

Shutesbury Conservation Commission Meeting Minutes
May 13, 2021 Virtual Meeting Platform

Conservation Commissioners present: Miriam DeFant (Acting Chair), Robin Harrington, and Mary David

Conservation Commissioners absent: Liam Cregan/Chair

Staff present: Tessa Dowling/ Land Use Clerk

Guests: Emily Stockman, Maria Firstenberg, Michael Nolden, Don Wakoluk, Andrew C.

DeFant calls the meeting to order at 7:14pm (a late start due to technical issues).

Statement relative to conducting virtual meetings following the Governor's restrictions on public meetings is read into the record by Dowling.

Meeting Minutes

The Commission postponed the review of the 04.22.21 meeting minutes to the next meeting.

Site Visit Follow-up

-6 Haskins Way: On May 5, 2021, DeFant, Harrington, and David met the landowner at 6 Haskins Way to inspect a building permit deck project site. Commission members found there were no wetlands close to the deck site and recommend signing off on the project. Wakoluk also attended the site visit.

- 170 West Pelham Rd: On May 5, 2021, DeFant, Harrington, and David met the landowner at 170 W. Pelham Rd to determine if there were bordering vegetated wetlands near the proposed new well site. Commission members found that the proposed site was within 100ft of running water with bordering vegetated wetlands. Members staked out two different possible well sites that were more than 100ft from the wetland area. Wakoluk also attended the site visit.

Dowling has reached out to the landowner since the site visit. The landowner will have the Health Agent review the two other stakes and see if one of them would be appropriate under Board of Health standards for a new well. If not, then the landowner will have to file for a permit for the well project.

- South Brook Projects Site Visit: On May 1, 2021 Cregan and Dowling met Penny Jaques and Janice Stone and the proposed mt. biking trail applicant, Phil Parker, at the South Brook boat ramp. Everyone walked the proposed mt. biking trail with Parker, then Cregan and Dowling worked on mapping the existing trail network. Dowling carried a handheld GPS unit to track the trails and marked wetland areas that intersected with the trails.

Dowling screen shares the map created by Cregan showing the track from the visit.

A second visit will be needed to finish mapping the trails and to fill out the vernal pool certification observation form because they found a vernal pool with five salamander eggs.

All Commission members are interested in working on certifying the vernal pool.

Per Dowling, the abutter to the South Brook property has trails that continue from South Brook to his land. He does not mind hikers but would like to stop ATVs and motorbikes from using the trails. The South Brook management plan does not prohibit ATVs on the property. Part of Jaques' CPA project will determine where it would be helpful to put no ATV signs up, but it will not likely not be finalized until next year. Per DeFant, the Commission can invite the town police to be part of the conversation once motorized vehicle policies are finalized.

Continued Hearing for ANRAD at ZU-2 (Pratt South)

At 7:34pm, DeFant opens the continued hearing for ANRAD at lot ZU-2, Pratt Corner South.

Per Firstenberg, access to lot ZU-2 would potentially be through a neighboring property owned by the Town of Amherst. The Town of Amherst has given permission to Cows to access the area through their property. The access route is outside of the original ANRAD study area. The revised plans submitted by

Firstenberg (TRC) on May 13, 2021 show the mapped wetlands on the access route. Stockman will add the access area to the second peer-review site visit to ZU-2 to verify the wetland boundaries. The second visit is tentatively scheduled for May 24, 2021.

Firstenberg screen shares the revised map and points out the new access area.

Firstenberg will email a copy of the permission from the Town of Amherst to access and delineate their land and submit a new ANRAD form 4A reflecting the changes to the Commission.

- At 7:48pm, DeFant moves and David seconds a motion to continue the hearing for ANRAD at ZU-2 to June 24, 2021 at 7:30pm. Roll call vote: David: aye, Harrington: aye, and DeFant: aye; the motion carries.

Site Visit Scheduling

-Pratt South follow-up visit: The tentative second peer-review site visit to Pratt South will be at 9am on May 24, 2021.

- 517 West Pelham Rd: The landowner at 517 W. Pelham Rd would like to install a decorative pond in her yard. There are no mapped wetlands and she told Dowling that she does not require a building permit, which would have prompted a site visit. The Chair directed Dowling to request photos of the area where the pond is proposed before sending members on a site visit to the property. Dowling has sent the email photo request.

- Lot ZH-34 Montague Rd RDA: Commission members schedule a site visit to Lot ZH-34 on May 17, 2021 at 6pm. A new house, septic, and well construction project is planned within a wetland buffer zone on the property. Per Nolden, the property is north of #89 Montague Rd.

New Site Visit Scheduling

-66 Shore Dr. Tree Cutting: David asks that the Commission visits her property at 66 Shore Dr to determine if the dead tree she would like to take down is within wetland jurisdiction. The Commission schedule the visit to 5:30pm on May 17th.

- Highway Dept Project List: The Highway Department has submitted the project list for this Spring. There are four projects on the list. Linda Avis Scott, the previous clerk, gave Dowling some background on the projects and Dowling will locate the materials associated with the projects as there might be an active RDA for one of them. The site visit to the four projects needs to be scheduled during business hours Monday through Thursday so the highway department staff can accompany the visit. The site visit can be scheduled at the next meeting when the Commission has the full information about the projects.

Commission Vacancy

Dowling has reached out the two other people who expressed interest in the vacant seat on the Commission. If she does not hear back by Friday May 14, 2021, she will have the vacancy notice posted again after review of the notice by the Chair.

Mass Wildlife Goose Nest permits

There is no action required by the Commission, but, as an update, Mass Wildlife has given three Shutesbury residents a permit to addle goose eggs, which prevents the eggs from development. Dowling has mailed the permits to the three residents. The permit holders are asked to report the number of eggs and nests that they disturb to Mass Wildlife. A copy of the permit will be kept with a copy of these minutes in the Commission agenda and minutes binder at the town hall.

Unanticipated Business:

As unanticipated business, DeFant updates the Commission regarding the Wheelock annual report. DeFant, writing as a town resident, submitted questions to the Planning Board that she would like answered in the annual report. The Planning Board will forward the questions to the solar array operator. DeFant raises the possibility of Commission joining the Planning Board on a site visit after the Annual Report is submitted.

Dowling, who is also the clerk for the Planning Board, will inform the Commission when the report is received.

- At 8:09pm, David moves and DeFant seconds a motion to adjourn the meeting. Roll call vote: David: aye, Harrington: aye, and DeFant: aye; the motion carries.

Respectfully submitted,
Tessa Dowling
Land Use Clerk