

Shutesbury Conservation Commission**Minutes – November 13, 2025**

Approved – December 11, 2025

*Virtual Meeting***Commissioners Present:** Beth Willson (Chair), Mare Fox, Scott Kahan, Bob Douglas**Commissioners Absent:** None**Other Staff Present:** None**Others Present:** Mark Wightman, Catherine Hilton**Call to Order:** 7:02pm

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

Comments from the Chair

Willson informs the Commission that there will be a community meeting as part of the regional culvert assessment grant received by the towns in the Fort River Watershed. The meeting will be for town officials and the public to share knowledge of culverts that could be repaired. She reported this to the Select Board and will work with the Town Administrator to find a good time to hold the meeting. It needs to be on an evening in the first or third week of December. The Commission decides December 16 or 18 would be best, depending on what other Town boards are meeting that evening. She explains that there would then be a second meeting with just the Commission and the Highway Department about accessing and using the assessment data that ranks the inspected culverts.

Willson reports on the National Grid and the Eversource transmission line projects in the region that aim to widen the cleared line areas by fifty feet on each side, which is still within the right-of-way. There is a MEPA site visit for the National Grid one on November 20, 9:30am-11:00am. Michael DeChiara has been communicating with National Grid about this project and he, along with Eric Stocker and others will be at the site visit on Pratt Corner Road. Douglas plans to go for the Conservation Commission and Fox might be able to attend. This project has filed its ENF to MEPA and has drafted its Environmental Impact Report, which has been forwarded to the Commissioners for their comments. She encourages the Commissioners to review the application to help inform the Town's comment letter. A letter has already been submitted on the Eversource project. She notes that Eversource received over 300 comments on their ENF, most of them objecting to the fact that the project involves clear-cutting rather than selective cutting. Willson notes that because the work will go within 100 feet of wetlands, after the MEPA process the applicants will need to come to the Conservation Commission and the Commission can at that point require mitigations. Willson and Douglas offer suggestions for some possible mitigations that could be required to protect the resource areas within the buffer zone of the work.

Willson reports that the Conservation Restriction (CR) for 101 Leverett Road (Parcel H-151) has been sent back by the State's Conservation Review Program and is ready for final approval. Willson recognizes Mark Wightman, who thanks the Commission for getting the CR through the process and explains that he will bring the CR to the Planning Board on December 8 so the Special Permit can be approved. He explains that the Commissioners will need to go to Town Hall to sign the signature page in person. Willson reminds the Commissioners that they need to sign in front of a Notary Public at Town Hall and shares the Notary's office hours.

Motion to accept and execute the Conservation Restriction for 101 Leverett Road (Parcel H-151): Fox; second: Douglas. Vote: Kahan - aye; Fox - aye; Douglas - aye; Willson - aye. *The motion is approved unanimously.*

Fox shares that the Dam Keeper has informed her that there is no way to get equipment to the Lake Wyola Dam for the upcoming repair project because it was found recently that the abutter's property includes the strip of land that would otherwise have been used to access the dam. Willson notes that the grant is currently only for design and permitting, which would likely include working out a plan for accessing the site. She suggests asking Mark Rivers about this because Rivers wrote the grant application.

Review and vote on minutes of October 23, 2025

Motion to approve the minutes of October 23, 2025: Fox; second: Kahan. Vote. Kahan - aye; Fox - aye; Douglas - abstain; Willson - aye. *The motion is approved unanimously with one abstention.*

Site Visits Update

Fox reports that she and Willson went to the new library site to inspect the retention basins and identified some erosion to the basin closest to the road. There was also a late application of seed. Willson suggested erosion measures they should be using, including matting. The contractor has repeatedly said they would fix that basin but they still have not done so. The basin directly behind the building has been completed. Plantings were put in but it will not be clear if they survived until the spring. Willson also proposed hydroseed and matting over it. Willson notes that Mary Anne Antontellis agreed that there need to be elevation measurements at the third basin because the water is now just collecting at the end where the outlets are. There needs to be a grade so that the water will flow in the correct direction.

Land Management Update

Kahan reports that Charles Eisman has done the annual monitoring report for the Sumner Mountain Conservation Restriction and found no problems. Kestrel has done the monitoring for the Baker Fields Conservation Restriction, which also has no problems. The Commission will do the monitoring visit for the Old Orchard Conservation Restriction on December 6.

Discuss Invitation for Bids and legal ad for South Brook/Lake Wyola Conservation Area Trail Repair Project

Kahan reports that the Land Use Clerk has prepared a draft Invitation for Bids (IFB) for the South Brook/Lake Wyola Conservation Area Trail Repair Project. He shares the draft and reviews the contents, noting that the project will be done in two phases: a design phase through May 1, 2026 and a build phase completed by December 1, 2026. He asks the Commission if there any suggestions for the Scope of Work section on materials and equipment.

Willson suggests identifying environmentally safe materials and equipment or possibly just letting contractors choose to identify that themselves. The section could also simply say that any materials and equipment need to be the least damaging and have the least amount of impact.

Fox notes the example of the trail work recently done at Bright Water Bog and the small excavators that were used for that project. She asks what the entry points are for the work because that would also affect the equipment they might use. Kahan notes that there are different access points, some that are larger and not as sensitive but others with sensitive bog habitats.

Kahan points out that the access from Wendell Road involves a place where the trail crosses private property and while not much work is needed on that part of the trail, it may impact access to places that do require work. The Commission will need to have a discussion with that property owner about access across those trails. Willson agrees and notes that different parts of the project will require access from different sides of the Area.

Fox notes that someone long ago dumped a pile of shingles in the Area and suggests that they be removed. Willson proposes a volunteer work day to clean it up.

Kahan points out that the Commission does have a role to play in helping with blazing and with painting one of the trail bridges.

Douglas expresses his support for the project overall.

Willson asks if the Commission will fill in the description of item/work on the bid page. Kahan thought the bidder would fill it out. Willson notes that if multiple bidders respond, having a set list allows for a more accurate comparison across bidders. Kahan asks if the list of deliverables

would work as the bid items or if they should be broken down further. Willson just wants to be able to compare specific parts of each bid to the same parts in other bids. Kahan notes that the bid instructions ask the bidder to fill in the bid items. He notes that the total price will be the important point of comparison but he will speak with the Land Use Clerk about whether there is a way to incorporate the deliverables in the bid form.

Kahan suggests that Town Counsel reviews the IFB next and he will send the Land Use Clerk language for the materials and equipment section. Willson thinks the Town Administrator should also review it and notes that the Land Use Clerk has already contacted her about it. The Land Use Clerk will also post the legal notice. Willson notes there is no need to formally vote on the IFB, particularly because it will still be revised in places.

Eversource WT-11 Transmission ROW Project update

Willson reports that the Eversource project is further along than the National Grid project because they have already submitted their Environmental Impact Report, to which Michael DeChiara has responded. Amherst has also sent their own letter on it.

She reports that she went to a meeting to which all impacted towns' Conservation Commissions were invited to discuss regional-level mitigation. She shares some of the ideas discussed, which included requiring wildlife crossings at every road crossing because transmission lines are often wildlife corridors, requiring road maintenance and culvert and drainage improvements, and possibly an equivalent area forestland preservation requirement to offset the cut trees. She notes that eventually these projects will come to the Conservation Commission and they will be able to develop town-specific mitigation requirements. Douglas likes the idea of the wildlife crossings.

She shares that Eversource is not willing to simply provide a sum of money that the Town could use in the future for land preservation and other purposes.

Discuss coordination with Board of Health and Planning Board on regulation of data centers and energy storage systems

Willson recognizes Catherine Hilton from the Board of Health (BH). Hilton shares that the BH is the only local authority that can regulate battery storage systems because the State shelters them from zoning regulation under the protections for solar energy. She reports that the BH would want to regulate them based on their location, size, water use, and battery technology to ensure that the least flammable batteries are used. Cooling would need to be closed-loop in order to avoid drawing on the Town's aquifer and they would need to be small scale structures. They would need to be located away from the Lake Wyola, Town Center, and Forest Conservation

districts and from Parcel N-88, which is the watershed protection area for the Quabbin. She asks about the Commission's suggestions and priorities for protections.

Willson indicates that the Commission would want to work with the BH on these regulations, particularly to ensure that any facilities are located outside of the buffer zones to any resource areas. She notes also that there are parcels in Shutesbury, to the south, that are part of the Amherst watershed and protect and provide Amherst's drinking water supply; she will send the BH a map of the Amherst watershed parcels. She is also concerned about requiring containment by means of concrete foundations and walls, so any spills are contained and kept out of the ground. Willson will also send the BH language about protecting resource areas and their designated buffer zones. She offers to attend BH meetings to provide feedback as the regulations are developed.

Hilton notes she would like to have this done before Town Meeting and ideally before the start of March. They are considering a public hearing in late winter and looking at model regulations from other towns, such as Wendell, and the Massachusetts Association of Health Boards.

Douglas asks if the Wendell bylaw was approved by the Attorney General and Hilton answers that it was a Board of Health regulation and not a bylaw.

Willson notes that there are also some new exemptions for solar projects under the Wetland Protection Act. Hilton states that this is why the BH is the board that needs to regulate these facilities under the "nuisances and noisome trades" provision in state law that empowers Boards of Health. She notes that the MA Association of Health Boards is working with the State to try to get public health considerations into the conversation about regulating solar and battery facilities.

Hilton will send the Commission draft language for its regulations as it develops them.

Wetland Bylaw Regulations revision update and discussion

Willson notes that she is still cleaning up the Regulations and they are not yet ready for a final vote. She will send the clean copy around to the rest of the Commission for any final notes to discuss at the December 11 meeting and hopefully vote to approve them.

Unanticipated Business

There is no unanticipated business.

Adjournment

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

Adjourned: 8:35pm

List of Documents Used:

- Emails from Michael DeChiara with information about National Grid Transmission Row site visit on Pratt Corner Road
- Photos of site visit to the new library
- Draft Invitation for Bid and legal notice for South Brook/Lake Wyola Conservation Area Trail Repair Project
- Conservation Restriction for 101 Leverett Road (Lot H-151)