

Southampton Conservation Commission
Meeting – November 4, 2019
Southampton Town Hall – First Floor Meeting Room

Present: Marla Hanc, Art Lawrence, Joy Piper (7:00–7:39), Tony Zaharias, Brittany Taylor

Absent: No one

Public Present: David & Susan Huntley, 304 North Rd, Westfield
Dan Rukakoski, Tighe&Bond
Mark Reed, Heritage Surveys, Inc
Dan Buttrick, Tighe&Bond
Glenn Marhefka, 126 Hendrick St, Easthampton
Susan Ryan, 1 Edward Ave
Chris Fowles, Select Board
Janet Brown, CPC
Glenn West, 28 Katelyn Way
Ryan Geeleher, 39 College Hwy
Stuart Clark, 129 Glendale Rd
Cindy Palmer, Open Space Review Committee

6:00 Meeting called to order

Open Time to the Public

Mark Reed, Heritage Surveys, Inc., delivered the hard copy for a Notice of Intent on behalf of Robert and Denise Riggs for a project at 88 Pleasant St. Checks for \$67.50 and \$100.00 were received for the proposed project.

New Business

6:01 NOI DEP# 289-0220 - continued, College Hwy, Applicant: Glenn West, Representative: Dan Buttrick, Tighe & Bond

D. Buttrick reviewed the letter from NHESP. The Project is located within Priority and Estimated Habitat for the following state-listed species of relevance to the proposed Work areas of the Project: *Strophitus undulatus* - Creeper (Mussel) and *Glyptemys insculpta* - Wood Turtle (Reptile). The Division has determined that this project, as currently proposed, must be conditioned in order to avoid adverse effects to the Resource Area Habitats of state-listed wildlife species (310 CMR 10.58(4)(b) and 10.59) and must be conditioned in order to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a)).

6:04 Motion to close public hearing made by A. Lawrence, seconded by T. Zaharias. The motion passed unanimously with four (4) Yes votes.

6:05 Motion to issue Order of Conditions with additional Southampton Special Conditions made by B. Taylor, seconded by A. Lawrence. The motion passed unanimously with four (4) Yes votes.

Three copies were signed, two copies will be hand delivered to D. Buttrick later in the week; a copy will be emailed to DEP.

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NOI, DEP#289-0222, 151 East St; Applicant: David & Susan Huntley; Representative: Mark Reed, Heritage Surveys, Inc

M. Hanc opened the public hearing and read the legal notice which had been printed in the October 25 edition of the Daily Hampshire Gazette. The proposed project involves the construction of a driveway that will require a wetland crossing at 151 East St, Assessors Map 30/Parcel 45. A check for \$67.78 was received for payment of the legal notice. NOI fees of \$100 and \$262.50 had been received previously. The site visit on November 2, 2019 was attended by M. Reed and T. Zaharias. M. Reed have the certified mail receipts to M. Hanc.

A single-family home will be constructed outside of the Buffer Zone and Resource Area, therefore outside of the Commission's jurisdiction. The land is currently under Chapter 61A. GZA Geoenvironmental Inc delineated the wetland. The proposed driveway would be 12' wide but narrowed to 10' wide where it crosses the wetland. Overhead utilities will be brought in; the home will use well water. The site is totally meadow, therefore there are no trees to be cut. The existing culvert will remain in place. 2,095 sq ft of wetland will be replicated.

6:24 Motion to close public hearing made by A. Lawrence, seconded by T. Zaharias. Motion passed unanimously with four (4) Yes votes.

6:25 Motion to issue Order of Conditions with additional Southampton Special Conditions made by B. Taylor, seconded by T. Zaharias. Motion passed unanimously with four (4) Yes votes.

Three copies were signed; copies will be hand delivered later in the week to Mark Reed, a copy will be emailed to DEP.

M. Hanc opened the public hearing and read the legal notice which had been printed in the October 25 edition of the Daily Hampshire Gazette. The proposed work will consist of installing a subsurface water line alongside the existing driveway at 39 College Hwy, Assessors Map 14/Parcel 18. A check for \$67.78 for payment of the legal notice will be brought to the Town Hall later in the week.. The RDA fee of \$75.00 had been received previously. The site visit on November 2, 2019 attended by R. Geeleher and T. Zaharias

Directional drilling will be used to bring the water line in from across College Highway. The five-foot deep trench for the water line will be backfilled the same day. The erosion control will be a "straw log"; a silt fence is not necessary for this project based upon the level topography.

The Request for Determination of Applicability asked for four determinations. The Commission determined the following:

Positive 1. The area described on the referenced plan(s) is an area subject to protection under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.

Positive 2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed

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in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid. Conservation Filing Plan by R. Levesque, dated 10/21/2019

Negative 3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
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Negative 6. The area and/or work described in the Request is not subject to review and approval by the Municipality of Southampton.

6:38 Motion to issue a Positive 1, Positive 2a, Negative 3, and Negative 6 made by A. Lawrence, seconded by T. Zaharias. Motion passed unanimously with four (4) Yes votes.

Two copies were signed, one was handed to R. Geeleher; a copy will be emailed to DEP.

6:41 Geocache Permission Request – Clearwater Woodland

Stuart Clark - Geocaching entails a person hiding a small container (the geocache), then using a Global Positioning System receiver (GPSr) to mark the longitude and latitude of the geocache. The coordinates are then published on the Internet to allow others to find it. In other words, it's a high-tech game of hide-and-seek. Geocaching is a fun, family-oriented activity that has the benefit of getting people outdoors and introducing them to areas of historic, natural, or scenic interest. Managers of many parks and nature preserves as well as many businesses have determined that geocaching is a beneficial, low impact activity and encourage the sport on their lands. They see the additional visitors and increased exposure that geocaching brings as a plus. Similarly, geocachers often discover exciting new places through the sport, while getting exercise and gaining an appreciation for these areas.

A small Tupperware container would be used and will be checked periodically by the person who placed it.

6:51 Motion to permit geocache at Clearwater Woodland Conservation Area made by B. Taylor, seconded by A. Lawrence. Motion passed unanimously with four (4) Yes votes.

6:54 Stewardship Projects

M. Hanc received a text from Matt Fletcher showing damage to the Szczypta Conservation Farm field from unauthorized vehicles driving through. M. Hanc will contact Chief Illingsworth to put out a public awareness message about appropriate use of the field.

Volunteers

Cindy Palmer informed the Commission that at 6:30 PM on November 14, 2019 at the Edwards Public Library a group of interested citizens will discuss the possible creation of a 501c3 Friends of Open Space group. They could potentially help fund projects as well as provide volunteers for some trail work.

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Regular Business

7:01 Discuss Public Records Requests

A. Lawrence noted that public records requests should go through the Town Clerk who would record the request. Subsequently the Town Clerk could ask individual Boards or Committees for the requested information if she did not have the records on hand.

7:06 Discuss Payment of Fees for Recording Enforcement Orders

There is a cost associated with recording a document at the Hampshire County Registry of Deeds. If the Commission feels it is necessary to record an Enforcement Order, would there be a way to recoup the cost from the entity which committed the violation? C. Fowles will take the question to the Select Board to ask Legal Counsel.

7:21 OSRP Update

B. Gutermuth - first meeting with Emily Slotnick from PVPC on November 1. They updated a survey about current open space use and interests that will be sent out soon. It will mostly be online with some paper copies available. They'll look at the responses before the public visioning session to be held in mid-December. They run out of funding to work with PVPC after December so they'll either have to finish the plan themselves or request more funds through the MVP process

Cindy Palmer noted that on December 18 from 6:30 PM – 8:00 PM a Public Visioning meeting will be held.

7:28 MPIC Update

B. Taylor – The report is in process.

7:30 CPC Update

J. Piper – Prior to the return of the \$20,925.26 for the 111 Glendale Road project, we must make sure all work for the transfer of the Howland Conservation Area CR to the Kestrel Land Trust has been completed. M. Hanc will provide C. Fowles and J. Piper with names of companies who have previously given estimates for tree work at the Manhan Meadows Sanctuary Hazel Young Trail. Three estimates need to be provided to CPC to request funding for restoration of the trails.

Review minutes from October 21, 2019

7:40 Motion to accept October 21 minutes as presented made by A. Lawrence, seconded by B. Taylor. Motion passed unanimously with four (4) Yes votes.

Treasurer's Report

Conservation Revolving Fund (Act #245200.021) = \$6,188.97
111 Glendale Rd Conservation Area (Act #285100.865) = \$20,925.26
Wetlands Protection (Act #245100.020) = \$2,135.00

Signatures

None.

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7:44 Motion to accept Treasurer’s Report made by B. Taylor, seconded by T. Zaharias. Motion passed unanimously with four (4) Yes votes.

7:45 Correspondence

Email

- October 23, 2019, from Joey Wigglesworth, MACC – regarding MACC's Education Newsletter e-MACC Update - October 2019
- October 23, 2019, from Michele Grzenda – regarding MSMCP - November Brown Bag; other events, cool articles to share, etc.
- October 25, 2019, from Mark Kasinskas, Burns & McDonnell - regarding Eversource solar array - 10/17/19 and 10/23/19 SWPPP inspection reports
- October 26, 2019, from Kestrel Land Trust – regarding Cows & Conservation: A Special Farm Tour
- October 28, 2019, from Joey Wigglesworth, MACC – regarding MACC Unit 103 & 202 Training Coming to Pittsfield on Nov. 9th!
- October 28, 2019, from Scott Jackson, UMass – regarding UMass is seeking forest conservation contacts
- October 28, 2019, from Stuart Clark, - regarding Geocache Permission
- October 29, 2019, from Joey Wigglesworth, MACC – regarding MACC Live Training: Conservation Restriction Baselines in Millbury 11/7 Register Today!
- October 30, 2019, from MassTrails – regarding Join us this week in Leominster, MA for the 2019 MassTrails Conference!
- October 30, 2019, regarding Mass. Division of Ecological Restoration – regarding DER Releases Dam Removal Film Series
- October 30, 2019, from Ed Gibson, Town Administrator – regarding FY 2021 Capital request Packet
- October 31, 2019, from Matthew Doyon, Comprehensive Environmental Inc – regarding [EXTERNAL] eDEP Submittal Confirmation for DEP Transaction ID: 1147143
- October 31, 2019, from Pat Beaudry, PVPC – regarding Pioneer Valley Progress Report: October 2019
- November 1, 2019, from Melany Cheeseman (FWE) – regarding Lyman Pond dam removal, 281 & 285 College Hwy. NHESP 15-34810, DEP 289-0220.
- November 1, 2019, from Mark Reed, Heritage Surveys, Inc – regarding Gwosch, 67 Pomeroy Meadow Road Pre-construction site visit
- November 3, 2019, from Kestrel Land Trust – regarding 180-Acre Hadley Farm Saved for the Community!
- November 3, 2019, from Brian McConnell – regarding Emergency installation of 15” culvert at 24 High St. completed
- November 4, 2019, from Mark Kasinskas, Burns & McDonnell - regarding Eversource solar array - 10/28/19 SWPPP inspection report
- November 4, 2019, from MassWildlife – regarding New pheasant map, CWD, habitat grants, and more
- November 4, 2019, from Mark Reed, Heritage Surveys, Inc – regarding Huntley, 151 East Street, Southampton ~ DEP file #289-0222 - Response

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Hard Copy

- Forest Cutting Plan postmarked October 26, 2019 from Mary K. Wigmore for Holyoke Water Works, Crooked Ledge Road, Southampton
 - Acres 15, Vol. MBF 66.844, Vol. Cds. 54, Vol. Tons 65; Plan Preparer Mary K. Wigmore, Timber Harvester Roberts Bros. Lumber (Bid)
- Forest Cutting Plan postmarked October 28, 2019 from John Edwards for Scott & Lori Cebula, off Delisle Road, Southampton
 - Acres 120, Vol. MBF 225, Vol. Cds. 300, Plan Preparer John Edwards, Timber Harvester Joseph Padolak
- Hard copy from Ed Gibson, Town Administrator – FY 2021 Capital request Packet
- Certified mail postmarked November 1, 2019, from the Law Office of Alan Seewald – Notice of Intent, Withdrawal of Land from Chapter Classification, Chapter 61, Location of Property: College Highway, Assessors' Tax Maps 19-141, 19-144, and 24-15; Owner: Eugene Labrie; total acreage 51.9+/-

Any other necessary business that cannot await the November 18, 2019 regular Conservation Commission meeting.

None.

Other Site Visits

November 2, 2019, 67 Pomeroy Meadow Rd, pre-construction site visit attended by Mark Reed, Anna Novey Cook, and A. Lawrence.

Upcoming Meeting Dates (subject to change)

11/18/19, 12/2/19, 12/16/19, 01/06/2020, 02/03/2020

7:48 Adjournment

Motion to adjourn made by T. Zaharias, seconded by A. Lawrence. Motion passed unanimously with four (4) Yes votes.