

**SOUTH HADLEY CONSERVATION COMMISSION
VIRTUAL MEETING MINUTES
APRIL 21, 2021**

<https://vimeo.com/540710060>

Approved

Present: Bill DeLuca, Chair; Neva Tolopko, Vice-Chair; Jim Canning, Member, 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 6:00 PM and reviewed the protocols for virtual meetings.

Agenda Item #1 --- Open Public Forum

Kathy Davis, Saybrook Circle, indicated her interest to speak during the open form. She inquired what mechanisms were in place to allow the public to donate funds to help fund the required local match to secure the agricultural preservation restriction for the Lauzier Farm. She also advocated that the Conservation Administrator give a presentation during the meeting that the Town Administrator routinely hosts to review Town Meeting warrant articles prior to Town Meeting. The Conservation Administrator stated that she was working with Town Counsel and the Town Accountant to establish a digital platform to accept donations. Currently, donations are being accepted via check.

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

The Conservation Administrator explained that the applicant requested a continuation of the public hearing as the peer-reviewer could not perform their review as the wetland flagging was missing. The applicant's consultant reflagged the area and the peer-reviewer would return to the site next week. The Commission could anticipate a site visit in the future.

Motion: Vice-Chair Tolopko moved to continue the public hearing to May 12, 2021 at 6:00 PM. Commissioner Bacis seconded the motion. Six (6) out of six (6) commissioners voted in favor of the motion through roll call.

Agenda Item #3 --- Forest Stewardship Plan for Ledges Golf Course and Newton Carver Jones Conservation Area

Mike Barry, Baystate Forestry, was present at the virtual meeting.

The municipal golf course, Ledges, had expressed interest in developing a Forest Stewardship Plan. As the Commission owned land abutting the golf course, a joint proposal was submitted to acquire grant funding to establish stewardship plans. As the forested areas within the golf course

and within the conservation areas had different purposes and functions, the stewardship plans would be customized to satisfy their different goals and objectives. Mike Barry, Baystate Forestry, has been retained to develop the stewardship plans. The Commission would be given 'Landowner Goals' sheets that would indicate land use priorities which would help guide the recommendations developed in the Plan. Examples of general goals were: timber harvesting, enhancement of wildlife, enhancement of recreational activities, and enhancement of general forest health. A baseline report would be developed to show the forest's existing conditions which would identify forest health and vulnerabilities.

Development of the plan would need to be completed by the end of the fiscal year so the plan would ideally be completed by mid-June. The 'Landowner Goals' sheet would be distributed to the Commission for each member to fill out.

Agenda Item #4 --- Enforcement Order issued to Val Shvets for 80 River Road

Val Shvets, 80 River Road, was present at the virtual meeting.

The Conservation Administrator explained that the property at 80 River Road had an active Order of Conditions for construction of a new single-family within the footprint of a pre-existing home. Through observations from the road, it appeared the homeowner constructed a dock and established lawn in resource areas. As all docks need to be permitted through the Commission and DEP, the homeowner was given the application materials to bring the site into compliance. A site visit was scheduled with the homeowner to better understand the extent of the activities subject to enforcement. As a site visit needed to take place, the Conservation Administrator recommended that the meeting be continued to further consider the enforcement. Additionally, the Commission would need to ratify the Enforcement Order issued by the Conservation Administrator.

Motion: Vice-Chair Tolopko moved to ratify the Enforcement Order for violations to the Order of Conditions 288-0405 associated with the property at 80 River Road and to issue fines in accordance with the South Hadley Wetlands Bylaw Regulations Chapter 305-41 in the amount of \$100 per each day of the violation beginning May 16, 2021 *and* moved continue the meeting to consider the enforcement to May 12, 2021 at 6:00 PM. Commissioner Dennis seconded the motion. Six (6) out of six (6) Commissioners voted in favor of the motion through roll call.

Agenda Item #5 --- Enforcement Order issued to Guy Pelletier for 311 River Road

The Conservation Administrator explained that she issued an Enforcement Order to the owner of 311 River Road as conditions of the Commission's previously issued Determination of Applicability were not complied with. The owner was required to establish mitigation plantings for the removal of trees and the establishment of a fence on his property. The mitigation had not been performed and the applicant did not respond to previously issued correspondence. Following the issuance of the Enforcement Order, the homeowner contacted the Conservation Administrator and asked for a 1 year extension to perform the mitigation work. The Conservation Administrator was not inclined to recommend the Commission grant the extension.

Motion: Commissioner Bacis moved to ratify the Enforcement Order issued to 311 River Road for violations of the special conditions associated with a Determination of Applicability for the property and moved to issue fines in accordance with the South Hadley Wetland regulations Chapter 305-41 in the amount of \$100 per day for each day of the violation beginning May 16, 2021 if the plants have not been installed by May 15, 2021. Vice-Chair Tolopko seconded the motion. Six **(6)** out of six **(6)** commissioners voted in favor of the motion through roll call.

Agenda Item #6 --- Consider Election of Conservation Commission Members rather than Appointment by Selectbord

At a previous meeting, Rudy Ternbach, Ferry Street, addressed the Commission during the open form. He requested that the Commission consider the concept of appointment to the Commission through popular vote rather than through Selectboard appointment as is currently done. As Rudy Ternbach was present at the virtual meeting, the Commission asked him to further address the concept so the Commission could understand the rationale for the idea. However, he was not responsive to the inquiry. No Commissioners expressed support for the concept.

Agenda Item #7 --- March 31, 2021 Meeting Minutes

Draft minutes of the March 31, 2021 meeting were previously sent to the Commission.

Motion: Commissioner Bacis moved to approve the draft minutes of the March 21, 2021 meeting. Commissioner Dennis seconded the motion. Five **(5)** out of six **(6)** commissioners voted in favor of the motion through roll call. Commissioner Canning abstained from the vote.

Agenda Item #8 --- Administrator's Report

- *Conservation Commission Vacancy* --- Commissioner Canning indicated he would not be seeking reappointment to the Commission when his term expired at the end of June. Commissioners expressed gratitude for Commissioner Canning's years of service.
- *Lauzier Farm Agricultural Preservation Restriction (APR)* --- This item was reviewed during the open comment period.
- *Tree Planting Program* --- Volunteers were being sought to help distribute trees to residents on Saturday May, 11. The program was being funded through the Municipal Vulnerability Preparedness Action Grant.
- *Arbor Day* --- Arbor Day celebrations would be held on Friday, April 30 at the Hahn-Warner Arboretum located at the Middle School. All were invited to attend.

Agenda Item #9 --- Other New Business

The Commission reviewed dates for upcoming site visits.

Adjournment

Chair DeLuca adjourned the meeting at 7:10 PM

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

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No Q&A comments	---