

**SOUTH HADLEY CONSERVATION COMMISSION
MEETING MINUTES
MARCH 4, 2020
As Approved**

Present: Jim Canning, Vice-Chair; Bill Bacis, Member; Neva Tolopko, Member; Steph Clymer, Member; Garth Schwellenbach, Member; Tom Dennis (arrived at 6:58 PM), Member; Julie Watson, Associate Member; Anne Capra, Conservation Administrator/Planner; Colleen Canning, Senior Clerk Planning and Conservation; Joanna Brown, 25 Charon Terrace; Dan Delaney, Fuss & O'Neill; Mike Fontaine, IGM; Meredith Savage, SWCA; Chris Tallman, Orchards Golf Club; David Parsons, Orchards Golf Club; Kevin Shoemaker, Orchards Golf Club; and Kenneth and Jeannine LeBlanc, 88 Park Street developers.

As the Chair would not be present at the meeting, Vice-Chair Canning called the meeting to order at 6:00 PM.

Agenda Item #1 --- Public Meeting Continuance for Request for Determination of Applicability filed by Michael Matyszewski for removal of trees at 7 Valley View Drive (Map 23, Parcel 115)

Vice-Chair Canning called the Public Meeting continuance to order at 6:00 PM by reading the notice.

Vice-Chair Canning explained that there were not enough Commissioners at the previous Conservation Commission meeting for quorum. Therefore, no business could be acted upon at that time including this agenda item. The Conservation Administrator provided the Commission with drafted findings and special conditions which Vice-Chair Canning read aloud.

As there was no further information to gather, the Public Meeting was closed at 6:08 PM

Motion: Vice-Chair Canning moved to issue a Negative Determination #3 for the removal of trees at 7 Valley View Road. Commissioner Bacis seconded the motion. Five (5) out of five (5) Commissioners present voted in favor of the motion.

Agenda Item #2 --- Public Hearing Continuance for Notice of Intent filed by Ledges Golf Club for general maintenance of the golf course at 18 Mulligan Drive (Map 23 & 42, Parcels 1, 48, 71, 72 & 73)

Vice-Chair Canning called the Public Hearing continuance to order at 6:09 PM by reading the notice aloud.

The applicant's representative, Mike Fontaine of IGM, was present at the meeting along with the consulting engineer, Dan Delaney of Fuss and O'Neill.

The Conservation Administrator opened with background. She explained that the applicant submitted updated plans which included an updated version of the Operation & Maintenance Plan and an updated Integrated Pest Management Plan. The updated documents were posted to

the Town's website. A site visit was performed with the applicant, their consultant and representative of the Commission.

Dan Delaney added that the wetland delineation had been updated to include a disputed area of jurisdiction near the course's driving range.

The Conservation Administrator provided the Commission draft special conditions to be applied to the order of conditions and read them out loud. She noted that Town Counsel reviewed and approved the Board of Health's new regulation to ban glyphosate based products on town-owned land. As Ledges Golf course was town-owned land, the ban of glyphosate-based products could be added as condition #43.

Dan Delaney inquired if condition #39 relating to tree management only referred to trees within jurisdiction. The Conservation Administrator confirmed that it did.

Commissioner Clymer inquired why the orders within the drafted conditions began with condition #21. The Conservation Administrator explained that the first 20 conditions were standardized conditions required by the DEP.

Commissioner Bacis noted that condition #28 reflects restrictions on the 100' Riverfront Area not the 200'. The Conservation Administrator explained that the restriction reflected conditions from the site's previous Order of Conditions. However, the restriction could be increased to 200'. The applicant was agreeable to the change.

Joanna Brown, 25 Charon Terrace, addressed the Commission. She provided an option piece published in the Hampshire County Gazette regarding Glyphosate. She addressed concerns that regulations were out-of-step with current science. Dan Delaney responded that an Order of Conditions could not supersede any laws. Therefore, if chemicals were banned they no longer could be used. Commissioner Tolopko recommended that the applicant submit the already required yearly chemical monitoring reports to the Commission which were required by the state. Yearly reporting was included as condition #44.

The Public Hearing closed at 6:38 PM

Motion: Commissioner Schwellenbach moved to issue Order of Conditions to DEP file # 288-0461 for general maintenance of Ledges Golf Course located at 18 Mulligan Drive. Commissioner Tolopko seconded the motion. Five (5) out of five (5) commissioners present voted in favor of the motion.

Agenda Item #3 --- Public Hearing Continuance for Notice of Intent filed by Orchards Golf Club for an operation and maintenance plan of the golf course grounds at 18 Silverwood Terrace (Map 52, Parcel 164)

Vice-Chair Canning called the Public Hearing continuance to order at 6:40 PM by reading the notice aloud.

The applicant's representatives – Chris Tallman, David Parsons, and Kevin Shoemaker of Orchards Golf Club were present at the hearing along with their consultant, Meredith Savage of SWCA.

The Conservation Administrator noted that the DEP released a file number to the Notice of Intent. The applicant's consultant submitted updated plans and narrative which were posted on the Town's website.

Meredith Savage addressed the Commission and detailed the updates within the submission. The basis for the NOI and the proposed work therein was unchanged. References to regulatory language were added per the DEP's request. The full course had been delineated and maps with color coordinated work zones were included. The bounds of the delineation were tracked on GPS for the benefit on the maintenance staff. Permanently installed in-ground monumentation would create safety hazards. She added that a wetland rehabilitation area with an associated Buffer Zone would be implemented to satisfy the mitigation requirements set by DEP. The operation and maintenance plan was amended to include trees as a separate maintenance zone. She referenced Appendix D within the NOI which effectively defined the proposed OOC.

David Parsons added that the Orchards had previously agreed to submit their yearly chemical reporting to the state to the Commission.

Commissioner Dennis arrived at 6:58 PM.

Vice-Chair Canning inquired if there was use of glyphosate was used on site. David Parsons responded that that state allowed glyphosate use and he did not want to agree to a standard that he could not guarantee could be met. He added that the use of the chemical was used with great discretion.

David Parsons inquired if tree removal within jurisdiction would need to be considered one at a time or if all removal desired could be considered as a bundled project. The Conservation Administrator responded that it was up to the applicant.

Meredith Savage detailed the wetland rehabilitation that was proposed as mitigation for ongoing general maintenance activities. The rehabilitation site was a former golf cart parking. The site currently had some graveled area and was used to stockpile debris. The site would be given a Buffer Zone and would be restored with native plantings. Commissioner Bacis inquired if the rehabilitation site was in a high visibility area and addressed concerns for illegal dumping. Meredith Savage responded that the site would be gated and was not visible from the street. Commissioner Clymer inquired why the rehabilitation area's buffer zone was inconsistent. Meredith Savage responded that the DEP identified the hardship in maintaining a consistent buffer and offered the applicant relief. The restoration plan was reviewed and approved by the DEP.

The Conservation Administrator remarked that the updated documents were just recently submitted. Therefore, the Commission and the public had not been afforded appropriate time to review the document. She recommended that the Public Hearing be continued to the next regular

meeting. Members of the Commission were in agreement that an additional site visit would not be required at this time.

Joanna Brown, 25 Charon Terrace, addressed the Commission. She noted that, at a previous hearing date, an abutter to the golf course expressed concern for debris from the golf course impacting his property. David Parsons responded that he communicated with the property owner outside of the hearing and any concerns were now remedied.

As the Commission needed time to review the updated documents, the public hearing needed to be continued.

Motion: Commissioner Dennis moved to continue the Public Hearing to March 25, 2020 at 6:00 PM. Commissioner Schwellenbach seconded the motion. Six (6) out of six (6) members voted in favor of the motion.

Agenda Item #4 --- Public Hearing for Notice of Intent filed by Kenneth and Jeannine Leblanc for construction of two single family homes on Lots 2 and 3, and renovations to an existing farm house with the addition of a deck, garage and new paved driveway on Lot 1 at 88 Park Street (Map 50, Lot 48)

Vice-Chair Canning called the Public Hearing into order at 7:31 PM by reading the notice.

The applicants, Ken and Jeannine LeBlanc, were present at the hearing along with their consultant, Meredith Savage of SWCA.

Meredith Savage addressed the Commission. She explained that the DEP released a file number to the NOI earlier that day. She provided the Commission with a memorandum which detailed the findings made at the Commission's site visit prior to the hearing's opening. The proposed work included the rehabilitation of an existing home and the development of two new homes on two newly created lots. A seasonal forested wetland existed at the rear of the lots which triggered the jurisdiction of the Commission. Meredith Savage reviewed the unaddressed concerns of the Commission which included the need for clear identification of trees proposed for removal and the need for clear identification of location of the new structures.

Ken LeBlanc addressed the Commission. He explained that the grade of the site sloped towards the wetland area. The houses would be constructed with walk-out basements to accommodate the 8 foot grade change. He intended on keeping the tall pine trees on site to work with the existing landscape and to maintain privacy for the constructed houses.

Members of the Commission addressed concerns for the site's drainage. The land naturally sloped toward the wetland at the rear of the property. Therefore, new discharge would impact the existing wetland. The Conservation Administrator noted that she investigated the possibility of the project requiring a Stormwater Management Permit. Even though the project did not require such permitting, the project's impact on the watershed should be considered and best practices were advisable. Ken LeBlanc noted that he was considering installing a rain garden to help manage stormwater runoff. Meredith Savage added that permeable pavers could be considered as driveway materials.

The Conservation Administrator noted that the former Determination of Applicability for site work had requirements that needed to be satisfied. There were a number of trees that were required to be planted as mitigation. She advised that the mitigation plantings could be incorporated into the project's planting plan.

Commissioner Clymer questioned the location of the proposed garage on one of the lots. Ken LeBlanc responded that the garage's location was based upon existing trees and zoning requirements.

Joanna Brown, 25 Charon Terrace, addressed the Commission. She addressed concerns for stormwater management of the site as the road already had drainage issues. She did not want the development to have a negative impact.

Meredith Savage noted that the applicant was not asking for the wetland delineation to be affirmed. Therefore, no peer-review would be required to reconcile to former delineation performed for the Request for Determination and the new delineation included with the Notice of Intent filing.

As the applicant needed to provide further information, the public hearing needed to be continued.

Motion: Vice-Chair Canning moved to continue the Public Hearing to April 15, 2020 at 6:00 PM. Commissioner Tolopko seconded the motion. Six (6) out of six (6) commissioners present voted in favor of the motion.

Agenda Item #5 --- Discuss and Consider Approval of Meeting Minutes from January 29, 2020

Draft minutes of the January 29, 2020 meeting were previously transmitted to the Commission for review.

Motion: Commissioner Schwellenbach moved to approve the draft minutes from the January 29, 2020 meeting. Commissioner Clymer seconded the motion. Six (6) out of six (6) commissioners present voted in favor of the motion.

Agenda Item #6 --- Discuss and Consider Approval of Meeting Minutes from February 12, 2020

Draft minutes of the February 12, 2020 meeting were previously transmitted to the Commission for review.

Motion: Commissioner Schwellenbach moved to approve the draft February 12, 2020 meeting minutes. Vice-Chair Canning seconded the motion. Four (4) out of six (6) members present voted in favor of the motion. Commissioner Clymer and Commissioner Tolopko abstained from the vote.

Agenda Item #7 --- Administrator's Report

Glyphosate Ban

The Conservation Administrator explained that the Board of Health voted to ban the use of glyphosate on town-owned property. The regulation was reviewed and approved by Town Counsel.

Forest Health and Climate Change

Vice-Chair Canning explained that he was attempting to secure a speaking engagement with Paul Catanzaro from UMass Amherst. The Conservation Administrator added that the speaking engagement could function as an extension of the ongoing MVP listening sessions. Vice-Chair Canning would reach out to Paul Catanzaro to try secure him for a speaking engagement at a future Conservation Commission Meeting.

Connecticut River Clean Up

The Conservation Administrator informed the Commission that the Connecticut River Clean Up with the High School was rescheduled to May 27th from 8:30 AM – 1:00 PM.

Agenda Item #8 --- Other New Business

MVP Listening Session

The Conservation Administrator noted that the next MVP listening session would follow the next Conservation Commission on March 25th. The Conservation Commission meeting would be held at 6:00 PM followed by the MVP listening session at 7:30 PM.

Adjournment

Vice-Chair Canning closed the meeting at 8:18 PM.

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

Document	Document Location
Draft Findings and Special Conditions- 7 Valley View RDA	Conservation Files
Draft Findings and Special Conditions - Ledges Golf Club DEP #288-0461	Conservation Files
Glyphosate Opinion Column- 3/4/2020 Hampshire Daily Gazette	Conservation Files
Site Visit Memo 3/4/2020- 88 Park Street NOI	Conservation Files