

**Shutesbury Conservation Commission
October 28, 2021 Meeting (Remote)
(Approved 11/11/21)**

Commissioners Present: Miriam DeFant; Mary David; Robin Harrington; Scott Kahan; Beth Willson

Other Present: Don Wakoluk; Janice Stone; Joe Salvador, Nick Yarmac, Willa Jarnagin, David Greene, Fran Merrigan, Doc Pruyne

Meeting called to order at 7:01 by Miriam DeFant.

The minutes of September 14 and 23 were approved with edits (5,0,0)

Site visit follow ups:

105 W Pelham Rd - Building application

Willson stated that she and DeFant had attended the site visit. The project is paving of a gravel driveway. The driveway is very steep up to W Pelham Rd and has a potential wetland at the bottom just west of the house. Willson and DeFant identified wetland vegetation in this area.

Willa Jarnagin, home owner, stated they are anxious to pave the gravel driveway for safety reasons during the winter. She has fell a couple times, it is hard to clear the gravel driveway of snow and ice. She asked what the time frame would be to get a permit, they'd like to get the driveway done before it snows.

DeFant suggested we schedule another site visit with more commissioners to determine if an RDA is necessary and put this on the 11/11 mtg agenda.

24 Lake Drive

Talk about at public hearing on 11/11.

26 & 32 Lake Drive

DeFant said that during the site visit for 24 Lake Drive she and Willson inspected the erosion control at 26 & 32 Lake Drive (house construction projects with OOCs). Both property's filter socks were in bad shape. She emailed both owners, and they both replaced the erosion control and sent pictures.

Randall Rd Boat Launch

DeFant, David, Mark Rivers (Lake Wyola Association), and Doug Cameron (DCR) attended the site visit. Cameron to draw up rough design drawings of the project. We will plan another site visit. There is a concern for overcrowding at the boat launch. DeFant stated we need to determine who has the authority to approve the project, the Conservation Commission or the Select Board. Stone stated if the land was purchased with a Self Help Grant the management is with the Con Com. DeFant stated South Brook Conservation Area has a management plan from 2001.

DeFant stated that she put up the signage regarding no motorized vehicles at South Brook Conservation Area that the Conservation Commission had approved to be installed. She also asked DPW to put boulders in front of the access off of Locks Pond Rd, but they were told they could not by the Town Administrator. The Town Administrator has also said we have to take the sign down. DeFant prepared a draft letter to the Select Board talking about two things: who has authority to approve the boat launch area project; and, what to do about the truck seen driving on South Brook trails. DeFant shared the draft letter with the Commission.

David made a motion to submit the letter with edits. DeFant seconded. Approved (5,0,0).

Wendell Rd utility poles

Talk about at public hearing on 11/11.

New Items

Locks Pond Rd culvert

DeFant stated the project has been delayed to Spring 2022. The must come back to Commission with new construction schedule.

31 Lakeview Road.

DeFant screen shared photos from the follow up site visit. Joe Salvador stated that he covered all exposed dirt areas with straw and installed new filter tubes around the entire property. He's meeting soon with a Environmental Consultant, Chris Stoddard, to start working on the NOI for the new house. DeFant asked about the planting plan, and Salvador said he had given us one during a previous site visit and could give another if we can't find it. He stated he re-seeded the site with a conservation seed mix.

David made a motion that Mr. Salvador has met compliance with the conditions of his Determination. Kahan seconded. Approved (5,0,0).

27 January Hills Rd

Site visit attended by DeFant, Harrington, Kahan, Willson, and Wakoluk. Property has two issues, one is a request for a COC for an old OOC to build the house, and the other is recent work on the driveway without a permit. There are two historical OOCs on the deed, one to build the house and one to fix the culvert headwall for the stream west of the house. DeFant said she will ask for two COC requests.

DeFant stated during the site visit it was observed that a contractor (Rob Adair) had regraded part of the gravel driveway and pushed a lot of gravel to the northeast side to slope the side but in doing so had crushed and covered one or two culverts. It appeared drainage would now go straight into a wetland area. DeFant stated she would draft an Enforcement Order.

Wakoluk stated he would like to see a form letter created to send to contractors about wetland regulations and their responsibility to follow the regs and inform their clients of the regs. Kahan suggested using a flyer. DeFant responded there is a flyer about the state and local laws and

regulations on the Con Com webpage. She suggested adding this topic to a future meeting agenda.

Sumner Mtn CR Monitoring Report

Kahan made a motion to approve Randy Eisner's 2021 CR Monitoring Rpt. Harrington seconded. Approved (5,0,0).

Pelham Hill Rd land for sale

DeFant said that there will be a site visit of the parcel on Saturday, 11/6/21 at 11am, all are invited. Nick Yarmac, 18 Wyola Dr., stated he didn't think it was a good idea to take land out of the Shutesbury tax base.

General:

DeFant stated she went to the Amherst Conservation Commission meeting to hear the discussion about the solar project. She is putting together a list of the questions and comments from the meeting.

DeFant discussed site visit forms. When we fill out site visit forms we need to say: what kind of resource area is present, whether the site conforms to the plans given, any concerns we have, but we shouldn't state any decision on the forms, approvals, etc. can only be made at open public meetings.

David would like our standard conditions to include one the applicants must update the Con Com on project status and progress by submitting photos, etc. DeFant to send around our current Standard Conditions.

Stormwater Lake Wyola

Mark Rivers, Lake Wyola Association, stated they are still looking for assistance in improving stormwater issues at the lake. They would love help with grant ideas and writing. Willson suggested federal 604B and 319 non-point pollution grants. They are administered by MADEP. Willson to provide Rivers with 319 grant application for Fearing Brook as example application. The next LWAC meeting is 11/20, they would love someone from Con Com to attend.

Next Meetings

11/11 and 12/2 dedicated to policy issues.

Adjourn

David made a motion to adjourn. Harrington seconded. Approved (5,0,0).

Documents Used:

- **Draft letter to Select Board**

Minutes by Willson. Submitted 12/6/21