

Shutesbury Conservation Commission

Minutes – September 11, 2025

Approved – September 25, 2025

Virtual Meeting

Commissioners Present: Beth Willson (Chair), Mare Fox, Bob Douglas, Scott Kahan (8:05pm)

Commissioners Absent: None

Other Staff Present: Matteo Pangallo (Land Use Clerk)

Others Present: Walker Korby, Chris Volonte, Penny Jaques, Mark Rivers

Call to Order: 7:07pm

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

Comments from the Chair

Willson reports that the Town was awarded the Dam and Seawall Grant from the State. She congratulates Mark Rivers on securing the grant for design and permitting for repairs to the Lake Wyola dam and notes it also received Community Preservation Act funds from the Town.

She reminds the Commission that the October 9th meeting includes the regulations hearing.

Review and vote on minutes of August 14, 2025

Motion to approve the minutes of August 14, 2025: Douglas; second: Fox. Vote. Douglas - aye; Fox - aye; Willson - aye. *The motion is approved unanimously.*

Site Visits Update

Fox reports that other than the site visits for today's agenda items, she did a site visit to the new library site on August 18 and will forward photos from the visit. She did not see anything new of concern. She will be doing another visit later this coming week because the contractor is hoping to start with the landscaping soon.

Willson reports that she did site visits for the Bright Water Bog RDA and the New England Power Certificate of Compliance and will report on those when they come up on the agenda.

Land Management Update

There are no land management updates but Willson notes that Kahan is working to get a contractor for the South Brook Conservation Area trail work.

Request for Determination of Applicability from Kestrel Land Trust for trail improvements within the buffer zone to Bank at Bright Water Bog, 727 Wendell Road (Map ZK, Parcel 118)

At 7:15pm, Willson opens the hearing and recognizes Walker Korby and Chris Volonte who describe the project as trail maintenance mainly focused on water management. There are three areas that are regulatory, one of which will involve regrading for water flow across the trail and the other two are crossings of an intermittent stream that need resetting and regrading. Pangallo shares the project map that was included in the application and Korby describes the nature of the work needed in each of the three areas shown on the map.

Willson asks if there are any other spots that need work. Volonte responds that there are other places in the Bright Water Bog Area that require work for water management on the trails but they are not included in this Request for Determination of Applicability because they are outside of any resource area buffer zone.

Willson asks how material will be delivered. Korby responds that he will be using a five-foot articulating tractor to come across the dry field from the north to access the trails.

Willson asks when the work will be done. Korby answers that it will be done before the snow season starts, probably in early or mid October.

Douglas notes that it is in keeping with the Commission's goals to be putting in trail bars to maintain these trails for public recreation. Willson notes that from her site visit, she agrees that the planned work is both necessary and planned appropriately for the location. Fox remarks that she is familiar with the trails in question and agrees that there have been real problems with flooding in those places.

Willson asks if there are questions or comments from the public.

Motion to close the hearing at 7:31pm and issue the Determination of Applicability: Douglas; second: Fox. Vote: Douglas - aye; Fox - aye; Willson - aye. *The motion is approved unanimously.*

Willson will draft the Determination and send it to the applicant in the next week.

Penny Jaques asks if the Town has filed for a Certificate of Compliance for the culvert at the Lake Wyola dam. Willson indicates that there has been none and Jaques offers to check with the Town Administrator about it.

Jaques asks if there are still restrictions put in place on the use of water from Lake Wyola during a drought as there was about eight or nine years ago. Willson is not aware of any but suggests having the Land Use Clerk look into whether there are any relevant Orders of Conditions.

Request for Determination of Applicability from the Town of Shutesbury for invasive plant mitigation within the buffer zone to Lake Wyola at Top of the Lake Conservation Area (Map ZB, Parcel 679)

Jaques would like to have more members of the Commission come do a site visit to the Top of the Lake Conservation Area and to have them work on developing a management plan for it. Willson agrees and suggests setting up a visit when Kahan has returned to town. Fox would also like to have a discussion about a management plan for Randall Road and the boat ramp area. Jaques notes that the kiosk at the boat ramp was originally meant to include a trail map and Conservation Area rules from the Commission. Jaques notes that there is a management plan for the boat ramp area, made by Janice Stone, but she does not believe there is one yet for the South Brook portion of the property. Willson notes that the Commission has a Community Preservation Act grant from the Town for trail work in South Brook and that could include a trail map.

Willson opens the hearing at 7:45pm and recognizes Penny Jaques. Jaques describes the Top of the Lake Conservation Area and the plan to remove invasive buckthorn from the shore of the Area. Pangallo shares the map that was included in the application and Jaques describes the work area. A few years ago she and Robin Harrington tried to remove it by hand but there were too many plants for them to handle. A professional will be retained to come in the fall to treat the further buckthorn with a handspraying of Aqua Neat, an herbicide made for use in proximity to water, and a hand painted application of Aqua Neat at the water line. Native plants would be put in the following spring and a monitoring process would take several years. There is a buckthorn seed bank nearby, though, so this could be a problem again in the future. This is being funded by a Community Preservation Act grant from the Town.

Willson asks if the native shrubs have been chosen yet. Jaques says she has not but they would likely match the plants on the site already, including native blueberry, button bush, winterberry, alder, and other standard, vigorous-growing native shore plants. She is open to suggestions from the Commission for other plants.

Willson asks how much of the current vegetation is buckthorn and whether the bank will hold if it is all removed. Jaques answers that she has already planted azaleas, blueberries, and small red maples and those will help hold the bank after the buckthorn is removed.

Willson considers the plan well made and is satisfied with the professional's qualifications to apply the herbicide. Douglas agrees and is glad to see the Area being cared for and the nuisance vegetation being removed. Fox notes that next to the parking area, which is about 130 feet from the shore, there is another patch of buckthorn that could be removed. She noted also that during the site visit she saw that the neighbor to the north also has buckthorn extending onto their property and she wonders if the neighbor would be interested in having it sprayed as well in order to prevent it from spreading onto the Conservation Area. Jaques is unsure if the abutter would be willing to allow that and notes that it would likely require a separate permit. She notes that many of the lots around the lake have buckthorn at the shore line now.

Motion to close the hearing at 7:57pm and issue the Determination of Applicability: Fox; second: Douglas. Vote: Douglas - aye; Fox - aye; Willson - aye. *The motion is approved unanimously.*

Certificate of Compliance from Mark Rivers for a septic project within buffer zone to Bank at 70 Lake Drive (Map ZB, Parcel 50), DEP File Number 286-0174

Willson invites Mark Rivers to add any additional information. Rivers notes that the DEP File Number in the agenda refers to the septic system at the property and this is a different project.

Douglas recuses himself because he is an abutter.

Motion to issue the Certificate of Compliance for a septic project within the buffer zone to Bank at 70 Lake Drive (Map ZB, Parcel 50), DEP File Number 286-0174: Kahan; second: Fox. Vote: Kahan - aye; Douglas - abstain; Fox - aye; Willson - aye. *The motion is approved unanimously with one abstention.*

The Commission will send the Certificate to Rivers next week.

Kahan notes that the parking lot for the West Quabbin Conservation Area is finished and looks good. Next up there is signage and trail work. He is working with the Town Administrator to get the bid process started for the South Brook Conservation Area and that is still in the works. He is not sure what role the Conservation Commission will have in the bid process. Willson informs Kahan about the earlier discussion about getting a trail map up in the kiosk at the boat ramp. Kahan notes that the Community Preservation Act grant did include signage, so a map could certainly be included when the work is done, depending on what the trail work itself will cost.

Certificate of Compliance from New England Power (NEP) for exploratory soil borings within buffer zone to bordering vegetated wetland along the E5/F6 Transmission Lines, Pratt Corner Road

Willson describes the work that was outlined in the original Notice of Intent that the Commission received a while ago. She did a site visit and confirms that the location is completely revegetated. There was no impact on the resource area. She notes that now there will likely be a filing made for the work on the towers itself.

Motion to issue the Certificate of Compliance to New England Power (NEP) for exploratory soil borings within buffer zone to bordering vegetated wetland along the E5/F6 Transmission Lines, Pratt Corner Road: Douglas; second: Fox. Vote: Douglas - aye; Fox - aye; Willson - aye. *The motion is approved unanimously.*

Review and vote on response to Open Meeting Law complaints

Willson shares the draft responses to the two Open Meeting Law complaints and reviews the contents of the responses. Douglas and Fox think that the responses are good and approve them.

Certificate of Compliance from Karen Burns for deck addition and stairs within the buffer zone to Lake Wyola at 58 Lake Drive (Map ZB, Parcel 43), DEP File Number 286-0307

Fox did the site visit for this in July and has confirmed that the vegetation has grown back in.

Motion to issue the Certificate of Compliance for deck addition and stairs within the buffer zone to Lake Wyola at 58 Lake Drive (Map ZB, Parcel 43), DEP File Number 286-0307: Fox; second: Douglas. Vote: Douglas - aye; Fox - aye; Willson - aye. *The motion is approved unanimously.*

Discussion of signage and maintenance needs at Randall Road and boat ramp area

Willson notes that the earlier discussion and that this work could be part of the larger work being done on the South Brook Conservation Area trails and she would like to have this conversation when Kahan has returned. She notes that there are maintenance needs, including vegetation overgrowth. Douglas describes a site visit he did and some trees that need to be trimmed. Willson notes that the composting toilet has been pumped out. Douglas adds that the paved portion of the boat ramp is in serious disrepair and is a significant project because it will involve work on land that is under water during part of the year. That will certainly require a filing on behalf of the Commission and funding for the materials and work. Willson notes that they could apply for Community Preservation Act funding for that and suggests that the Commission develop a maintenance plan because that will help in the application for the grant. Fox adds that there was a sign about boating regulations that needs to be repaired and put back up. Willson recognizes Pangallo who notes that the Lake Wyola Boating Safety Task Force had asked the Select Board for an updated sign and had supplied a mock-up sign. He will look into whether the Select Board will be putting the sign up and how it will be funded. Douglas offers to reach out to

the Lake Wyola Advisory Committee about the tree work that needs to be done. Willson notes that trimming a tree would not require a filing like removing a tree would. Douglas adds also that removing seedlings would also not reach the threshold requiring a filing. Fox agrees.

Unanticipated business

There is no unanticipated business.

Adjournment

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

Adjourned: 8:41pm

List of Documents Used:

- Request for Determination of Applicability from Kestrel Land Trust for trail improvements within the buffer zone to Bank at Bright Water Bog, 727 Wendell Road (Map ZK, Parcel 118)
- Request for Determination of Applicability from the Town of Shutesbury for invasive plant mitigation within the buffer zone to Lake Wyola at Top of the Lake Conservation Area (Map ZB, Parcel 679)
- Certificate of Compliance application from Mark Rivers for deck addition within buffer zone to Bank at 70 Lake Drive (Map ZB, Parcel 50), DEP File Number 286-0174
- Draft Certificate of Compliance for Mark Rivers for deck addition within buffer zone to Bank at 70 Lake Drive (Map ZB, Parcel 50), DEP File Number 286-0174
- Certificate of Compliance application from New England Power (NEP) for exploratory soil borings within buffer zone to bordering vegetated wetland along the E5/F6 Transmission Lines, Pratt Corner Road
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- Certificate of Compliance application from Karen Burns for deck addition and stairs within the buffer zone to Lake Wyola at 58 Lake Drive (Map ZB, Parcel 43), DEP File Number 286-0307
- Draft Certificate of Compliance for Karen Burns for deck addition and stairs within the buffer zone to Lake Wyola at 58 Lake Drive (Map ZB, Parcel 43), DEP File Number 286-0307
- Open Meeting Law complaints from Tom Siefert regarding agendas for the meetings of 7/10/25 and 7/24/25

- Draft responses to Open Meeting Law complaints