

Shutesbury Conservation Commission Meeting Minutes
February 13, 2020 Shutesbury Town Hall

Site Visit (Summary attached)

February 11, 2020

Attending: Penny Jaques, Russ Mizula, and Robin Harrington/Commissioners

1. Top of the Lake Conservation Area: observe proposed canoe/kayak launch site

Commissioners present: Penny Jaques, Barry Field, Russ Mizula, Robin Harrington and Liam Cregan

Staff present: Linda Avis Scott/Land Use Clerk

Guests: Herb Gilmore and Janice Stone

Jaques calls the meeting to order at 7:00pm and welcomes new Commissioner Liam Cregan.

Jaques moves and Harrington seconds a motion to approve the 1.9.20 meeting minutes. Jaques, Mizula, and Harrington approve the minutes as presented; Field and Cregan abstain; the motion carries.

Mail:

1. 1.31.20 letter from Eversource regarding right-of-way maintenance activities along WT-11; no SCC action at this time. Field is concerned that the erosion control for Eversource Line 354 (RDA 12/18) remains in place and may be interfering with water flow. It is noted that the erosion control was left in place pending completion of work. Jaques recommends waiting until spring to re-evaluate the site.
2. 3.16.20 Open Space Network Gathering and 4.25.20 Mass Open Space Conference
3. 2.13.20 email from Susan Reyes re: "High piles of salty slush/snow"; no SCC jurisdiction; the area is being evaluated by Town Administrator Torres and Highway Superintendent Hunting.

Field announces his intention to resign from the Commission effective immediately; this will be his last meeting. The remaining Commissioners regrettably accept Field's resignation.

Field is concerned that only the upper level of Rostas and Gang Conservation Area was mowed in 2019, done by an abutter, and notes the need for ongoing communication with Amherst Conservation Land Manager Brad Bordewieck to ensure yearly mowing in August/September.

Forest Cutting Plan:

1. Wheelock Lot-South/Sand Hill Road/Cowls: Final (full plan is on file with DCR); no SCC action.

ANRAD Peer Reviews: Commissioners review the four "Wetland Consultant Peer Review Proposal – Revised" from Emily Stockman/Stockman Associated (see file). The revised proposals include attendance by Stockman at one SCC meeting. Jaques moves the Commission accept the four "Wetland Consultant Peer Review Proposal – Revised", one for each of the ANRADs, which include attendance at one Commission meeting. Harrington seconds the

motion. Jaques, Mizula, Harrington and Cregan support the motion; Field abstains; the motion carries. Scott will contact Maria Firstenberg/TRC to arrange Chapter 44 Section 53G funds for Stockman's work which will remain pending receipt of the funds.

Continue Public Hearing for NOI at Lot ZB 679 Merrill Drive Conservation Land/Town at 7:31pm

Janice Stone, representing the Recreation Committee/applicant, reports that there is no particular exemption for the Chapter 91 License. Commissioners agree that work on the Chapter 91 License application can occur after issuance of the Order of Conditions. Jaques, Mizula, and Harrington conducted a site visit on 2.11.20 accompanied by Police Officer Johannsson; the bank was visible. Johannsson advised Commissioners to arrange parking so that it is off the road and license plates are visible. Jaques confirms that two signs will be in place, one stating rules of use and one that is educational, i.e. the benefit of native plantings. As a follow-up to the 1.9.20 abutter question, Jaques consulted the Planning Board about whether there are any setbacks for fencing. Per Jeff Lacy/Planning Board, the definition of fencing in the "Town of Shutesbury Zoning Bylaw" states that fences "enclose" a lot or "separate" contiguous lots; they must be on the subject property but just inside the line. The Commission notes that boundary lines will be verified. There being no further questions, Jaques moves and Mizula seconds a motion to close the public hearing at 7:45pm and issue an OOC. Jaques, Mizula, Harrington, and Cregan vote in favor of the motion; Field abstains and the motion carries.

Lake Wyola Lowering and Raising Procedure Memorandum of Understanding: Scott is requested to contact Mark Rivers/LWAC about finalizing the document including data from Howard Kinder/Gate and Dam Keeper.

61 Lakeview/Stockton: Per Scott, response to the 11.21.19 letter remains pending. Commissioners request Scott to send a follow-up email to Glen Stockton. Sign-off on the building permit application remains pending; the building inspector will be notified as indicated.

Community Preservation Committee (CPC) Request: Scott, SCC representative to the CPC, explains that the CPC is interested in ideas committees/boards may have for the use of CPC funds. Improved access to the Rostas and Gang Conservation Area including signage is suggested. Stone mentions the idea of a joint project with the Town of Leverett to re-create the Rostas and Gang access near the Leverett Transfer Station.

The FY19 Activity & Highlights Log is complete and the FY19 Annual Report is nearing completion.

Baker Fields Conservation Restriction: Commissioners review the 9.11.19 Annual Monitoring report, received by SCC on 12.18.19, by Paul Gagnon/Kestrel Trust Conservation & Stewardship Manager. Field and Jaques note that even though SCC and Kestrel co-hold this CR, Kestrel oversees the CR and SCC oversees jurisdictional wetlands.

Open Public Meeting for RDA at 39 Schoolhouse Road/Gilmore at 8:02pm

Herb Gilmore/applicant-owner explains the plan to upgrade the current septic system in approximately the same location with an extension to the length of the new system; District Health Agent Charlie Kaniecki was present for the perc test done by Clark. The 2.3.20 email from Kaniecki, "Shutesbury 39 Schoolhouse Rd new system" is read into the record (see file). Commissioners review the RDA including the site plan "Septic System Design Plan for Herb Gilmore" dated 1.24.20 by Alan Weiss/Cold Spring Environmental Consultants, Inc. Gilmore: Weiss has staked the site. A site visit will be conducted as soon as conditions permit. All Commissioners and Gilmore agree to continue the public meeting to 3.12.20 at 7:15pm.

Current financials are reviewed.

Subsequent to Mizula's consultation with the Town Clerk, all Commissioners agree to post SCC meeting minutes to the Commission's webpage. Scott will inform Town Clerk Susie Mosher of the decision.

It is noted that per the 1.24.20 email from Darci Maresca, individual students from the UMass Human Dimensions of Natural Resources class may select to visit a Commission meeting.

The Order of Conditions for Lot ZB 679 Merrill Drive Conservation Land, DEP file # 286-0273 is prepared for issuance 2.14.20 and submitted via eDEP.

There being no further business, the meeting adjourns at 9:00pm.

Respectfully submitted,
Linda Avis Scott
Land Use Clerk