted by White Engineering, Inc. on behalf of The Beyond Place, LLC for the completed project located at 861 State Road.
- File #241-0186 - A Request for Certificate of Compliance (Boardwalk) submitted by White Engineering, Inc. on behalf of The Beyond Place, LLC for the completed project located at 861 State Road.

Chairman Moran opened the meeting to Brent White and Eric Kerns. Mr. White explained that there was a request missing from the agenda. Discussion of the missing project file #241-0179 due to a clerical misunderstanding.

Mr. White explained that file #241-0184 is the farmhouse and the reason that they sought a partial certificate of compliance is because the project involved both a building addition to the existing farmhouse as well as a significant amount of grading, revegetation and planting both between the building and the proposed grade as well as along the top bank down toward the river itself. There was also a significant amount of debris removal. All of the grading work and revegetation has occurred and it looks fantastic. The site is stable. The reason for the partial certificate of compliance is to simply identify that not all of the proposed building work was done that was originally permitted and that some of the stormwater improvements that were to accommodate that building were not done as well. This request is to sign off on the work that was done per the plan and essentially all of that work is complete.

Mr. White explained that file #241-0186 was for the boardwalk that was permitted as well as some invasive species removal and some revegetation and replanting within the isolated wetland and the areas surrounding that.

Chairman Moran requested any further questions or comments from the commission. There were no further questions. Each member expressed significant praise on the project. Chairman Moran requested a motion to approve the partial certificate of compliance for file #241-0184. Commissioner Kawczak made a motion to approve. Commissioner Traister seconded the motion. All in favor. Motion carried.

Chairman Moran requested a motion to approve the certificate of compliance for file #241-0186. Commissioner Traister made a motion to approve. Commissioner Kawczak seconded the motion. All in favor. Motion carried.

Discussion of file #241-0179 that it will need to go on to the agenda of the next meeting. Mr. White stated that it could go on to the agenda for the next meeting. Mr. Kerns agreed. Chairman Moran explained that it would be merely a formality as there is no need for a site visit. It was agreed that if no meeting is scheduled by next week, one would be scheduled specifically to close out this file.

Approval of minutes Public meeting – May 20, 2020

Chairman Moran requested a motion to accept the minutes of May 20, 2020. Commissioner Traister made a motion to accept. Commissioner Kawczak seconded the motion. All in favor. Motion carried.

Adjournment Meeting adjourned at 6:32 p.m.

Respectfully submitted,



Michelle Ells
Conservation Commission Secretary