

**SOUTH HADLEY CONSERVATION COMMISSION
VIRTUAL MEETING MINUTES
AUGUST 26, 2020**

<https://vimeo.com/452315398>

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 6:00PM and reviewed the protocols for virtual meetings. Seven (7) out of six (7) Commissioners were present at the virtual meeting.

Agenda Item #1 --- Discuss and Consider Request for Certificate of Compliance for DEP File # 288-189 filed by Michael and Andrea Gauger for 14 San Souci Drive (Map 43, Parcel 110)

William Barry, current owner of 14 San Souci Drive, was present at the virtual meeting.

The Conservation Administrator explained that a request for a Certificate of Compliance was received for the construction of a single family home at 14 San Souci Drive. The request was filed prior to the sale of the house. However, the property was sold prior to the Commission acting on the request due to the declared COVID-19 State of Emergency and the local prohibition on holding meetings back in March, April and May. Upon resumption of Conservation Commission meetings in June (via an online virtual platform), the Conservation Administrator reached out to the new property owners to schedule a site visit. Per a Special Condition of the Order, a 20-foot buffer zone around the wetland was placed into a Restrictive Covenant and at the Hampshire Registry of Deeds. A series of boulders was placed along the limit of what appeared to be the 20-foot buffer zone line. A shed had been constructed just outside of that buffer zone. The Conservation Administrator recommended that the Certificate of Compliance be issued with ongoing conditions to reflect the 20-foot buffer zone restriction.

Motion: Vice-Chair Canning moved to issue a Certificate of Compliance to DEP File # 288-0189 for single-family home construction at 14 San Souci Drive with ongoing conditions. Commissioner Bacis seconded the motion, Seven (7) out of seven (7) commissioners voted in favor of the motion by roll call.

Agenda Item #2 --- Discuss and Consider Request for Certificate of Compliance for DEP File # 288-50 filed by John Theroux for the Pine Grove Condominium Association at Granby Road and Pine Grove Drive (Map 31, Parcel 110)

Patrick Deluhery, Vice-President of the Pine Grove Board of Directors, was present at the virtual meeting.

The Conservation Administrator explained that Order of Conditions were issued in the late 1980s for construction of the Pine Grove Condominium complex off Granby Road. A full Certificate of

Compliance was never sought by the original developer. Over the years, a number of partial Certificates of Compliance were issued to allow individual condominium units to be conveyed. Recently, the Condominium Association submitted a request for a full Certificate of Compliance to lift the order over the remaining units. The Conservation Administrator visited the site with the property manager and observed no violations or encroachments.

Motion: Commissioner Bacis moved to issue a Certificate of Compliance to DEP File # 288-0050 for construction of the Pine Grove Condominium complex at Granby Road and Pine Grove Drive. Commissioner Tolopko seconded the motion. Seven (7) out of seven (7) commissioners voted in favor of the motion through roll call.

Agenda Item #3 --- Discuss and Consider Notice of Intended Sale- Chapter 61A filed by Mary Elizabeth O'Meara, et als for Lot 2 Lithia Springs Road, a/k/a 10 Lithia Springs Road (Map 58, Parcel 135)

The Conservation Administrator explained that the Town received a notice of intended sale of a lot on Lithia Springs Road. The property, referred to as Lot 2 on an Approval Not Required (ANR) Plan endorsed by the Planning Board, was placed under Chapter 61A for agriculture use which reduced the property's tax rate. The Chapter 61A placement allowed the Town the first right to acquire the land in the event that the property was sold or its use converted. As the lot was now being sold, the Town was being given the opportunity to acquire the land. Two other lots created from the ANR plan had been sold off after the Town chose not to exercise its right to acquire the lots.

Commissioner Tolopko inquired if the lot could offer connectivity to Lithia Springs. The Conservation Administrator explained that acquisition of the property would not offer connectivity as the lot to the rear was privately owned.

The Conservation Administrator noted that the Selectboard and the Planning Board had already voted to *not* recommend acquisition of the property.

Motion: Commissioner Bacis moved to recommend that that Town *not* excessive its right to acquire the property known as Lot 2 Lithia Springs Road a/k/a 10 Lithia Springs Road (Assessors Map 58, Parcel 135). Vice-Chair Canning seconded the motion. Seven (7) out of seven (7) Commissioners voted in favor of the motion by roll call.

Agenda Item #4 --- Discuss and Consider Ratify Emergency Order issued to South Hadley DPW to clear washed out culvert on New Ludlow Road

The Conservation Administrator explained that a culvert on New Ludlow Road got clogged following wash out from a storm on July 26. As the clogged culvert could present a hazard to the roadway and neighboring parking lot, the Emergency Management Director issued a declaration of emergency which allowed the Conservation Administrator to issue an Emergency Order to clear the culvert. The culvert had been previously identified as a priority for assessment within the recently submitted Municipal Vulnerability Preparedness Action Grant application. The Commission needed to vote to ratify the issued Emergency Order.

Motion: Commissioner Schwellenbach moved to ratify the Emergency Order issued to the South Hadley DPW on July 28, 2020 to clear a clogged culvert on New Ludlow Road. Commissioner Bacis seconded the motion. Seven (7) out of seven (7) Commissioners voted in favor of the motion by roll call.

Agenda Item #5 --- FY21 Conservation Land Stewardship Plan

The Conservation Administrator explained that the Commission typically receives \$5,000 each year as part of the Town's Annual Budget through a vote at Town Meeting to be added to the Conservation Land Fund. This year, with the help of the advocacy of the Town Administrator, the Commission received \$15,000. The increase was justified as the funding would be used to help maintain the existing Conservation Land; not just for acquisition of additional property. The Conservation Administrator developed a management plan with associated costs for each property and highlighted the priority activities. Prior to authorizing any spending, the Conservation Administrator wanted the Commission to be informed that two local farms had submitted applications for Agricultural Preservation Restrictions (APR) with the Massachusetts Department of Agricultural Resources (MDAR). If accepted, the Town would be required to contribute a financial match to secure the APRs.

Chair Deluca inquired if there were other Board or Commissions who would be able to contribute to the Town's financial match to secure the APRs if accepted. The Conservation Administrator responded that, due to the COVID-19 State-of-Emergency, the municipal budget was very tight. No additional funding for Conservation efforts could be expected.

Chair DeLuca advised that some monies should be allocated for maintenance as that was the intention for increased funding. The top priorities for funding included invasive management at Bachelor-Stony Brook Conservation Area and boulder installation at trailheads at Bynan Conservation Area to curb motorized vehicle use.

The Commissioners discussed the difficulty of managing use of motorized vehicles at Conservation Areas. Even with the installation of boulders, vehicles would likely still be an issue. The Conservation Administrator reached out to the local police, the environmental police, the Town's insurance company, and engaged in a letter writing campaign to help combat the issue. The Bynan Conservation Area trailhead at New Ludlow Road experienced motorized vehicle traffic and the installation of boulders at that location could mitigate the use.

Ted Boulais and Linda Young, both from the Tree Committee, were present at the virtual meeting. Vice-Chair Canning was also a member of the Tree Committee and Commissioner Dennis worked closely with the Tree Committee on some of their campaigns. Members of the Tree Committee, along with volunteers, had been working to upgrade the Hahn-Warner Arboretum. Vice-Chair Canning and Commissioner Dennis overviewed the volunteer work performed to help develop an area close to the arboretum into a pollinator meadow. There was interest among Tree Committee members to install a kiosk within the arboretum and at the main road leading to the arboretum. These tasks were part of a recent MassTrails Grant application that was not funded. The Conservation Commission could use their Conservation Land Fund

account to fund the improvements at the Arboretum. However, the Tree Committee needed to formally meet to consider a complete proposal.

The Conservation Administrator noted that the informal trails had been getting increased use at Newton-Carver-Jones Conservation Area. Trail blazing and sign installation could be considered. She added that the Conservation Area abuts one of the local farms which applied for an APR and, if accepted, the Commission may be asked to consider accepting a Conservation Restriction for the forested portion of the farm abutting the Conservation Area.

The Conservation Administrator added that encumbered funds from FY2020 would be used to manage hazard trees within Conservation Areas.

Commissioner Schwellenbach left the meeting at 7:41 PM

Motion: Vice-Chair Canning moved to approve the allocation of FY2021 Conservation Land funds for 1) a botanist for rear species monitoring for year two of invasive species control at River to Range Trail; 2) year three invasive species control at River to Range Trail; and 3) installation of boulders at the New Ludlow Road Bynan Conservation Area trailhead to help prevent motorized use. Commissioner Bacis seconded the motion. Six (6) out of six (6) Commissioners present voted in favor of the motion by roll call.

Agenda Item #6 --- Discuss and Consider Approval of July 15, 2020 Meeting Minutes

Draft minutes of the July 15, 2020 meeting had been previously transmitted to the Commission.

Motion: Vice-Chair Canning moved to approve the draft minutes of the July 15, 2020 meeting. Commissioner Dennis seconded the motion. Four (4) out of Five (5) Commissioners present voted in favor of the motion by roll call. Commissioner Bacis abstained from the vote.

Agenda Item #7 --- Administrator's Report

Motorized Vehicle Outreach

The Conservation Administrator explained that ATV and dirt bike use had been reported at Bynan and Bachelor-Stony Brook Conservation Areas. The South Hadley Police and Massachusetts Environmental Police had been notified. Hundreds of letters were sent to property abutters of conservation areas informing them of the allowed uses on the properties and offered information on how to report violations to the police. As was previously discussed under agenda item #5, boulders will be installed at the New Ludlow Road trailhead at Bynan Conservation Area in an effort to curb the issue.

Agricultural Preservation Restrictions

The Conservation Administrator explained that two applications for acceptance into the Agricultural Preservation Restriction (APR) Program had been submitted to the Massachusetts Department of Agricultural Resources (MDAR) for two farms located in South Hadley. If the applications were accepted, the Town would be required to provide a financial match to secure the restriction.

315 Amherst Road

The Conservation Administrator explained she submitted the LAND Grant application in late July to help acquire the Chapter 61A property located at 315 Amherst Road. Additionally, she submitted a pre-proposal request for funding through the Massachusetts Department of Fish and Game's In-lieu Fee Program, and they have expressed interest in receiving a full proposal.

Cyanobacteria

The Conservation Administrator explained that the mouth of Bachelor Brook had a consistent issue with water chestnut. Volunteer work parties had performed removal in previous years. A volunteer recently reported what appeared to be patches of cyanobacteria, a potential harmful algae. Upon the report, the Conservation Administrator took samples of the water for testing. The results showed levels of cyanobacteria were below the EPA's guidelines for posting an advisory notice.

Connecticut River Conservancy Clean-up

The Conservation Administrator explained that each year the Connecticut River Conservancy (CRC) hosts a clean-up of the Connecticut River across many communities. In the past, the Town has organized volunteers to help in the efforts. However, due the COVID-19 State-of-Emergency, the Town has decided not to sponsor the event. Private parties are still able to sign-up to join the event directly through the CRC, and Anne will coordinate trash pick with DPW for groups that register.

Agenda Item #8 --- Other New Business

Commissioner Bacis inquired about the 'one way' directional signs on trails within the Bachelor-Stony Brook Conservation Area. The Conservation Administrator explained that the 'one-way' signs were only on the ADA loop of the River-to-Range trail network.

Adjourn

Chair DeLuca adjourned the meeting at 8:00 PM.

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

Appendix

Document	Document Location
Request for Certificate of Compliance for DEP File #288-0189	Conservation Files
Request for Certificate of Compliance DEP File # 288-0050	Conservation Files
Notice of intended sale dated August 12, 2020 received from the representing attorney of Mary Elizabeth O'Meara, et als regarding the Chapter 61A property located at lot 2 Lithia Springs Road a/k/a 10 Lithia Springs Road	Conservation Files
Emergency Order for culvert clear our at New Ludlow Road issued to DPW	Conservation Files
FY2021 Financial Matrix prepared by the Conservation Administrator	Conservation Files