

**SOUTH HADLEY CONSERVATION COMMISSION  
VIRTUAL MEETING MINUTES  
MARCH 31, 2021**

<https://vimeo.com/533142305>

**As Approved**

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

Chair DeLuca called the virtual meeting to order at 6:01 PM and reviewed the protocols for virtual meetings.

**Agenda Item #1 --- Open Public Forum**

No requests from the public were received to speak during the open forum and no meeting attendees indicated their interest to speak.

Commissioner Bacis noted that at a previous meeting Rudy Ternbach, Ferry Street, addressed the Commission during the open forum. He requested that the Commission consider the concept of membership through election, rather than Selectboard appointment as is currently done. Commissioner Bacis stated that the Wetland Protections Act (WPA) defined how commissioners were appointed and that further considerations were not appropriate for the Commission to consider as it is established in state law.

Through his own research, Commissioner Dennis could not find a community in Massachusetts that elected Conservation Commission members. Wellesley had an elected conservation related group but it was not a Conservation Commission as identified under the WPA.

As there was some discussion on the topic, it would be included on a future agenda so the commission could formalize their position.

**Agenda Item #2 --- Public Hearing for an Abbreviated Notice of Resource Area Delineation (ANRAD) filed by South Hadley Electric Light Department (SHELD) for 545 Granby Road/Route 202**

Sean Fitzgerald, SHELD General Manager, was present at the hearing along with project consultants, Matt Kissane and Michael Soares of Fuss and O'Neill

A revised report has been submitted to incorporate DEP's comments on the initial filing. The Commission had pursued peer review of the delineation which had yet to be performed. It was anticipated that peer review would be performed in the upcoming weeks and would be followed by a site visit with the Commission. For these reasons, the public hearing could not close and would need to be continued.

David Paulson, 177 East Street, addressed the Commission. He was an abutter to the site and inquired what the applicant planned to develop at the location. Chair DeLuca replied that the filing only concerned verification of the wetland boundary and the applicant's development interest was not considered at this time.

**Motion:** Commissioner Schwellenbach moved to continue the public hearing to April 21, 2021 at 6:00 PM. Vice-Chair Tolopko seconded the motion. Five (5) out of five (5) members Commissioners voted in favor of the motion.

**Agenda Item #3 --- Public Meeting for Request for Determination of Applicability filed by Sarah Wilson and Christopher Deady for construction of a seasonal floating dock on the Connecticut River at 24 Canal Street**

The applicant, Sarah Wilson, was present at the meeting.

The Conservation Administrator explained that members of the Commission attended a site visit to consider the installation of a seasonal dock along the Connecticut River. The dock would be secured utilizing existing structures present at the bank. At this location, Holyoke Gas & Electric owned the Riverfront Area and had granted permission to the applicant for the installation.

Commissioner Dennis inquired where the dock would be stored during the off season. Sarah Wilson explained that the dock could be easily disassembled and stored on the property away from the Riverfront.

**Motion:** Commissioner Bacis moved to issue a Negative Determination #2 for installation of a seasonal dock at 24 Canal Street. Commissioner Dennis seconded the motion. Five (5) out of five (5) commissioners voted in favor of the motion though roll call.

**Agenda Item #4 --- Request for issuance of a duplicate Certificate of Compliance for #288-0144 from Attorney James Baker for 163 Mosier Street**

The Conservation Administrator explained that a number of months ago the Commission issued a Certificate of Compliance for DEP file number 288-0144 for the installation of a platform for firewood storage at 163 Mosier Street. The homeowner misplaced the certificate and was requesting that a duplicate be issued as the Registry of Deeds could only record certificates with original signatures.

**Motion:** Commissioner Schwellenbach moved to issue a duplicate Certificate of Compliance for DEP file # 288-0144 for installation of a platform at 163 Mosier Street. Commissioner Dennis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

**Agenda Item #5 --- Presentation by Closure Management Inc on their request for the Town of South Hadley to consider re-opening the South Hadley Landfill for construction soils disposal**

Kip Foley of Closure Management, Inc was present at the virtual meeting.

Kip Foley shared a slideshow with the Commission to accompany his presentation. He explained that his firm was interested in a partnership with the town to reopen the landfill for the purpose of disposal of construction soils. In evaluating estimates, the Town could anticipate a minimum payment of \$1million if entered into the partnership. All soils for disposal would be non-hazardous and Closure Management would post a performance bond to protect the Town's financial risk.

Commissioners asked what the limit of elevation for soil disposal would be at the landfill and presumably how long it would take to fill. Kip Foley explained that the elevation would not exceed the present highest elevation which he anticipated would take two years to reach.

Vice-Chair Tolopko asked how far away that materials could be hauled from. Kip Foley responded that most of the materials would come from the Connecticut River Valley and the Metro Boston Area.

Vice Chair Tolopko asked how erosion and wind impacts would be mitigated. Kip Foley responded that exposed soil would be covered and wetted when necessary.

Commissioner Bacis asked if each truck delivering soils would have accompanying paperwork. Kip Foley confirmed that each load would come with paperwork.

Commissioner Schwellenbach asked what the cost to the contactor for soil disposal was. Kip Foley responded that the market was volatile and heavily dependent on the economy. However, he estimated that the current cost would be around \$17-18 dollars a ton.

Chair DeLuca asked if there was a time limit or volume limit associated with disposal. Kip responded that it had not yet been determined. However, 200K tons of soil was the threshold for profitability.

Commissioner Tolopko asked if Closure Management was considering any other local communities for the partnership. Kip Foley responded that there were a few other projects in the works but none within 15 miles of South Hadley.

No action was required from the Commission as this time.

#### **Agenda Item #6 --- Arbor Day-Tree Committee Report**

Linda Young, Tree Committee Member, was present at the virtual meeting. She explained that the Tree Committee was organizing an Arbor Day event at the Hahn-Warner Arboretum located at the Middle School on April 30, 2021. Due to the Coivid-19 state of emergency, the event would be smaller than previous years. However, the tradition of planting an honorary tree would continue and prizes would be awarded to student essay writers.

#### **Agenda Item #7 --- Approval of March 10, 2021 Meeting Minutes**

Draft minutes of the March 10, 2021 Meeting were sent to the Commission for review.

Motion: Commissioner Bacis moved to approve the draft minutes of the March 10, 2021 meeting. Commissioner Schwellenbach seconded the motion. Five (5) out of five (5) commissioners present voted in favor of the motion through roll call.

### **Agenda Item #8 --- Administrator's report**

#### **MVP Tree Program**

The Conservation Administrator explained that trees funded through the Municipal Vulnerability Preparedness (MVP) Grant for residents would be available for pick up on May 1, 2021. Those who submitted order forms would be contacted via email to select a time slot for pick-up. Volunteers were being sought to help streamline distribution on the pick-up day. Members of the Tree Committee had indicated their ability to volunteer.

#### **Lauizer Farm**

The Conservation Administrator explained that the Lauizer Farm located along Alvord Street had submitted an application for an Agricultural Preservation Restriction (APR) to be held by the Massachusetts Department of Agricultural Resources (MDAR). MDAR accepted the application and made an offer to the homeowner which assessed the land's value at \$1.9 million. To secure the APR, MDAR requires a local match of 10%. This means the Town will be required to contribute \$190K. The Commission would have \$40K left in the Conservation Land Fund after the cost of acquiring a separate property for conservation. If the Commission authorized the use of their remaining funds, the balance owed by the Town would be \$150K. The remaining required funds could be allocated through a vote at Town Meeting or possibly through grants and donations. The Selectboard would be considering the APR at their next meeting and the Conservation Administrator encouraged Commissioners to attend. She stated that a motion by the Commission to commit the use of the remaining \$40K in the land fund to contribute to the local match would indicate their support for the APR and encourage support from the Selectboard and Town Meeting Members.

**Motion:** Commissioner Schwellenbach moved to commit \$40K from the Conservation Land Fund for the purpose of contributing to the local required match to secure an Agricultural Preservation Restriction for the Lauzier Farm located along Alvord Street. Commissioner Bacis seconded the motion. Five (5) out of five (5) commissioners voted in favor through roll call.

#### **New MVP Action Grant Application**

The Conservation Administrator explained that she was working with the Department of Public Works and a consultant to craft a grant application for a study which could evaluate the feasibility of removing the dam at Titus Pond and what restoration could be performed thereafter.

## **Volunteer Conservation Corps**

The Conservation Administrator stated that the first volunteer work party this year would be held on April 2, 2021 at 9:00 AM at Bachelor-Stoney Brook Conservation Area.

## **Agenda Item #9 --- Other New Business**

### **Ledges**

The Conservation Administrator explained that Ledges Golf Club secured a grant to fund the development of a Forest Stewardship Plan. As the Newton-Carver-Jones Conservation Area abuts the property, it could be included within the management plan.

### **Enforcement Orders**

The Conservation Administrator explained that she was issuing two enforcement orders to properties on River Road for non-compliance to conditions associated with conservation permitting. She was seeking guidance from Town Counsel regarding the issuance of monetary fines.

### **Adjournment**

Chair DeLuca adjourned the meeting at 7:53 PM

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

### **Appendix**

<b>Document</b>	<b>Document Location</b>
Closure Management Slideshow	Conservation Files