

Shutesbury Conservation Committee Meeting Minutes  
June 24, 2021 (Approved 7/8/21)  
Virtual Meeting

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

Conservation Commissioners absent: Liam Cregan

Guests: Mark Stinson Mass DEP, Joseph Rogers DFW, Scott Kahan Regional Chief US Fish and Wildlife Service, Jennifer Jones DFW, Janice Stone, Emily Stockman, Maria Fistenberg

Guests Public: Michael DeChiara, Don Wakoluk, Matteo Pangallo, Rob Kibler, Matt Regan, Brad Foster, Lucy Getz, Andrea Cummings

DeFant called the meeting to order at 7:15, after some Zoom Issues

Meeting Minutes from May 13, 2021: Motion to approve by David and second by DeFant. Roll Call: David: aye; DeFant: aye; Harrington: aye. Minutes were approved with minor edits.

7:15 Public hearing opened for RDA at 42 Leveret Rd/Town Fire Dept: The paving of the fire department parking lot. No one from fire department or town administration present.

Site visit: wetlands to the West of the fire department. Previous RDA conditions read. Discussion regarding grass area and mowing. Discussion about including a condition, proposed by Tessa Dowling in the draft Order of Conditions, to maintain a vegetated buffer strip between the erosion controls and the pavement.

Commission did not feel it had enough information to determine how to condition this issue.

Recommendations:

1. Erosion sock to allow wood Turtle access/ and residue from paving.
2. Not to be done before July 15<sup>th</sup> to avoid wood turtles

Motion by Mary David to continue Public Hearing until 7/8/21 so that Fire Department can be consulted further. Second by DeFant. Roll Call: David: aye; DeFant: aye; Harrington: aye.

7:30pm Continued Public Hearing for ANRAD at ZU-2 (Pratt South) File Number 283:

Updates: Maria Firstenberg from TRC still needs signatures to complete the revised maps. Site visit happened with Matt Regan. Public notice done, Legal ad done. Reviewed site with new additions.

Motion to continue Public Hearing to July 22, 2021 at 8PM made by Robin Harrington. Second David. Roll Call: David: aye; DeFant: aye; Harrington: aye.

Stockman peer-review proposal: Will be completed when Emily Stockman receives all the information from TRC.

Cowls Parking Lot Project at Pratt Corner: Joseph Rogers District Manager DFW and Jennifer Jones described project. State bought development rights from Cowls for conservation restriction. Landowner maintains ownership and ability to use land for forestry activities. On similar sites brought under conservation, there have been many issues with illegal vehicles and opportunity for cars to drive into protected areas. Plan is to designate a small gravel parking lot for public access and to use large boulders to prevent vehicles from entering the clearing that currently exists as a logging staging lot. Plan to use small area for gravel parking and place boulders to block entrance. Concerns raised by public about proximity to known wetlands, intermittent

stream, and vernal pool within 75 feet. Construction has been put on hold after DeFant alerted DFW by email about the wetlands issues. DFW had not been aware of concerns about wetlands across the street. This wetland may be protected by the Town Wetlands Protection Bylaw. It needs to be evaluated. The Bylaw requires a Notice of Intent for work within 100' of a resource area, but the Commission has some flexibility. DeFant noted she is an abutter and will have to recuse herself from deliberations. Stone inquired whether recusal would create a problem with quorum. This issue needs to be explored. Commission recommends a site visit to determine if DFW and landowner will be required to file an RDA. Commission will review previous plans and site plans and maps for site visit.

579 West Pelham Road Well Project: Brad Foster has a shallow well, and BOH recommends a new well. Site plan has been submitted, will need a site visit to determine if RDA needed. Scheduled for Monday 28 2021 at 4PM.

Commission vacancies: Scott Kahan potential member introduced. Works at US Fish and Wildlife and is a field biologist. He has some time constraints and needs to get permission from his superiors before he can officially apply.

Annual Report: Harrington is working on this, not due until late fall.

Lake Wyola update: LWA and LWAC have both talked in their meetings about road condition and runoff into lake and wetlands. Conservation Committee also received 2 documented concerns. David will forward these concerns to Mark Rivers (LWAC) and Donna West (President LWA) and George Abdow (VP LWA and Chair Roads Committee). Commission is interested in seeing the Town, LWAC and LWA can work together and support each other to resolve some of these issues.

Geese permit on Lake Wyola: The DFW geese permit was for addling, and was submitted thru LWAC. However, it is reported the holders of the permit shot several geese and goslings on the lake with a shotgun midday in view of the State Beach and within 100' of an active bald eagle nest. Concerns were voiced about children and families witnessing the event. Discussion was held at Select Board, and it appears that the Town Administrator was aware of this practice. Mary David will contact Mark Rivers (LWACC Chair) and discuss further steps to ensure that this practice ceases. Stinson notes that this may be an issue for the state Environmental Police as it involves hunting out of season.

Water quality at Lake Wyola: Concerns were discussed about water testing at the lake and the state beach. Lake test results gathered by the LWA are reported to BOH and communicated from there. State Beach results are not reported to the BOH. The BOH has a plan to implement its own water testing program if bacteria counts are observed to be rising.

Motion to adjourn made by DeFant, second David. DeFant aye, Harrington aye, David aye Meeting adjourned at 9.09 PM

Respectfully Submitted  
Mary David, Commissioner,  
July 8, 2021