



CITY OF NORTH ADAMS, MASSACHUSETTS

Conservation Commission

PUBLIC MEETING

MINUTES

July 27, 2020

Call to order Chairman Moran called the public meeting to order at 6:02 p.m. with the presence of a quorum.

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

Members absent Tim Lescarbeau

Others present virtually David Moresi, Moresi Commercial Investments, LLC

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.

New business

- A Request for Determination of Applicability submitted by Moresi Commercial Investments, LLC for property located at 26 Union Street / Willow Dell to determine whether the proposed parking lot resurfacing is subject to the Wetlands Protection Act.

Chairman Moran opened the meeting to David Moresi. Mr. Moresi explained that the one third of the parking lot needs to be resurfaced. It would consist of a complete tear up of the existing pavement. The paving would be a standard binder and then top coat pavement. There is a small grassy area about 30-36" in depth with old utility poles as curb stops that they want to remove and pave up to the existing concrete wall of the flood control chute. They would also like to create a grassy median directly adjacent to the Route 2 sidewalk. There is a 1:1 change as far as the amount of impervious material that is being removed versus the new greenspace. There will also be some ancillary landscaping and fencing as well.

Chairman Moran inquired about whether there would be any surface drainage changes or would they all stay the same. Mr. Moresi explained that it would all stay the same, if anything it would promote drainage to the existing catch basins. There will be no grade or slope changes.

Chairman Moran inquired about the timeline of the project. Mr. Moresi stated that it is a fast tracked project so they would like to move forward as soon as all of the t's are crossed and i's are dotted.

Commissioner Galambos stated the he and Commissioner Traister made an observation about the ownership and the burden of the cost of the fence that is in poor condition on top of the flood chute as well as the fact that other agencies may need to be involved in that process. His main question about not changing the grade was already answered.

Commissioner Kawczak stated that they would want to shunt some more water in to the catch basin and that the catch basin would need to have some kind of basketing inside in terms of fabric filters, etc. Another thing that caught his eye

was the gas line nearby. He would be very cautious because gas companies are notorious for not going to appropriate depth. He advised caution to working with the gas line and working near the flood chute as they are not easily administratively managed. He is okay with the concept and commends the improvements in general.

Commissioner Traister would reinforce speaking with Commissioner Lescarbeau and potentially Army Corps of Engineers and expressed concerns about safety near the fence.

Commissioner Canales stated that his questions were already answered.

Chairman Moran expressed that Mr. Moresi should reach out to other entities outside of the commission's jurisdiction. He did reach out to the state regarding the milling and filling in the WPA but that only applies to roadways and not parking lots so that was not applicable in this instance. In this situation there needs to be a determination. The form 2 explains the positive versus a negative determination. Commissioner Kawczak stated that it could go two ways but a negative determination could be useful as long as a condition were included for erosion control/silt sacks, etc. if the commission agreed.

Commissioner Traister referenced 310 CMR 10.58 (6)(a) and she felt that this project would qualify as a negative determination.

Commissioner Galambos agrees with the other members and would also request erosion control measures in place.

Chairman Moran stated that he felt that a negative determination 3 with added conditions would be appropriate with the addition of erosion control measures during construction to include silt sacks. Chairman Moran requested a motion.

Commissioner Traister questioned the buffer zone and Chairman Moran explained that in the past they've been allowed to modify the forms to make them more stringent and could potentially check more than one box at a time.

Commissioner Traister inquired about whether there is a buffer zone here. Commissioner Kawczak explained that they do have a buffer zone but they don't let you add it to the outer riparian zone. The open water, assuming it's a pond rather than a river, you have a buffer zone off a pond but it's not qualified as riverfront because it's not a river. You really have both but they prefer on a river to call it riverfront because the first one hundred feet represents essentially the same distance as a standard buffer zone off a pond. Chairman Moran added that the delineation of the buffer zone starts at the furthest location that wetland plans are found. In this instance, given that we are at a flood chute there really aren't any wetland plans.

Chairman Moran requested any further questions or a motion from the commission. Commissioner Kawczak made a motion for a negative determination of applicability with a category 3 with the stipulation of erosion control barriers/silt sacks be employed. Commissioner Galambos seconded the motion. All in favor. Motion carried.

Approval of minutes Public meeting – June 29, 2020

Chairman Moran requested a motion to accept the minutes of June 29, 2020. Commissioner Kawczak made a motion to accept. Commissioner Canales seconded the motion. Chairman Moran abstained. All in favor. Motion carried.

Adjournment Meeting adjourned at 6:27 p.m.

Respectfully submitted,



Michelle Ells
Conservation Commission Secretary