

**SOUTH HADLEY CONSERVATION COMMISSION
VIRTUAL MEETING MINUTES
MAY 12, 2021**

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As Approved

Present: Bill DeLuca, Chair; Neva Tolopko, Vice-Chair; Jim Canning, Member, Bill Bacis, Member; Steph Clymer, 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 Form

No members of the public indicated their interest to speak during the open public form.

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 a peer-review was initiated to review the delineation submitted by the applicant. After a site visit, the peer-reviewer questioned the legitimacy of the delineation performed. Upon hearing this information, the agency who initially performed the delineation returned to the site and stood by the delineation that was submitted. As the Commission did not have the skill set to verify which delineation could be correct, a new peer-reviewer would be retained to perform a new review. The new peer-review could commence after payment was received from the applicant. The hearing needed to be continued to allow time for a new peer-review to be performed.

Associate Member Grover joined the meeting at 6:08 PM.

Motion: Vice-Chair Tolopko moved to continue the public hearing to June 2, 2021 at 6:00 PM. Commissioner Clymer seconded the motion. Seven (7) out of seven (7) commissioners voted in favor of the motion through roll call.

Agenda Item #3 --- Public Meeting for Request for Determination of Applicability filed by Doug Bashista for construction of an addition to an existing garage, tree removal and construction of a shed at 17 San Souci Drive

The applicant, Doug Bashista, was present at the meeting.

A site visit was performed with members of the Commission to access the applicant's request. Wetland flags were placed by the applicant's consultant prior to the site visit. The applicant was proposing to expand his existing garage, construct a shed, and remove 6 trees within close

proximity to his home. As a tree had already fallen and damaged his roof and gutter, he wanted to prevent the issue from happening again.

Chair DeLuca asked if the applicant planned to expand the existing driveway to be flush with the garage expansion. If the applicant desired, he could revise the plans to include the expansion of the driveway so a later filing would not be required. Doug Bashista stated that he was only seeking approval for garage expansion at this time but he would consider expansion of the driveway at a later time. Commissioner Dennis stated he would prefer to see plans for the garage and driveway expansion at the same time to fully understand the impacts to the site.

Commissioners questioned the placement of the proposed shed as a portion of the shed would be placed within the tree line. At the site visit, Commissioners saw standing water at the proposed shed location which could lead to structural flooding. Doug Batista stated that he chose the location because the garage expansion would push the building's footprint even further in the backyard. The Commissioners felt it was important to maintain the existing tree line throughout the subdivision. Allowing encroachments inside the tree line at this location could signal other homeowners in the area to do the same. The lawned areas and treelines associated with the subdivision were approved at the time of development. The applicant was told he could seek an alternative location on his property to place the shed. If that location was outside the Buffer Zone, no review would be required from the Commission.

Motion: Commissioner Schwellenbach moved to issue a negative determination # 3 for the removal of six red maple trees and the extension of an existing garage at 17 San Souci Drive subject to special conditions to allow removal of woody debris in the Buffer Zone as long as the debris was not displaced further inside the Buffer Zone. The negative determination did not reflect construction of the proposed shed or expansion of the existing driveway. Commissioner seconded the motion. Six (6) out of seven (7) commissioners voted in favor of the motion through roll call. Commissioner Dennis voted against the motion.

Agenda Item #4 --- Public Meeting Continuation for Enforcement Order issued to Val Shvets for 80 River Road (Map 22, Parcel 5)

At the Commission's previous meeting, an enforcement order was ratified for installation of a dock at 80 River Road without filing any documentation with the Commission. Since that meeting, a site visit was conducted to evaluate the conditions of the site. Prior to this visit, the Conservation Administrator gave the homeowner the application materials needed for permitting of a dock which included a Request for Determination of Applicability. However, upon sight of the dock and accompanying boardwalk it became clear that a Notice of Intent would need to be filed due the present impacts. Even with the filing of an NOI, it did not appear that the installation could be permitted under the Wetlands Protection Act. The homeowner was working on retaining a consultant to file a NOI for the project.

Agenda Item #5 --- Public Meeting for Enforcement Order to be issued to Anabela Cruz and Walter Rose for 508 River Road (Map 43, Parcel 28)

The Conservation Administrator explained that owners of 508 River Road had performed significant upgrades to their property which included installation of a new driveway, repair of an existing retaining wall and installation of stairs. As the entire property was within the Riverfront Area of the Connecticut River, such upgrades required the filing of a Notice of Intent. The Commission needed to consider issuing an Enforcement Order for such activities which would require the filing of a Notice of Intent to bring the project into compliance.

Motion: Commissioner Bacis moved to issue an Enforcement Order for work within the Riverfront Area of the Connecticut River at 508 River Road and moved to require the filing of a Notice of Intent by August 15, 2021 to bring the project into compliance. Commissioner Schwellenbach seconded the motion. Seven (7) out of seven (7) commissioners voted in favor of the motion through roll call.

Agenda Item #9 --- Other New Business

Eversource

Associate Member Grover recused herself from considering this item due to her professional relationship with the applicant.

The applicant's representative, Stephen Lecco of GZA, was present at the meeting. He explained that the Commission issued Order of Conditions to Eversource for structural improvements to the Montague to Fairmount right of way. The application materials submitted with the Notice of Intent correctly identified the scope of disturbance. However, this information was not included on the DEP file form. Therefore, the applicant was requesting that a corrected order be issued reflecting the amount of disturbance.

Motion: Vice-Chair Tolpko moved to issue corrected Order of Conditions to DEP file #288-0467 to show the quantification of Bordering Vegetated Wetland altered. Commissioner Dennis seconded the motion. Seven (7) out of seven (7) commissioners voted in favor of the motion through roll call.

Agenda Item #6 --- Discuss and Consider Newton Carver Jones Forest Stewardship Plan Landowner Goals

At a previous meeting of the Commission, a stewardship plan for the Newton Carver Jones Conservation Area was discussed. Commissioners were asked to identify the importance of certain landowner goals as stated on the stewardship plan template. The Commission reviewed the goals and identified their priorities as follows:

Enhance the Quality/Quantity of Timber Products - Low
Generate Immediate Income - Low
Generate Long Term Income - Low
Produce Firewood – Low
Defer or Defray Taxes – N/A
Promote Biological Diversity – High

Enhance Habitat for Birds –High
Enhance Habitat for Small Animals – High
Enhance Habitat for Large Animals – High
Improve Access for Waling/Skiing/Recreation – High
Maintain or Enhance Privacy- Low
Improve Hunting or Fishing – Low
Preserve or Improve Scenic Beauty – High
Protect Water Quality – High
Protect Unique/Special/Cultural Areas – Medium
Attain Green Certification - N/A

The responses would be forwarded to Mike Barry, Bay State Forestry, to be incorporated into the stewardship plan. He would attend a future meeting to finalize the plan with the Commission.

Agenda Item #7 --- Discuss and Consider Approval of April 21, 2021 Meeting Minutes

Draft minutes of the April 21, 2021 meeting were previously sent to the commission for review.

Motion: Commissioner Canning moved to approve the April 21, 2021 meeting minutes. Vice-Chair Tolopko seconded the motion. Five (5) out of seven (7) commissioners voted in favor of the motion through roll call. Commissioner Clymer and Commissioner Schwellenbach abstained from the vote.

Agenda Item #8 --- Administrator's Report

- *317 River Road* --- An Enforcement Order was issued to the homeowner as mitigation plantings associated with a Determination of Applicability had not been planted. The homeowner expressed concern for the cost of the plantings. If he wished to develop an alternative planting plan, the Commission would consider it.
- *25 San Souci Drive* --- A complaint was received regarding woodchip dumping at the rear of the lot. The home was constructed under a superseding order which allowed its construction within the 50-ft Buffer Zone. On the site plans, the forested edge appeared to be maintained 10 feet away from the delineated wetland. Enforcement ability was muddled as the woodchips did appear to be placed beyond the forested edge but not within the wetland as delineated.
- *Municipal Vulnerability Preparedness (MVP)* --- Public meetings would be held in early June to consider the findings of the MVP action grant. Trees funded through the grant program were distributed to residents on May 1, 2021. Additional funding through the MVP program would be sought to study the feasibility of removal of the Titus Pond dam.
- *Lauzier Farm Agricultural Preservation Restriction* --- The Conservation Administrator was working to establish an electronic fundraising campaign to help fund the APR associated with the Lauzier Farm. As there were many legal and administrative requirements that the Town needed to adhere to in accepting donations, the process to establish the campaign would take time.

- *Volunteer Clean-ups* --- A work party would be hosted on May 14, 2021 for trail work at Black Stevens. Sometime over the next few months, a volunteer event would be hosted to pull water chestnuts along bachelor brook.

Agenda Item #9 --- Other New Business

The Conservation Administrator stated that the Chinese Immersion School in Hadley inquired if they could host a track meet at the Bachelor Stony Brook Conservation Area. The Commission was asked to consider how they felt about allowing outside parties to host events at Conservation Areas.

Adjournment

Chair DeLuca adjourned the meeting at 8:06 PM.

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

Document	Document Location
No 'Q&A' comments were submitted	---
17 San Souci Drive RDA	Conservation Files