

**SOUTH HADLEY CONSERVATION COMMISSION
VIRTUAL MEETING MINUTES
MAY 13, 2020**

<https://vimeo.com/418894627>

As Approved

Present: Bill DeLuca, Chair; Jim Canning, Vice-Chair; Bill Bacis, Member; Neva Tolopko, Member; Steph Clymer, Member; Garth Schwellenbach, Member; Tom Dennis, Member; Anne Capra, Conservation Administrator/Planner; Colleen Canning, Senior Clerk Planning and Conservation

Chair DeLuca called the virtual meeting to order at 6:02 PM. All seven regular members were present and identified themselves.

The virtual meeting was being held pursuant to the Governor's Executive Order on the Open Meetings Law and Town Counsel's advice.

Agenda Item #1 ---Chapter 61 A Notice of Intended Sale of 315 Amherst Road by Mary Elizabeth O'Meara, et als (Map 58, Parcel 96)

The Conservation Administrator opened with background. She explained that a 20 acre parcel of land at 315 Amherst Road was enrolled in Chapter 61A. This status offered the Town 'first right of refusal' to acquire the property if there was an intended sale. Such notification was given of an intended sale of the property in an amount of \$190,000.

The Conservation Administrator provided the Commission with '*Chapter 403 Criteria for Land Acquisition or Acceptance*' along with her own written annotations relating to each criteria. As she reviewed the prepared matrix, she added some additional information as she progressed. She added that the site was included in the Department of Conservation and Recreation's Scenic Area Inventory. The site was identified as being outside Zone III of the Drybrook Well. However, it was included within the Water Supply Protection District which was a regulatory overlay district.

Chair DeLuca noted that tonight's meeting was not a Public Hearing and no 'official' decision could be made to acquire the land until further administrative and legal requirements were satisfied.

Following review of the criteria, members of the Commission were agreeable to the acquisition.

Commissioner Tolopko was agreeable to the acquisition. However, she noted that there was a different site in Town where the property owner was interested in placing their property in an Agricultural Preservation Restriction (APR). Conservation Land funds may be required to secure the APR.

Commissioner Schwellenbach inquired about grant funding. The Conservation Administrator explained that applications for Local Acquisition for Natural Diversity (LAND) Grants were currently open. South Hadley is eligible for a 68% reimbursement of the total project cost. The available funds in the Conservation Land Fund would be adequate to cover the portion of the sale that would not be reimbursed.

Chair Deluca inquired if purchase of the site could be funded by the Municipal Vulnerability (MVP) grant. The Conservation Administrator replied that a competitive MVP grant application would aim to acquire land to protect vulnerable populations from flooding which this parcel would not.

The Commissioners discussed the financial implications to the Conservation Land Fund if the site were surveyed and purchased.

Aldo Villani, 16 Saybrook Way, commented in the meeting's chat function as supportive of the purchase.

Mary-Beth O'Meara, one of the current owners of 315 Amherst Road, commented that the intended buyer wished to construct a single family home and a barn for one horse. She used discretion when selecting a buyer to ensure the property maintained its agricultural tradition.

The Conservation Administrator noted that the current State-of-Emergency stalled timelines for action from the Town. Town council would advise when the appropriate deadline for action would be.

Agenda Item #1 (a) --- Vote to exercise first right of refusal to acquire 315 Amherst Road (Map 58, Parcel 96) pursuant to the provisions of MGL Chapter 61A, Section 14.

Motion: Vice-Chair Canning moved to recommend that the Town exercise its first right of refusal to acquire the property at 315 Amherst Road (Map 58, Parcel 96) for conservation purposes, and authorize the Conservation Administrator to prepare the necessary grant applications to seek funds for acquisition. Commissioner Schwellenbach seconded the motion. Seven (7) of seven (7) Commissioners voted in favor by roll call.

Motion: Commissioner Bacis moved to authorize the spending of the Land Conservation Fund to cover the cost of the full appraisal in the amount of \$3,175. Commissioner Schwellenbach seconded the motion. Seven (7) of seven (7) Commissioners voted in favor of the motion by roll call

Agenda Item #2 --- Conservation Land Stewardship – Work Plan for 2020

Agenda Item #2 (a) --- Invasive Species Control at Bachelor-Stony Brook Conservation Area

The Conservation Administrator explained that the Town entered into a contract for a second year of invasive species control with Land Stewardship, Inc. A report was provided to the Commission detailing the work that was accomplished the previous year. Treatment cost for the upcoming fiscal year would be \$3,150. The work was permitted through the Natural Heritage and Endangered Species Program and no glyphosate would be used per recent Board of Health regulation.

Agenda Item #2 (b) --- Hazard Tree Removal at Titus Pond Conservation Area

The Conservation Administrator explained there were several hazard trees at Titus Pond Conservation Area. The hazard trees were assessed by an arborist and the Town's Tree Wardens.

Due to the location and number of the trees, the Commission would need to perform a site visit to verify their recommendation for removal. Applications for removal would be drafted by the Conservation Administrator. Mitigation plantings could be targeted to help stabilize the compromised dam on site. Due to the project's location, a police detail would be required at the time of removal at cost to the Commission.

Agenda Item #2 (c) --- Mass Trails Grant Application

The Conservation Administrator explained that MassTrails grant applications had been submitted for trail improvements at a number of Conservation Areas including: Black Stevens Conservation Area, Toth Property/Leaping Well Nature Trail, Hahn-Warner Arboretum and Bynan Conservation Area. A focus of the grant applications was to improve trailheads within the Town's more urbanized areas.

Agenda Item #2 (d) --- Bagg-Pierce Conservation Area Trails

The Conservation Administrator explained that she received emails regarding unauthorized trail modification at Bagg-Pierce Conservation Area. Chair DeLuca reached out to abutting property owners to understand the reasons for the modification which included the installation of bike jumps. While these activities were not allowable, some volunteer trail maintenance was. Chair DeLuca noted the importance of relationships with property owners of land abutting Conservation land as abutters often interact with the land and could help maintain the area. He also stated that he informed the people involved in the trail modifications to stop work and to coordinate with the Conservation Administrator.

Agenda Item #3 --- Administrator's Report including updates on projects, violations, next meeting dates

Agenda Item #3 (a) --- Electronic signatures

The Conservation Administrator explained that, due to emergency legislation relating to COVID-19, meetings were allowed to be held virtually. Therefore, the Commission needed to determine how to sign Determinations and Orders. The Commission could authorize the Conservation Administrator to sign on their behalf. Alternatively, Commission members could sign electronically by signing a blank signature page or by submitting their electronic signature.

Motion: Commissioner Schwellenbach moved to authorize the Conservation Administrator to sign Determinations and Orders on the Commission's behalf. Commissioner Clymer seconded the motion. Seven (7) out of seven (7) members voted in favor of the motion by roll call.

Agenda Item #3 (b) ---Enforcement Orders

The Conservation Administrator explained that a series of Enforcement Orders had been issued for the Commission to consider. Two construction lots on Stonegate Drive (#5 and #7) with Superseding Orders of Condition from DEP failed to install proper erosion and sediment control. Even though the Orders were not issued by the Commission, the DEP requested that the Commission remedy the situation. Separately, unpermitted work within the Riverfront Area of Buttery Brook occurred at 28-32 Bridge Street which included tree cutting and bulldozing.

Motion: Vice-Chair Canning moved to endorse the Enforcement Orders issued to #288-0276 5 Stonegate Drive, #288-0280 7 Stonegate Drive, and 28-32 Bridge Street. Commissioner Bacis seconded the motion. Seven (7) out of seven (7) Commissioners voted in favor of the motion by roll call.

Agenda Item #3 (c) --- Pet Waste

The Conservation Administrator invited everyone to take the ‘Pet Waste Pledge’ and asked for help getting the word out. There were numerous complaints received of bagged dog droppings left at Conservation Areas and within stormwater basins in residential neighborhoods.

Agenda Item #4 --- Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice).

The Conservation Administrator noted that site visits were scheduled on the afternoon of May 18, 2020 to assess project applications anticipated to be considered at the next scheduled meeting on May 27, 2020.

Adjournment

As there was no other new business, Chair DeLuca adjourned the meeting at 7:41 PM.

Respectfully Submitted,
As Approved
Colleen Canning, Senior Clerk Planning and Conservation

Document	Document Location
<i>Chapter 403 Criteria for Land Acquisition or Acceptance, Section 403-1 Required Characteristics Matrix for 315 Amherst Road</i>	Conservation Files
2/28/20 Final Report – Invasive Species Control Project, Bachelor Brook Conservation Area	Conservation Files