

Shutesbury Conservation Commission Meeting Minutes
August 8, 2019 Shutesbury Town Hall

Conservation Commissioners present: Penny Jaques, Barry Field, Russ Mizula, and Jennifer Wallace
Staff present: Linda Avis Scott/Land Use Clerk

Guests: Robin Harrington; Mark Rivers/LWAC; Tracy McNaughton, Tim McKinney, Donna West, Judith Rimmel, Mark Abramson, and Joyce Blanker

Jaques calls the meeting to order at 7:00pm.

Jaques moves and Mizula seconds a motion to approve the 6.27.19 meeting minutes; Jaques and Mizula vote in favor of approving the minutes as presented and Field abstains; motion carries (Wallace had yet to be appointed).

Wallace moves and Mizula seconds a motion to approve the 7.25.19 meeting minutes. Wallace suggests adding a sentence to the end of the first paragraph on page 2: "Wallace recommends, that in its communications, the Commission raise awareness about the potential for and need for prevention of the importation of invasive species on canoes and kayaks". Jaques, Mizula and Wallace vote in favor of approving the minutes as amended and Field abstains; motion carries.

Wildlife Habitat Evaluation:

Jaques and Mark Rivers/Lake Wyola Advisory Committee (LWAC) have been working on obtaining a scope of work and quote from Emily Stockman/Stockman Associates for assessing the lake's status, i.e. vegetation in a way that could not be done earlier in the season and the health of animals and plants in the deeper areas. Rivers notes that LWAC has a \$750 annual expense line. SCC members agree to allocate \$500 toward the cost of Stockman's additional work. Rivers: it is important to know all we can about the health of the lake. Jaques notes that the Lake Wyola Association wants to hire Stockman to do a teaching session about the lake's health. Wallace suggests Stockman train volunteer scientists to do some of the monitoring work which could potentially be reviewed by Stockman.

Jaques notes that Stockman offered to assist with developing a drawdown protocol. Rivers suggests the SCC sanction future drawdowns that are based on a protocol using Stockman's recommendations; the protocol will include parameters for timing and the lowering rate. Rivers: the Division of Fisheries and Wildlife "Drawdown Performance Standards for the Protection of Fish and Wildlife Resources" dated 2002 is used as a reference; the lake needs to be lowered before freezing occurs; Howard Kinder/Dam and Gate Keeper's experience is that there has been ice on the lake prior to the recommended drawdown start date necessitating an earlier start. Jaques notes that this is an example of what needs to be spelled out in the protocol and recommends the Commission allow future drawdowns provided a protocol is submitted. Wallace suggests the protocol be reviewed at a future point, i.e. in three years.

Rivers to Mizula's question: the dam is controlled manually. It is noted that John Kinder serves as the Assistant Dam and Gate Keeper. Rivers is researching staff gauges suitable for Lake Wyola and notes that the LWAC and Kinder do not yet have an effective way of monitoring the flow rate. During boating season, Rivers is able to monitor turbidity, dissolved oxygen and pH. Jaques: Stockman offered to help with drawdown calculations and observed that the substrate has become stable over time and the littoral zone is stable. Jaques continues: per Stockman, a 2' drawdown is reasonable though it could be 18". Rivers: the issue is control therefore recommends conferring with H. Kinder about whether 18" is practical. Jaques suggests Rivers work with Stockman to determine the date/time for a session to train key people. Rivers will seek clarification on the refill rate. All Commissioners and Rivers agree for the

protocol to be presented to the Commission by 10.1.19; the protocol, based on Stockman's June 2019 "Wildlife Habitat Evaluation Report" will be developed by Rivers and H. Kinder.

Open Public Meeting for RDA at Pine and Shore Drives at 7:30pm

Commissioner Jennifer Wallace, as an abutter, recuses herself from the proceedings. The legal and abutter notification documents and filing fee have been received (see file). Commissioners review the project narrative and site plan (see file).

Per Tim McKinney/Lake Wyola Association (LWA), the scope of work is to repair the road so that it does not become impassable as it did last winter. McKinney: Phase 1 starts at the corner of Pine and Shore Drives and extends to the coves – the road will be regraded and trenched on either side to decrease the velocity of stormwater flow and collect sediment, a vegetated settling area will percolate runoff; to decrease the impact on vegetation near the coves, erosion control will be installed on each side; soil will be brought in to create a 3" crown that will allow water to drain evenly to each side; the existing culvert at the north end of Pine (under Shore Drive) will be allowed to flow into a ditch on the north side of Pine which will prevent the flow from crossing the road; on the south side, a new culvert under Shore Drive will direct flow into a ditch on the south side of Pine Drive; a 6" diameter culvert will be added under the driveway for 51 Shore Drive (on Pine Drive) to continue runoff flow into the drainage ditch. McKinney: Phase 2 will relevel the remainder of Pine Drive by adding material to bring the crown to a proper level; the straw wattles installed prior to the start of work will be removed once work is complete and the site stable; the goal is to complete Phase 1 in 2019 and Phase 2 within the next three years. McKinney to Jaques' question: the inactive culverts on Shore Drive will not impact the proposed work; the culvert across from 51 Shore Drive will be removed to allow water to flow more freely. McKinney to Field's question: on the site plan, the green "active" culverts are 12" in diameter; the new Shore to Pine Drive culvert will be 12" in diameter; it is expected that two 12" culverts at the top of Pine Drive will be adequate for splitting the flow of stormwater runoff; the blue arrows indicate the direction of the flow; 3" riprap will be placed in the drainage ditches. Jaques: there is concern that the drainage ditches will fill with sediment causing the flow to slow down. Tracy McNaughton/LWA Roads Committee: the LWA is creating work crews to clean the ditches; the plan is to assign an area to a nearby resident; the goal is to have residents observing areas that could impact the lake. Jaques: sediment removed from the ditches must be relocated at least 100' from the lake. McKinney: in order to avoid the high water table, the depth of the settling area is to be determined; because of their knowledge of the area, W.W. Clark Excavating Co. provided guidance on the plan. It is noted that Pine and Shore Drives are plowed by the Town; each fall, the Highway Department assesses the roads and recommends any work needed to make areas plowable.

Mizula recommends the proposed plan be reviewed by Tim Hunting/Highway Superintendent. Wallace, as an abutter, states her appreciation for the work done by McNaughton and McKinney to bring the plan before the Commission. Per Jaques, the Commission appreciates their work as well. McKinney: the LWA is awaiting approval by the Commission before scheduling with Clark. It is noted that August is usually a dry month therefore a good time to conduct road work. McKinney agrees to have Hunting and Clark Excavating conduct a pre-construction site visit. Mark Abramson/9 Pine Drive asks about the process for considering any changes Hunting may recommend. Donna West/Lake Wyola Association: we have reason to believe the owner of a lot on Pine Drive (ZB416) may be violating the Shutesbury General Wetlands Bylaw by diverting runoff water onto the road; the LWA is working to solve the Pine Drive problems and we are concerned this property owner, David Brooks, will undo the work. Per Abramson, Brooks stated "he doesn't care what the LWA does as long as we get the water off his property". Jaques notes that the SCC is aware that there have been issues with Lot ZB416 and will continue to monitor the area; this site does not affect the plan currently before the Commission. McNaughton: the proposed work does not impact Brooks' site and will be conducted within the right of way; Brooks received an abutter letter and phone invitation to attend this meeting. McKinney: the work will be within the road bed; the

goal is to create a good looking functional road; Brooks' old culvert is in the woods in pieces. McKinney continues: Clark will dump and spread about 40 cubic yards of gravel; any excess material will be removed off site. The Determination of Applicability issuance process is reviewed. At 8:10pm, all Commissioners agree to close the public meeting and issue a Negative Determination with conditions.

Top of the Lake Conservation Area: Per Jaques, the Recreation Committee will be asked to be the applicant for the Notice of Intent; the goal is to install the canoe/kayak launch while the lake is lowered.

South Brook Conservation Area: Wallace will conduct a site visit, evaluate the status of the bridges, take photos and prepare a report for the 9.12.19 meeting.

Highway Department MOU: Per Scott, Hunting is working on the FY20 project list.

Eversource Line 354 Project: The 7.25.19 email response from Simon Hildt/Eversource Licensing and Permitting Specialist is reviewed by the Commission. Field, the Commissioner most familiar with the site, agrees with Hildt's recommendations to maintain erosion and sedimentation controls until the work is complete. Scott will send a follow-up email confirming this and requesting Hildt keep the Commission updated on the status of the Line 354 project.

Sumner Mountain Conservation Area: Commissioners review the 7.19.19 Conservation Restriction Monitoring Report compiled by Charles Eiseman (see file). Jaques notes that Chuck DiMare, property owner, has requested information about vernal pool certification. Field identifies the need for follow-up letters specifically noting the dumping of materials near or within the CR boundary proximal to both the DiMare-Antonino home/34 Sumner Mountain Road and the abutter, Kathleen Lugosch, at 30 Sumner Mountain Road. Commissioners agree for Field and Scott to compose the relative letters.

Jaques and Scott will write an article about the Commission's role in the preservation of Lots F105 and F3 on Leverett Road for the upcoming issue of the *Our Town* newsletter.

52 Shore Drive: Scott reports that the Commission received a phone message stating concern about the septic system at this address; Catherine Hilton/Board of Health was contacted and the concerned caller was informed of this action and given contact information for the Board of Health. Per Hilton's 7.30.19 email, a septic system inspection was scheduled for 8.5.19 and an effort was being made to have an emergency pumping done before the inspection. Wallace: there is a tight tank located in the driveway of 52 Shore Drive which slopes down into the buffer zone.

Topics to be carried over to a future meeting: Open Space Plan, posting minutes to the Commission's webpage, purchase of MACC educational materials, and a site visit to 28-30 North Laurel.

Due to lack of quorum, the Commission will not meet on 8.22.19.

Wallace will be temporarily stepping down from the Commission and will seek reappointment in early 2020.

The Determination of Applicability for the LWA Pine and Shore Drive RDA is prepared for issuance 8.9.19 (see file).

Respectfully submitted,
Linda Avis Scott
Land Use Clerk