

Shutesbury Conservation Commission

Minutes – September 10, 2026

Approved – September 24, 2026

Virtual Meeting

Commissioners Present: Mare Fox, Beth Willson (Chair), Scott Kahan, Bob Douglas, Michael McDuffie

Commissioners Absent: None

Other Staff Present: Matteo Pangallo (Land Use Clerk)

Others Present: Tricia Wancko, Michael DeChiara

Call to Order: 7:02pm

This meeting is being recorded and all members are participating remotely.

Comments from the Chair

Willson notes that she forwarded the Commissioners information from the state about public listening sessions regarding the new energy siting regulations, one of which will be held in Shutesbury.

Willson reports that the region has been moved to a level 1 drought status, which is an improvement.

Review and vote on minutes of August 27, 2026

Motion to approve the minutes of August 27, 2026: Fox; second: Douglas. Vote: Kahan - aye; Willson - aye; Douglas - aye; Fox - aye; McDuffie - aye. The motion is approved unanimously.

Land Management Update

Kahan reports that he and Willson met with Terramor and walked through the South Brook Conservation Area trails improvement and repair plans. Terramor has completed the design portion of the project and provided a map of the intended work, which can be used by the Commission to prepare the Notice of Intent (NOI). Willson will start putting together the NOI for the Land Use Clerk to file so the permit can be issued promptly. She notes that some exemptions do exist under the Wetlands Protection Act for trail work, but that some of the work within buffer zones will need to be permitted.

Small Project Permit for tree removal within the AURA of bordering vegetated wetlands at 35 Weatherwood Road

Willson recognizes Tricia Wancko who describes the project and notes that it would involve removing two dead trees within the buffer zone to prevent them from possibly falling on the house. Willson confirms that the trees are dead and shares photos of the site.

Motion to approve the Small Project Permit for removal of two trees and tree trimming at 35 Weatherwood Road: McDuffie; second: Fox. Vote: Douglas - aye; Fox - aye; McDuffie - aye; Kahan - aye; Willson - aye. *The motion is approved unanimously.*

Public hearing on regulations for Conservation Commission administered lands

Pangallo shares the draft regulations. Kahan explains the reason the Commission is adopting regulations and gives an overview of the Commission's responsibilities to protect the Town's Conservation Areas. He notes that the Commission has received in the past requests from members of the public to adopt some regulations for the use of these Areas. He provides an explanation of each section in the proposed regulations.

Willson recognizes Michael DeChiara who thanks the Commission for adopting regulations. He expresses his strong opposition to allowing hunting as a permissible use because it is the only use that presents a potential safety hazard to public safety. He notes that there is already lots of land in Shutesbury where people can hunt already and that the Commission should be as inclusive as possible in adopting regulations that make as many people as possible feel safe and welcome on the Town's Conservation land. He does not think that allowing hunting is not necessary and that by prohibiting hunting the regulations would better meet their own stated purposes.

Willson notes that Matteo Pangallo also submitted a written comment in regard to the hunting allowance and expressed similar concerns, noting that the town includes a lot of land already where hunting is allowed. The Conservation Areas are a small portion of the town by comparison.

Willson states that she does see how allowing hunting could be seen as exclusionary for people who do not feel safe around hunters during hunting seasons. She notes that Amherst allows hunting on some conservation land and not on others, which is another option the Commission might consider, though she does note that Shutesbury has much less conservation land than Amherst does.

Kahan states that the Commission could make site specific decisions and observes that at present the status quo is that the Conservation Areas are by default open to hunting and people have become used to hunting on them already but the Commission could choose to prohibit hunting in particular areas if it wanted. He notes that these regulations are meant to create a general baseline from which the Commission could then create specific designations or exceptions.

Willson notes that the dog section in the regulations includes a specification allowing the Commission to prohibit dogs in certain areas. She suggests that similar language be included in the section on hunting. Kahan points out that the Commission can also post specific properties to be no hunting per state law.

Fox observes that people may not even be aware where the boundaries of Conservation Areas are located. Many people might assume that those parcels are private property.

Kahan notes that Section 5 would allow the Commission to post signage indicating the Conservation Areas, entry points, and the permitted and prohibited uses.

Willson suggests that entire Conservation Areas should be designated as hunting or no-hunting areas in order to make the rules clear, rather than trying to divide parts of each Area. She suggests creating online maps to help people learn about where the trails and Areas are located.

DeChiara notes that state law requires property owners to post signs to prohibit hunting but the effectiveness of those signs is fairly low. He also notes that the question of how the Town has acquired the land might be relevant. He suggests removing the hunting provision entirely and bringing that up to Town Meeting for discussion and a town-wide vote.

Douglas reviews the history of the state law putting the burden on the land owner to post against hunting. He agrees that balancing public access with the tradition of hunting is important and thinks that the regulations do allow the Commission to adopt controls on particular Areas if it decides they are needed.

Kahan observes that the state law would require the parcels to be posted against hunting, even if the regulations prohibited hunting on them. He disagrees that hunting presents a safety risk for the public but agrees that it is important to find a way to balance public interests. He notes the Commission would have to decide whether it wants to invest in the posting of no-hunting signs and where specifically. He does not think a town-wide discussion is necessary and thinks the Commission could address those concerns.

Willson notes that there are weapon discharge setbacks from occupied dwellings and public roads. Kahan notes that there are, however, no setbacks from trails.

Kahan suggests that based on the feedback the Commission has received, he would propose revising the "Traditional Uses" subsection of Section 3 to include a specific provision allowing the Commission to close particular Areas to hunting in accordance with state law. Willson agrees with that suggestion and proposes that Commissioners look at the maps of the Areas and begin to

think about which should be closed to hunting. They would then need to post the borders of those as no-hunting areas.

Kahan proposes to change the language of the subsection to add the sentence. "Fishing and hunting in accordance with state law unless posted as closed to hunting and fishing in accordance with state law." Willson asks if hunting and fishing should be separated and Kahan observes that they could be on the signage.

Willson asks if fishing and hunting should be separated since fishing might be allowed but hunting might not. Kahan thinks that under state law they have the same posting requirement so the Commission could always specify allowing one and not the other.

DeChiara states that he understands the Town is a land-owner and that any land-owner can post to prohibit hunting. Kahan agrees and notes that the state law considers the land open to hunting unless posted otherwise. The proposed language would allow hunting except where posted otherwise, in accordance with state law.

Willson explains that the revision will be to the bullet point regarding hunting "Traditional Uses."

Kahan reads the revised language: "Fishing and hunting are allowed unless otherwise posted in accordance with state law."

Motion to approve the regulations as revised: Douglas; second: Fox. Vote: Douglas - aye; Fox - aye; McDuffie - aye; Kahan - aye; Willson - aye. *The motion is approved unanimously.*

Fox suggests the Commission also begin the process of looking into which Areas might have existing rules about hunting as a condition of a Conservation Restriction or deed restriction.

Willson notes that Kahan and the Land Use Clerk will start researching that and the next steps would then be mapping the Areas and working out any signage.

Unanticipated Business

Douglas reports that he has talked with someone who works for the state on boat ramp repairs and Douglas offers to use that information to put together a Notice of Intent on behalf of the Commission. He thinks repairing the ramp would be a multi-year project but that it is up to the Commission to start the process. Willson agrees and notes that the Commission can prepare the NOI but the Town, through the Town Administrator, needs to be the formal applicant. Pangallo

notes that the Commission might also consider applying for a Community Preservation Act grant for the repair costs. Douglas asks that this be added to the Commission's next agenda.

Adjournment

Motion to adjourn: Douglas; second: Kahan. Vote: Kahan - aye; Willson - aye; McDuffie - aye; Douglas - aye; Fox - aye. *The motion is approved unanimously.*

Adjourned: 8:08pm

List of Documents Used:

- Email from Commonwealth of Massachusetts DOER regarding energy siting regulation listening sessions
- Photos of dead trees at 35 Weatherwood Road
- Draft regulations governing the use of Town-owned Conservation lands
- Written public comment from Matteo Pangallo regarding Conservation Area regulations
- Small Project Permit application for tree removal at 35 Weatherwood Road