

Shutesbury Conservation Commission

Minutes – 9/12/2024

Approved – 09/26/2024

Virtual Meeting

Meeting Start: 7:00pm

Commissioners Present: Beth Willson, Robert Douglas, Scott Kahan, Janice Rowan

Other Staff: N/A

Others present: Mark Wightman, Joe Salvador, Penny Jaques, Mike Stotz, Tom Siefert, Frank McGinn

Chair's Call to Order: 7:00 pm

Meeting is being recorded.

Comments from the Chair – Beth Willson:

While Todd Tietchen was appointed to this Commission by the Select Board, he was not sworn in and has since withdrawn from the Commission for personal reasons. The Commission will again be seeking applications.

The vacant Land Use Clerk position has been advertised and there may be someone interested in the position.

Shutesbury is having a Town Outreach Day on October 6. Boards and Commissions have been invited to participate with information for the public. The Commission may use this as a recruitment event. Beth Willson, Scott Kahan and Janice Rowan will be on hand.

Site Visit Summary – Janice Rowan:

1. **8/28/2024 - Dudleyville Dam Removal on Montague Road** – Removal was completed. The slopes were seeded and covered with a protective erosion mats, the flat areas were mulched, and remaining equipment was removed. Some erosion socks and safety fencing were left in place until the grass sprouts. Final inspection will take place when 75% of the grass has come in or else we'll take another look 30 days from 8/21 to see how things are going. Not much growth has happened yet because we've had very little rain.
2. **8/30/2024 – Robert Gage, DEP/Permit #286-1, 1981 – Request for a Certificate of Compliance** required confirmation that a single span bridge with four

concrete abutments was constructed across Dean Brook adjacent to Sand Hill Road (leads to Houston Gage Conservation Area). The bridge is present.

3. **9/8/2024 – Pam Ososky, Subduing Knotweed Coalition** - requested the Commission tour a number of identified sites in Town to determine jurisdiction over knotweed management. Sites were located along Old Town Road, Schoolhouse Road, Shutesbury Road, Locks Pond and Lakeview Road. Where sites were within Commission jurisdiction, it was recommended that Pam Ososky submit a permit request with a location map showing both knotweed and wetlands, and provide control methods suggested for implementation.
4. **8/8/2024 – Mark Wightman, Lot H-151 on Shutesbury Road**, requested that the Commission visit his property to determine if the Town will assume management responsibility for a Conservation Restriction on 14.277 acres of land adjacent to a 3.97 acre building lot. The Commission viewed the site and requested a copy of the map and Restriction language to confirm that no significant additional responsibilities, beyond annual monitoring, will be required.
5. **9/12/2024 – Kestrel Land Trust, Bright Water Bog Nature Retreat** – requested the Commission review the trail/boardwalk project to see if a Certificate of Compliance (COC) can be issued. The trails and boardwalk look great. The Commission will first review the Order of Conditions in regard to leaving various trails open or closed.
6. **9/12/2024 – Norene Pease, 19 South Laurel Drive – Proposed tree removal** – The Commission reviewed the proposal to see if a Request for Determination (RDA) or Notice of Intent (NOI) is required to remove and replace a few dozen arborvitae inside the buffer zone. The homeowners requested additional information, permit forms, list of native plant suppliers and replanting ratio as they consider next steps.

Minutes:

Janice Rowan will continue taking Minutes until the Land Use Clerk position is filled.

Motion to approve draft Minutes from 8/22/2024 made by Bob Douglas. The Motion was seconded by Janice Rowan. Scott Kahan, Beth Willson, Bob Douglas and Janice Rowan voted to approve the Minutes. Rowan will provide the final copy to Beth Willson. These Minutes along with a small backlog of previously approved Minutes will be posted soon.

7:15 pm – Sand Hill Road Certificate of Compliance (COC) Request, DEP/Permit # 286-1:

The Town of Amherst is buying 11 acres across the street from the Houston Gage Conservation Area. An old Order of Conditions (OOC) required the owner at the time to build a bridge. We confirmed the presence of the bridge. As a result, the Certificate of Compliance (COC) can be issued.

Motion to approve the COC Request: Janice Rowan; Seconded: Bob Douglas; Voted approval: Scott Kahan, Bob Douglas, Janice Rowan. Willson abstained due to Conflict of Interest since Amherst is her employer.

7:20 pm – Conservation Area Management – Penny Jaques:

Penny Jaques requested that the Commission assume management responsibility for the following Conservation Areas:

1. **Top of the Lake Conservation Area on Merrill Road** – Community Preservation Act (CPA) funding remaining: \$360. Completed project includes a canoe/kayak launch, signs, 2 parking spaces, native plant garden, fencing along property border, and a picnic table. Ongoing management concerns include invasive species management (Glossy Buckthorn) and a recommendation for a Town Highway Department mowing plan. Penny Jaques volunteered to maintain the gardens for now.
2. **South Brook/Lake Wyola Conservation Area on Locks Pond Road** – CPA funding remaining: \$1000. Trails have been assessed for needed changes and improvements. An old management plan was provided to Scott Kahan. Mapping is recommended. It is unclear whether CPA funds expire and if funds can be used for purposes not specifically defined in the original grants. The Town’s Community Preservation Committee should be able to answer these questions.

7:30 pm – Mark Wightman, Lot H-151 Shutesbury Road, Conservation Restriction Discussion:

Mark Wightman confirmed that the property perimeter is pinned so it can easily be surveyed for encroachments. The conservation restriction area is not pinned yet, but he said that he will have a surveyor take care of this. The draft Conservation Restriction allows hunting, does not allow new paths, etc. Mark wants to confirm with the Planning Board whether any changes can be made to the Restriction.

The Commission recommended that baseline conditions be moved within the draft to the definitions section. They noted that a baseline survey should be completed prior to hand off so that the Commission and landowner are fully aware of all potential liabilities and responsibilities. This would include discussion of fees for monitoring.

Upcoming Site Visits:

September 26 – 3:45 pm – Russell Greco, 640 Wendell Road, building permit application
October 5 – 9:30 am – 43 Old Orchard Road, Conservation Easement monitoring
October 5 – 10:30 am – Top of the Lake Conservation Area, Merrill Road, monitoring
October 6 – 2:45-5 pm – Town-Wide Birthday Party, Community Outreach Event, Town Common

Unanticipated Business:

Bob Douglas noted that the Sedimentation Control Group had a field trip with the Highway Department to look at some high priority sites.

Public Comment: None

Motion to Adjourn: made by Bob Douglas; Second: Janice Rowan; Voting Aye: Beth Willson, Scott Kahan, Janice Rowan, Bob Douglas

Meeting Close: 8:00 pm

Next Meeting: September 26, 2024 at 7:00 pm

Documents Used: None