Minutes
Northampton Conservation Commission
2nd Floor Hearing Room, City Hall, Northampton, Mass.
July 25, 2019

Members

<table>
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<th>Present</th>
<th>Time</th>
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<tr>
<td>Kevin Lake, Chair</td>
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<td>Mason Maronn</td>
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<td>Randy Krotowski</td>
<td>x</td>
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<td>Jack Finn</td>
<td>x</td>
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<td>Jason Perry</td>
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<td>Jessica Pica</td>
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<td>Elizabeth Wroblicka</td>
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Staff

| Present | Time 
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<td>Sarah LaValley</td>
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Meeting Opened At: 5:30 p.m.  By: Kevin

Minutes Approved:

| December 13, 2018 | Jack | Jason | yes |
| April 11, 2019   | Mason| Jessica| yes |

Public Comment

None

5:30 PM – Continuation Request for Determination of Applicability to
determine if installation of a perimeter drain and drywell within riverfront area
(Mill River) is subject to the Wetlands Protection Act or Northampton Wetlands
Ordinance. Jeff Marney/660 Riverside Drive LLC. 660 Riverside Drive, Map ID
23C-037

Jeff Marney provided an overview of the project. Kevin asked about past hazardous material
spills as noted on the site plan. Jeff replied that he has not discovered any information
related to hazardous materials or encountered any onsite. Jason noted that the release tracking was closed in the 1990’s, but that doesn’t necessarily
mean that materials would not be uncovered during work. Jeff replied that all material will be retained behind a silt fence, and an LSP will be engaged if
necessary. Jason suggested that the UIC program regulations regarding roof leaders should also be
looked into.

Mason moved to issue a negative determination by checking box 2, to indicate that the work
is within an area subject to protection, but will not alter, with standard conditions. Seconded
by Jason, the motion carried unanimously.

5:35 PM – Request for Determination of Applicability to determine if resource
area boundaries are accurately delineated and whether the area is subject to the
Wetlands Protection Act or Northampton Wetlands Ordinance. John Ewing.
Old Wilson Road Map IDs 44-116, 136 & 137.

John Ewing provided background; an Order of Conditions was approved years ago for
construction of a house but has since expired, and wetland boundaries have changed.
Sarah stated that she visited the site and has no concerns with flagging as shown on plans.
Jason moved to issue a positive determination by checking box 1, to note that the area
is subject to protection under the Act, 2a, to indicate that the delineation is accurate, and 5, to
indicate that the area is subject to the Ordinance. Seconded by Jessica, the motion carried
unanimously.

5:40 PM – Request for Determination of Applicability to determine if deck
construction within riverfront area (Mill River) is subject to the Wetlands
Protection Act or Northampton Wetlands Ordinance. Jennifer Langheld. 159
The applicant was not present; Sarah provided an overview of the project, to construct a 4’x4’
dock 150’ from the Mill River.
Mason moved to issue a determination checking box 6 modified to indicate that the work
is subject to the Ordinance, and box 5 to indicate that the area is subject to protection under the
Act, but that it qualifies for the exemption noted above. The Commission should be notified
at least 48 hours prior to work, and again when work is complete. Erosion control is not
necessary due to the limited disturbance and distance from resource area. Seconded by
Jason, the motion carried unanimously.

5:50 PM: Notice of Intent for driveway construction within bordering vegetated
wetland and buffer zone. Jerome and Susan Camposeo, Coles Meadow Rd, Map
ID 08-70
Adam Costa, Attorney for the applicant, provided background on the project and proceedings
to-date, including appeal and settlement agreement. The revised submission presents a plan
that is not fully compliant with the settlement agreement; turnouts have been added for
safety. The agreement also required a land donation and funding, these requirements also
limit applicant funding available for other aspects of the project, including wetlands
mitigation. Kevin asked about a shift in the driveway location. Adam replied that this
increases wetland disturbance from the original plan denied by the Commission, but less
than what would be proposed were the driveway to be adjacent to the donated strip.
Kevin noted that the safety turnouts are not proposed to be buttressed like the rest of the
driveway, and could result in erosion and expansion into the directly adjacent mitigation
area. Peter LaBarbera, consultant, suggested that vehicle disturbance could be limited in
other ways if needed.
Jack asked about engineering of wetland crossings. George Costa, engineer, stated that the
height of the driveway was limited to just enough to accommodate the crossings, with the
intent to level flow from each side of the crossing. Jack asked about possibility of increased
flow in the future. George replied that it would be easy to replace with a larger crossing size
in the future. The majority of flow on the site is east/west, not north/south so is not
impacted by the driveway.
Elizabeth asked about future maintenance of the driveway, suggesting that a condition could
be added to specify that no incursion into resource areas due to maintenance is permitted.
Kevin noted that the agreement required three culverts no more than 100 feet apart, but the
plans show them at a shorter distance. George replied that the culvert at the roadway will
convey roadside drainage, and others were added where necessary to convey flow.
Jason asked about fines from the driveway migrating to the wetland area. George replied
that these may collect along the edge, but compaction will prevent additional sedimentation.
Kevin noted that the Ordinance has standards related to wetland replication, and that the
replacement wetland must be equal to or greater value than the wetland being destroyed.
Peter stated that the wetland is based on a perched water table, and the replacement should
be successful if it maintains the silt/clay/loam layer.
Mason asked about parent material. Peter replied that only topsoil material from the
driveway will be excavated, and the rest will remain in place.
Kevin stated that the settlement agreement could be modified with a majority vote of the Commission. Elizabeth agreed that this would be a clean approach to clarify differences in requirements so that references are consistent.

Mark Rejniak, abutter, expressed concern about allowing the driveway to cross the wetland. Elizabeth moved to close the hearing. Seconded by Mason, the motion carried unanimously. Elizabeth moved to issue an Order of Conditions, with standard conditions, and additional conditions as recommended by staff and as discussed:

The applicant and contractor shall develop a specific plan to prevent alteration to wetlands areas during construction. This plan shall include specific provisions, and must be included in the sequencing plan.

An annual report, in accordance with the Massachusetts Inland Wetland Replication Guidelines, shall be provided to the Commission by November 30 of each year, for the first three growing seasons. The report shall contain all elements required in monitoring the wetland replacement area, and shall detail how and to what extend the replacement area meets the General Performance Standards and the Wetland Replication Plan in the NOI. If non-compliance with any Performance Standards or the Replication Plan is documented, the report shall include a draft “corrective plan of action.”

Prior to the issuance of a certificate of compliance, the applicant shall demonstrate that at least 75% of the surface of each replacement area has been re-established with indigenous wetlands plants.

The Commission shall be given 48 hours notice prior to the beginning of construction of each wetlands replication areas, to allow for discussion of requirements and to ensure compliance with all special conditions.

Any future alterations of areas shown on NOI plans as Wetland Replication Areas, except as may be required to maintain them in restored or mitigated condition, are prohibited. Additional allowable activities are removal of species listed on the Massachusetts Prohibited Plant list and planting of native species.

Except for the footprint of the driveway access, all areas shown on referenced plansheets as being within wetland resource areas and buffer zones shall remain in a natural and undisturbed state. Alteration within these areas, including but not limited to, removal of vegetation, construction of buildings, maintenance of driveway that extends beyond the driveway footprint, and creation of lawn, is prohibited without review and approval pursuant to the Wetlands Protection Act and Northampton Wetlands Ordinance.

Prior to issuance of a Certificate of Compliance, the applicant shall install a minimum of five boulders or other permanent immovable marker acceptable to the Commission, located every ten feet along the southern limit of the westerly ‘vehicle turnout’ area.

The applicant shall adhere to the terms of the Settlement Agreement. The Settlement Agreement shall be revised to accurately reflect the plans approved by the Conservation Commission.

Salt products shall not be used on the driveway.

As there was no further business the meeting adjourned at 6:51 PM.