

SOUTH HADLEY CONSERVATION COMMISSION
MEETING MINUTES
May 2, 2018

PRESENT: William (Bill) DeLuca, Chair; Jack Fleming, Vice Chair; William (Bill) Bacis, Member; Jim Canning, Member; Neva Tolopko, Member; Alex Krofta, Associate Member; Anne Capra, Conservation Administrator/Planner; Ann Eaton, MIPC; Hattie Finkel, Resident; Gail Berringer, Eliza Cress, Patty O'Neil, Conway School

The meeting for May 2, 2018 was called to order at 6:00 p.m. by Commission Chair DeLuca.

1. **Discuss and Consider** request to extend Order of Conditions #288-405 by Val Shvetz, Oak Ridge Custom Home Builders Inc., for the construction of a single-family home 80 River Road (Assessor's Map 22, Parcel 5) – The Administrator/Planner stated that Mr. Shvetz has an existing Order of Conditions for the construction of a single-family home. She provided the Commissioners with a brief history of the site. The site visit was requested by Mr. Shvetz and conducted on April 4, 2018 to make sure he knew what his mitigation requirements were and to document all the conditions of the site. She explained that Mr. Shvetz is aware that the monitoring of the plantings should be two (2) years for 100% success. The Commissioners then discussed the silt fence and the frequency of visits from the Administrator/Planner. The Administrator/Planner stated that it would be good to go out before any plantings are done. **Motion:** Commissioner Canning moved and Commissioner Bacis seconded the motion to issue a three (3) year extension of Order of Conditions #288-405 for 80 River Road to August 25, 2021 to allow for two (2) years of monitoring mitigation plantings. The Commission voted **Five (5)** out of **Five (5)** members present in favor of the motion.
2. **Discuss and Consider** request for Partial Certificate of Compliance for Order of Conditions #288-359 by Robert & Ashley Whited for the construction of a single-family home, 6 East Red Bridge Lane (Lot 20) (Assessor's Map 36, Parcel 160) – The Administrator/Planner explained that this lot was part of the Mountainbrook Subdivision, Parcel 20. She added that the house had been constructed and the current residents are selling it. As part of the sale of the house the attorney has requested the Partial Certificate of Compliance. None of the Special Conditions relative to the resource areas in the subdivision apply to this lot. The whole lot is outside the 50' Conservation Zone and was in the outer Buffer Zone. The only Condition applicable to this lot is that the deed references the Deed Restriction that applies to the whole subdivision, which it does (Book 11700 Page 160). The Commission then discussed the location of the wetlands. **Motion:** Commission Vice Chair Fleming moved and Commissioner Canning seconded the motion to issue a Partial Certificate of Compliance for Order of Conditions #288-359, 6 Red Bridge Lane, Lot 20. The Commission voted **Five (5)** out of **Five (5)** members present in favor of the motion.
3. **Discuss and Consider** request for duplicate Order of Conditions #288-451 by Craig Authier, Premier Home Builders Inc., for the construction of a single-family home, 0 River Road (Assessor's Map 21, Parcel 39) – The Administrator/Planner explained that Mr. Authier of Premier Home Builders, Inc. had misplaced his original Order of Conditions that the office had previously mailed to him. Because only original forms can be recorded at the

Registry of Deeds, he has paid the \$25 fee for the new duplicate original. She noted that the issuance date and the expiration month and day would remain the same. **Motion:** Commission Tolopko moved and Commission Vice Chair Fleming seconded the motion to issue a duplicate Order of Conditions #288-451 at 0 River Road. The Commission voted **Five (5)** out of **Five (5)** members present in favor of the motion.

4. **Discuss and Consider** Restoration Plan for Enforcement Order at 440 Amherst Road (Assessor's Map 58, Parcel 91) – The Administrator/Planner stated that the property owner's consultant, Ward Smith, submitted a restoration plan in response to the Enforcement Order. She added that Mr. Smith has delineated the wetlands on the property and they have been surveyed and from that delineation the 50' Conservation Zone was determined. The Administrator described jurisdictional requirements and the three (3) resource areas. On the restoration plan he submitted the plan calls for the disturbed wetland areas to be regraded with hand tools, seeded with a wetland mix, a drainage pipe to be removed, and the piles of woodchips in the riverfront area would be removed. The Administrator/Planner explained to Mr. Smith that if the property owner is interested in pursuing his original plans (which is for a vineyard) a Notice of Intent for that work must be submitted and that it would be best for the Commission to review the proposed restoration in tandem with plans for additional work. Mr. Smith has requested some guidance from the Commission in terms of what additional work would be allowable on this site relative to the concept of being a vineyard and where it would or would not be allowed so he can develop a plan for the Commissioners to review. After some guidance from the Commission, he would put together the Notice of Intent ideally for the next Commission meeting. The owner's attorney has contacted the Administrator/Planner and she provided him with the same information that she provided to Mr. Smith, that for any additional work a Notice of Intent must be completed and that the Notice of Intent needs to be a joint filing with Natural Heritage and Endangered Species under the Massachusetts Endangered Species Act because the whole site is a Priority Habitat. The Administrator/Planner noted that she has received a telephone call and e-mail message from an abutter expressing concerns about the piles of woody debris that are on the site and concerns about erosion, and the potential for rodents and other vermin to live on this site in its current condition. Commission Chair DeLuca then inquired if any of the audience members had any questions or comments. Ms. Hattie Finkel, 450 Amherst Road gave a brief history of the property. She is concerned about erosion and the mound of debris. Ms. Finkel explained that she has a small grandson that comes to visit and she is concerned that animals could be living in the debris and also concerned that as in years past there will be a problem with coyotes. Commission Chair DeLuca stated that he shares Ms. Finkel's concerns in getting the site cleared up, but the Commission is waiting on a plan on how to proceed. He added that there are laws that state you cannot alter wetlands and that everyone has to be held to the same standard. Commission Chair DeLuca explained the three (3) factors in how to determine a wetland. He added that the Commission wants the wood chips removed and the slope stabilized. Commission Chair DeLuca suggested that the Commission wants this minimal restoration plan in place and that the mitigation decision still needs to happen moving forward and a time frame added. The Conservation Administrator/Planner stated that she would send a draft letter to Dr. Mugg asking for work to be accomplished in 30 days or by June 30, 2018. Commission Chair DeLuca also suggested that the mitigation plan for the work that has been done be submitted within 30 days. Commission Chair DeLuca thanked the applicant and the abutter for attending the meeting.

The Administrator/Planner suggested to the Commission that they go to Agenda Item #7 Master Plan Implementation Committee and then to Agenda Item #8, the Conway School Presentation. All of the Commission members indicated their agreement.

7. **Discuss and Consider** status of Master Plan implementation regarding Conservation Commission action items with Master Plan Implementation Committee (MPIC) – The Administrator/Planner stated that the Master Plan Implementation Committee submitted the table (included in the Administrative Notes) of the actions that were in the Master Plan that pertain to the Conservation Commission. She added that she met with Ann Eaton in January to go over the actions and to provide an update. Ms. Eaton provided an overview of the role of MPIC and asked if there were any updates on the status of tasks assigned to the Conservation Commission. The Conservation Commission will continue to work with MPIC on these tasks and the Master Plan update in the coming year.

8. **7:00 PM Open Space Prioritization Project Presentation, Conway School Student Team** – One (1) of the students distributed copies of their report entitled “South Hadley Ecological Assessment”. A student, Gail Berringer, stated that they would present and discuss key findings and some key materials of the report. She added that the project scope was to assess conditions in the watershed of three (3) streams in South Hadley (Bachelor Brook, Stony Brook, and Buttery Brook) and make recommendations to prioritize parcels for conservation value, look at threats to these streams, and looking at parcels specifically in relation to these streams, and how development might affect stream quality. She also outlined the three (3) elements which are: stream health, what can the Town do via the WPA and protection of the water quality in the Town and looking at factors that impact water quality, and how might a strategy of identifying individual parcels relate to a larger conservation strategy. She next discussed the three (3) characteristics of each of the streams, summary of water quality, and the relationship between the watershed within the town boundary and the entire watershed area. The second presenter, Patty, looked at ecological value around these streams (Bachelor Brook, Buttery Brook and Stony Brook). She stated that Bachelor Brook contains core habitat and critical natural landscape, Buttery Brook does not have much ecological value but does have some habitat value, and Stony Brook has a core habitat and critical natural landscape. Next the various parcels that were unprotected and undeveloped were presented by Eliza and described in case the town has a chance to acquire one. The Commissioners were advised of the five (5) recommendations at the end of the report.

5. **Discuss and Consider** River to Range Trail Phase II, Bachelor-Stony Brook Conservation Area, Hadley Street – This is the second Recreational Trails Grant for the project to replace two (2) failing stream crossings and the parking lot on Route 47. The Administrator/Planner stated that she is preparing the RDA and recommended that the Commissioners partake in a site visit prior to the next meeting. The Administrator/Planner stated that the trail work will be performed by the Massachusetts Americorps Student Conservation Association (SCA). She explained the size of the parking lot is not changing, it’s just being re-graded and topdressed with gravel. The Commissioners discussed the recent shooting in the area of a turkey hunter by another turkey hunter. She also noted that another part of the grant is the funding for the treatment of invasive species. The Administrator/Planner noted that she e-

mailed the RFP for the botanical inventory to the Commissioners prior to the meeting and asked that they review it and get back to her.

6. **Discuss and Consider** Leaping Well Brook Nature Trail at Toth Property, Mosier Street – The Administrator/Planner stated that the design and permitting were subcontracted to Conservation Works by the Town Administrator Mike Sullivan. She added that Pete Westover submitted an RDA and it will come in before the next meeting. The Administrator/Planner noted that there is a site visit scheduled for May 14, 2018 at 9:00 a.m. She added that this time will allow the Commission extra time to review the plans. The Administrator/Planner explained that they have not submitted design plans for the crossings because they want guidance from the Commission. She noted there were two options; option #1 to use hardware piers or option #2 to use wood sleepers.
9. **Discuss and Consider** Approval of Meeting Minutes from April 11, 2018 – The meeting minutes of April 11, 2018 were not reviewed or approved due to time.
10. **Administrator's Report** (including updates on projects, violations, next meeting dates, and correspondence log

Wetlands Bylaw – The Administrator/Planner explained that the Wetland Bylaw has been approved by the Attorney General and is now in effect. She explained this means RDAs no longer require a Public Hearing and certified mailings to abutters. All that is necessary is the posting of the Legal Notice of the Public Meeting in the Town Reminder.

Public Outreach with Bike Walk Committee – The Administrator/Planner explained that the Conservation Commission has discussed doing more outreach to the public about conservation lands and wetlands and, its part of the effort to develop a volunteer corps for maintenance. She spoke with Mariann Millard of the Bike Walk Committee who is hosting treks on town land. Director of Planning & Conservation has suggested Conservation pair up with them. The Administrator/Planner stated that she was going to meet with them on May 16, 2018 at 7:00 p.m. at the South Hadley Public Library.

End of Fiscal Year Funds – The Administrator/Planner explained that there is \$478 in the Line Item for Property Management remaining in the FY18 budget. She suggested that Commissioner Bacis bring the saw into the repair shop by June 30th and these funds will pay for the repairs. The Administrator/Planner stated that the Commission has \$878 available to spend before June 30th or the money will be returned to the General Fund. She explained that this was money budgeted for Property Management \$478, Printing & Binding \$100, Advertising \$250, and Departmental Supplies of \$54. She also explained that she has asked the Tree Warden, Chris Ryan about cutting down a large tree, but due to some medical issues he has not been able to do it. She explained that with these leftover monies the Commission can hire a consultant to go out and cut all the downed trees. All of the Commissioners were in agreement.

Next Meeting Dates – The next meeting date for the Commission is June 13, 2018 and three (3) weeks after that would be July 4, 2018. She asked the Commissioners if they wanted to meet on the Wednesday before the holiday (which would be June 23, 2018) or the Wednesday after the holiday (which would be July 11, 2018). After discussion it was the

consensus of the Commissioners to meet on July 11, 2018. In response to an inquiry to change the meeting time to 7:00 p.m., the Commissioners were in favor of leaving the start time at 6:00 p.m.

11. Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice) –

Commissioner Bacis stated that he remembers that the family was to purchase the plaque for Lin Pickle's bench with the extra money left over from the donations. The Administrator/Planner stated that the donation amount for the bench came to \$1,221.00. She added that she explained to the family member that there were no extra funds leftover to return to the family for the plaque. The Administrator/Planner also explained that the amounts she quoted were from Janice's spreadsheet.

12. ADJOURNMENT

Motion: Commissioner Bacis moved and Commissioner Canning seconded the motion to adjourn. The Commission voted **Five (5)** out of **Five (5)** members present in favor of the motion. The meeting adjourned at approximately 8:36 p.m.

Respectfully submitted,

Doris Leclair, Senior Clerk
Planning & Conservation

Attachment A

List of Documents Reviewed in May 2, 2018 Conservation Commission Meeting

<u><i>Document</i></u>	<u><i>Record Location</i></u>
Conservation Meeting Agenda	Conservation Agenda & Minutes Binder
Administrator Notes	Conservation Agenda & Minutes Binder Individual Project Files
South Hadley Ecological Assessment (Conway School Student Team)	Conservation Administrator/Planner, Room 204
Minutes	Conservation Agenda & Minutes Book Individual Project Files
Sign In Sheet	Conservation Agenda & Minutes Binder