

**SOUTH HADLEY CONSERVATION COMMISSION
VIRTUAL MEETING MINUTES
JUNE 10, 2020**

<https://vimeo.com/428235637>

Present: Bill DeLuca, Chair; Jim Canning, Vice-Chair; Bill Bacis, Member; Neva Tolopko, 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 6:02 PM and reiterated the protocols for virtual meetings. Six (6) out of seven (7) members were present at the virtual meeting.

Agenda Item #1 --- Public Hearing for Notice of Intent filed by The Loomis Communities Inc. for the operation and maintenance plan for a small pond to control nuisance aquatic vegetation and algae at 40 Worthington Drive (Map 21, Lot 1)

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Agenda Item #2 --- Discuss and Consider Request for Certificate of Compliance for Loomis Village Pond Order of Conditions #288-440 (Map 21, Lot 1)

Agenda Items #1 and #2 were related so they were discussed in tandem.

The applicant's representative, Naomi Valentine of SWCA, was present at the virtual meeting. She explained that she was requesting a continuation of the scheduled Public Hearing to the next meeting. She anticipated filing an additional Notice of Intent (NOI) for dredging of the same pond to be considered within this NOI. As both NOIs would impact one another, it made sense to consider them together. Additionally, the applicant had an expired Order of Conditions (OOC) for pond maintenance which should be closed prior to considerations of the new NOI. Two years of reporting needed to be provided to the Commission before the outstanding OOC could be closed which she anticipated she could provide at the next meeting.

Commissioner Tom Dennis left the meeting at 6:08 PM due to technical difficulties.

Motion: Vice-Chair Canning moved to continue the Public Hearing to June 24, 2020 at 6:00 PM. Commissioner Bacis seconded the motion. Five (5) out of five (5) commissioners present voted in favor of the motion by roll call.

Agenda Item #3 --- Public Meeting for Request for Determination filed by Christopher Fisher for removal of nine trees in the Buffer Zone at 38 Ashton Lane (Map 30, Lot 172)

Chair DeLuca called the Public Meeting to order at 6:10 PM.

The applicant, Christopher Fisher, was present at the virtual meeting. He explained that the trees of concern were located 15 feet away from his home. He was concerned the trees could come down during a storm event and damage his house. Of the nine trees proposed for removal; four were within the 50 foot Buffer Zone.

Chair DeLuca inquired what type of stream was on the property. The Conservation Administrator used the USGS Streamstats program to confirm that the stream was intermittent.

Commission members who attended the site visit were in agreement that the size and location of the trees created an understandable concern for the homeowner and were agreeable to their removal. Mitigation for removal should include planting of understory trees that would not grow to a height that could create future concern. As there could be concerns for erosion, the mitigation plan needed to be approved by the Conservation Administrator to ensure that appropriate varieties were selected.

Chair DeLuca closed the Public Meeting at 6:26 PM

Motion: Commissioner Schwellenbach moved to issue a Negative Determination #3 for removal of trees at 38 Ashton Lane. Commissioner Tolopko seconded the motion. Five (5) out of five (5) commissioners present voted in favor of the motion.

Agenda Item #4 --- Public Meeting for Request for Determination filed by Paul Petell for installation of an aboveground swimming pool in the Buffer Zone at 19 San Souci Drive (Map 43, Lot 54)

Chair DeLuca called the Public Meeting to order at 6:27 PM.

The applicant, Paul Petell, was present at the meeting. He explained that the request was filed to install an above ground pool at his home.

The Conservation Administrator explained that she performed a site visit. The location of the proposed above ground pool was currently lawn and within the originally approved building envelope within the outer Buffer Zone.

Chair DeLuca closed the hearing at 6:31 PM.

Motion: Commissioner Bacis moved to issue a Negative Determination # 3 for the installation of an above ground pool in the Buffer Zone at 19 San Souci. Commissioner Schwellenbach seconded the motion. Five (5) out of five (5) members voted in favor of the motion by roll call.

Agenda Item #5 --- Public Meeting for Extension of an Order of Conditions #288-396 filed by Mount Holyoke College for general operation and maintenance of the campus facilities at 50 College Street (Map 49, Lot 30)

The applicant's representative, Chris Domina of Mount Holyoke College, was present at the meeting.

Chair DeLuca remarked that Mount Holyoke College was a great partner in conservation efforts. The relationship between the College and the Commission was one that could function as an example for other applicants seeking Conservation permitting.

Vice-Chair Canning inquired about use of glyphosate during general maintenance. Chris Domina responded that the College was moving away from using glyphosate and turning towards organic products.

Commissioner Bacis inquired if the Conservation Administrator was notified when work commenced. The Conservation Administrator replied that she was. However, if any Commission member questioned work being performed at the College she would follow up.

Motion: Vice-Chair Canning moved to issue an extension for Order of Conditions #288-396 for the general operation and maintenance of the campus facilities at Mount Holyoke College located at 50 College Street. Commissioner Bacis seconded the motion. Five (5) out of five (5) members voted in favor of the motion by roll call.

Agenda Item #6 --- Discuss and Consider ratification of Enforcement Order issued to Katie Malloy and Kenneth Beagle for unpermitted activities within Riverfront Area at 28-32 Bridge Street (Map 5C, Lot 20)

The Conservation Administrator explained that she issued an Enforcement Order for unpermitted work within the Riverfront Area. The owner of the property reported that their commercial tenant had plowed the lot and buried piles of debris with the intention of expanding the parking area. As this work was not allowed without Commission approval, the Enforcement Order required a restoration plan to bring the site into compliance. If the owner or renter wanted to expand the parking area, a Notice of Intent needed be filed.

Motion: Commissioner Bacis moved to ratify the Enforcement Order for violations of the Wetlands Protection Act at 28-32 Bridge Street. Commissioner Bacis seconded the motion. Five (5) out of five (5) members present voted in favor of the motion by roll call.

Agenda Item #7 --- Discuss and Consider Request for Certificate of Compliance for Order of Conditions #288-144 at 163 Mosier Street (Map 38, Lot 11)

The property owner of 163 Mosier Street, Nancy and Steven Jez, were present at the meeting. They explained that they were seeking a Certificate of Compliance for this old Order.

The Conservation Administrator explained that this was an old Order of Conditions to construct a raised platform to store firewood.

Motion: Commissioner Bacis moved to issue a Certificate of Compliance for Order of Conditions #288-0144 construction of a raised platform at 163 Mosier Street. Commissioner Schwellenbach seconded the motion. Five (5) out of five (5) commissioners present voted in favor of the motion by roll call.

Agenda Item #8 --- Public Meeting for Request for Determination filed by the Town of South Hadley for removal of hazard trees within the Buffer Zone at Titus Pond Conservation Area at Newton Street (Map 27, Lot 41)

Chair DeLuca opened the Public Meeting at 6:47 PM.

The Conservation Administrator explained that Northern Tree Service flagged a number of hazard trees at Titus Pond Conservation Area to the north-side of the pond that were leaning out onto the sidewalk. They had flagged a large cottonwood that she advised not be removed as it did not seem a hazard and would greatly increase the cost of removal.

Chair DeLuca closed the Public Meeting at 6:55 PM.

Motion: Commissioner Bacis moved to issue Negative Determination #3 for removal of hazard trees not to include the flagged Eastern Cottonwood within the Buffer Zone at Titus Pond Conservation Area. Commissioner Tolopko seconded the motion. Five (5) out of five (5) Commissioners present voted in favor of the motion by roll call.

Agenda Item # 9 --- Administrator's Report

Minutes

Draft minutes of the May 27, 2020 virtual meeting were previously transmitted to the Board for review.

Motion: Commissioner Schwellenbach moved to approve the draft virtual meeting minutes of May 27, 2020. Vice-Chair Canning seconded the motion. Five (5) out of five (5) commissioners present voted in favor of the motion by roll call.

Grants

The Conservation Administrator explained that she was working on developing the grant application for the Municipal Vulnerability Preparedness (MVP) Action Grant. The focus of the grant would aim to perform a town-wide culvert assessment that would identify the most impaired culverts in town and develop preliminary engineering designs for each. The MVP Grant required a cash match from the Town of \$20,000. As the Conservation Administrator explained, \$4,000 of an old mitigation fund could be used. She proposed that the Commission authorize the use of \$16,000 from the Eversource mitigation fund to achieve the required \$20,000.

Motion: Commissioner Bacis moved to approve the use of \$16,000 from the Eversource Mitigation Fund to contribute to the required cash match for the MVP Action Grant. Commissioner Tolopko seconded the motion. Five (5) out of five (5) Commissioners present voted in favor of the motion by roll call.

The Conservation Administrator explained that the Selectboard voted to notify the seller of the Town's interest to acquire the Chapter 61A property located at 315 Amherst Road. To acquire the property, the Conservation Administrator was pursuing a LAND Grant to help in purchase of the land. The grant required a cash match from the Town which could come from the Commission's Land Conservation Fund which was instituted to help the Commission acquire and maintain land.

Motion: Vice- Chair Canning moved to approve the use of \$67,000-\$72,000 from the Land Conservation Fund for the required cash match for the LAND Grant to acquire 315 Amherst Road. Commissioner Bacis seconded the motion. Five (5) out of five (5) Commissioners present voted in favor of the motion by roll call.

Correspondences

The Conservation Administrator explained that two correspondences for the Commission had been received. One was from Brenda Griffin, South Hadley resident, inquiring about water quality relating to ongoing and proposed activities on Dry Brook Hill. The Conservation Administrator forwarded the inquiry to the Board of Health and the Water District. Secondly, a letter was received from Kathleen Davis, South Hadley resident, noting that the Planning Board Public Hearing to consider the proposed North Pole Estates Subdivision was commencing and urged Commission Members to contribute to the Public Hearing discussions.

Agenda Item #10--- New Business

There was no new business discussed.

Adjournment

Chair DeLuca adjourned the meeting at 7:19 PM.

Respectfully Submitted,
Colleen Canning, Senior Clerk Planning and Conservation

Appendix

Document	Document Location
NOI filed by The Loomis Communities Inc. for the operation and maintenance plan for a small pond to control nuisance aquatic vegetation and algae at 40 Worthington Drive	Conservation Files
RCOC for Loomis Village Pond Order of Conditions #288-440	Conservation Files
RDA filed by Christopher Fisher for removal of nine trees in the Buffer Zone at 38 Ashton Lane	Conservation Files
RDA filed by Paul Petell for installation of an aboveground swimming pool in the Buffer Zone at 19 San Souci Drive	Conservation Files
OOO Extension Request #288-396 filed by Mount Holyoke College	Conservation Files
Enforcement Order issued to Katie Malloy and Kenneth Beagle for unpermitted activities within Riverfront Area at 28-32 Bridge Street	Conservation Files
RCOC for OOC #288-144	Conservation Files
RDA filed by the Town of South Hadley for	Conservation Files

removal of hazard trees within the Buffer Zone at Titus Pond Conservation Area	
6/7/2020 letter from Brenda Griffin, South Hadley resident	Conservation Files
6/4/2020 letter from Kathleen Davis, South Hadley resident	Conservation Files