

Southampton Conservation Commission (SCC)
Meeting - October 28, 2013
Southampton Town Hall Meeting Room

Attendees: Chairman Charlie McDonald, Treasurer Arthur Lawrence, Randall Kemp, Secretary Marla Hanc

Absent: Vice-Chairman Matthew Christy, Robert Barcomb

Public Present: Mark Stinson, Mass DEP
Courtney Haff, Easthampton, MA

The meeting was called to order at 7:00 PM.

7:00 Open Time to the Public:
No members of the public spoke.

7:00 Regular Business:

Mr. Lawrence questioned the status of Mr. Haff's membership on the SCC. Having moved to Easthampton, on August 1 Mr. Haff submitted a letter resigning from his positions on the SCC and the Greenway Committee effective July 26. To clarify the record, Mr. Haff stated that subsequent to submitting his resignation, he found out that he could have remained on the SCC. On August 5, he gave another copy of his resignation letter to the Assistant Town Clerk, with the Conservation Commission crossed out, leaving only the resignation to the Greenway Committee. Mr. Haff believed in good faith that he was therefore still a member of the SCC. Early in October, Mr. McDonald was told by the Town Clerk that since Mr. Haff had resigned, he has to be reappointed by the Select Board. Because of a "quirk" in Massachusetts Law, independent of the residency non-requirement for appointment to a full term, it is impossible for a non-resident to be appointed to complete another's term on a Commission. Mr. McDonald discussed this at the October 22 Select Board meeting. The BOS did not make a final decision as to Mr. Haff's SCC member status at that meeting. Until such time as they do, Mr. Haff will not vote as a member of the SCC.

7:22 Review Minutes

The minutes from September 16, 2013 were reviewed again. Mr. Kemp declined to vote on them since he had recused himself from the sections of the September 16 meeting which had been under discussion. Lacking a quorum for a vote, the September 16 minutes were tabled again.

7:24 The Minutes from the September 30, 2013 meeting were reviewed.

7:28 Mr. Kemp made a motion to accept the minutes as amended. Mr. Lawrence seconded the motion. The motion passed unanimously with four (4) YES votes.

7:29 Treasurer's Report

Mr. Lawrence presented the Treasurer's Report. The CC Expenses Account is out of funds. Expenses will be paid out of the Wetlands Protection Fund and reimbursed when the FY 15 monies are received.

Mr. Lawrence requested approval for funding for Ms. Hanc and Mr. Lawrence to attend the MACC Fall Conference on November 16.

Southampton Conservation Commission (SCC)

Meeting - October 28, 2013

Southampton Town Hall Meeting Room

7:31 Mr. Kemp made a motion to approve the MACC conference expenses (\$95.00 x 2). Mr. McDonald seconded the motion. The motion passed unanimously with four (4) YES votes.

Signatures:

- SCC-FY-14-P6 from CC Expenses (#15171.700)
 - Payable to Charlie McDonald for postage, \$2.64
 - Payable to Manchester True Value for nails, \$27.98
 - Payable to Charlie McDonald for ink, \$17.99
 - Payable to Charlie McDonald for ink, \$30.62
- SCC-FY-14-P7 from Conant Wildlife Fund (#825200.701)
 - Payable to Fleury Lumber Yard for wood, \$533.40
 - Payable to Fleury Lumber Yard for wood, \$63.88

7:33 A motion was made by Mr. Kemp to approve the Treasurer's Report as amended. Ms. Hanc seconded the motion. The motion passed unanimously with four (4) YES votes.

7:34 Correspondence

Email:

- October 1, 2013, from Dan Pellegrini – regarding Crooked Ledge Road site visit schedule
- October 1, 2013, from US Composting Council – regarding What's in YOUR...compost?
- October 2, 2013, from Eric F. Seaborn, Program Coordinator, DCR Urban and Community Forestry – regarding DCR October 2013 Citizen Forester
- October 2, 2013, to Planning Board from Mark Reed, Heritage Surveys, Inc. - regarding Western View Estates, Strong Road Definitive Subdivision and Stormwater application
- October 2, 2013, from Ecological Landscaping Association – regarding Upcoming Educational Events
- October 3, 2013, from DLS Alert@dor.state.ma.us – regarding City & Town - October 3rd, 2013
- October 4, 2013, from Eric F. Seaborn, Program Coordinator, DCR Urban and Community Forestry – regarding DCR Citizen Forester Addendum
- October 4, 2013, from Environmental Compliance Services, Inc. – regarding Stay up to date with your compliance training!
- October 6, 2013, from Art Lawrence – regarding Maps and Brochures, online sources for printing
- October 7, 2013, from Art Lawrence – regarding Follow Up Site Visit to 76 Crooked Ledge Rd.
- October 7, 2013, from US Composting Council – regarding REMINDER - Help us help YOU sell more compost!
- October 7, 2013, from Regina Shea-Sullivan, Interim Town Administrator – regarding October 15, 2013 at 6:30 p.m. Department-all employee Meeting Topic - Communications in Town Hall- continued
- October 9, 2013, from US Composting Council – regarding Enroll by Dec. 15 and save 10%!
- October 9, 2013, from Mark Stinson (DEP) – regarding DEP Western Region Circuit Rider News for October 2013

Southampton Conservation Commission (SCC)

Meeting - October 28, 2013

Southampton Town Hall Meeting Room

- October 10, 2013, from Solid Earth Technologies, Inc. - Foundation Solutions For Wetland Boardwalks
- October 15, 2013, from Sean Libbey (DCR) – regarding Reinhard Bauer Harvest
- October 15, 2013, from Richard LeBlanc (AGR) – regarding October / Farm and Market Report
- October 15, 2013, from Mass Wildlife (FWE) - regarding [masswildlife.news] MassWildlife Advisory -- Fall Turkey Season Dates
- October 17, 2013, from Mass Audubon – regarding The Tiniest Owl, What's Hiding in Your Leaf Pile, and More
- October 17, 2013 from US Composting Council – regarding Register NOW for the Largest Organics Recycling Show on Earth! Oakland, Jan 26-29, 2014
- October 17, 2013, from Misty-Anne Marold (FWE) – regarding Whittemore Conservation Area: Southampton/West side of Manhan, west of Poscommuck Trust Property (NHESP 13-32476)
- October 18, 2013, from Charlie McDonald to Misty-Anne Marold - regarding Whittemore Conservation Area: Southampton
- October 18, 2013, from Mark Stinson (DEP) – regarding DEP Western Region Circuit Rider News Update
- October 18, 2013, from Celia Riechel (ENV) – regarding Southampton Greenway Update
- October 18, 2013, from James A. Gracia, PE – regarding Next Meeting Date to schedule an RDA for 38 Gilbert Rd. driveway and culvert repair.
- October 18, 2013, from Mark Stinson (DEP) – regarding Whittemore Conservation Area: Southampton
- October 19, 2013, from Charlie McDonald to Greenway Negotiating Committee – regarding Southampton Greenway Update
- October 21, 2013 from Colin Kazunas, regarding Project Whittemore Conservation Area
- October 21, 2013 from Sean Libbey (DCR) – regarding Forest Cutting Plan: 57 Rattle Hill Southampton
- October 22, 2013 from Charlie McDonald, regarding Project Whittemore Conservation Area
- October 22, 2013 from Regina Shea-Sullivan, Interim Town Administrator – regarding call from Celia Riechel in regards to the Land Grant for the Greenway
- October 22, 2013, from Gail Santoro and Pat Fabozzi – regarding Letter from mass certified arborist providing guidelines on preserving trees as agreed on Oct 2
- October 23, 2013, from Charlie McDonald – regarding Whittemore Conservation Area
- October 23, 2013, from Sean Libbey (DCR) – regarding Forest Cutting Plan: 57 Rattle Hill Southampton
- October 23, 2013, from Kestrel Land Trust – regarding Special Film Screening: "Root Hog or Die"
- October 27, 2013, from Charlie McDonald – regarding Whittemore Conservation Area: Eagle Scout Project Phase I
- October 28, 2013, from Charlie McDonald to Mark Stinson (DEP) – regarding meeting minutes with Sean Libby from 2010 concerned with SCC procedures with Forest Cutting Plans as well as a list of technical topics Mr. Stinson could address at the October 28 SCC meeting.

Southampton Conservation Commission (SCC)

Meeting - October 28, 2013

Southampton Town Hall Meeting Room

- October 28, 2013, from Art Lawrence – regarding citizen request to check out wood cutting on Maple St.
- October 28, 2013, from Art Lawrence – regarding Eagle Scout project at Nancy Whittemore Conservation Area

Hardcopy

- From the Southampton Planning Board, copy of Plan of Land In Southampton, Massachusetts on Pomeroy Meadow Road, prepared by Heritage Surveys, Inc., dated October 7, 2013, for Daniel H. Kowal, John H. Kowal & Andrew H. Kowal
- Certified mail from Groundwater & Environmental Services, Inc., post marked October 4, 2013, regarding Post Class C-2 Response Action Outcome (RAO) Status Report for Former Southampton Xtramart
- From Jennifer Fish, Director – Service Forestry Program, Department of Conservation and Recreation, Massachusetts Forestry Best Management Practices Manual

7:36 CPC Comments

Mr. Kemp said that numerous projects were presented at the CPC meeting. Mr. McDonald had presented the list of projects requested by the SCC.

7:37 Certificate of Compliance: 195 Brickyard Rd., Applicant Tom Bacis, Representative Heritage Surveys, Inc.

The change to the original project conditions was reviewed.

7:45 Mr. Kemp made a motion to issue the Certificate of Compliance with the condition on the project amended to reflect the permanent placement of boulders instead of a fence to demarcate the limitation of landscaping to not disturb the area designated by NHESP. Mr. Lawrence seconded the motion. The motion passed with four (4) YES votes. Four copies of the CoC's were signed.

7:46 Whittemore Conservation Area & Open Space Projects

Mr. Lawrence had taken pictures of the initial phase of Colin Kazunas's Eagle Scout Project. He suggested that the Daily Hampshire Gazette be notified for public awareness of Mr. Kazunas's work as well as for awareness of the use of the property. Mr. Lawrence went to see the access point to the conservation property on Wolcott Rd. /Durell's Path. There is a sign suggesting one cannot go there. He will speak to the abutter to the conservation property to discuss possible ways to resolve the access questions. Mr. Lawrence spoke to people at the Kestrel Land Trust about contacting Southampton's land owners with property under Chapter 61.

7:58 New/Old Business

Wood Harvesting Procedures

Sean Libbey, DCR Service Forester, issued a stop order for the wood cutting at 11 Madison until such time as the proper permits have been issued.

7:59 Technical Issues: Discussion with Mark Stinson/DEP

- All wood cutting plans for forestry management should be reviewed by a forester. The purpose of wood cutting should be determined – forestry management vs. clearing for development, although both require some form of review and permitting.

Southampton Conservation Commission (SCC)

Meeting - October 28, 2013

Southampton Town Hall Meeting Room

- Conservation Commissions can work with their highway departments to get bundled NOIs for maintenance permitting of work to be done in buffer zones. Mr. Stinson will send an example. Knowledge of where there are jurisdictional streams as distinct from storm water drainage ditches is beneficial.
- Mass DOT is not exempt from needing wetlands work permits. Installing a new utility is not exempt, while some utility maintenance is. Storm water catch basin maintenance in resources areas does not fall under utility maintenance exceptions.
- Stream crossing repairs, including culvert installation/replacement, which disturb a resource area require a NOI.
- The NOI for the Southampton Greenway could be straightforward since it is for recreational trails. Kate Brown of Chicopee could provide an example. Reference: 10:53 (6)

8:39 Negotiation Status: Greenway Corridor Purchase

Celia Riechel, Massachusetts Division of Conservation Services, told Mr. McDonald that a title search on the PVRP property in Southampton should be conducted as soon as possible. Mr. McDonald apprised the other members of the Negotiating Committee of the situation and will address the matter with the Select Board for their sign-off.

8:41 Site Visits

Mr. Kemp provided information about twenty-five acres at the corner of Crooked Ledge Rd. and Fomer Rd. which is currently for sale. The proximity to the Wolf Hill Sanctuary could help maintain an open space corridor. Mr. McDonald discussed the possibility of acquiring conservation land along the Manhan near the Whittemore Conservation Area.

The sign area near the entrance to the Whittemore Conservation Area needs clean up. Colin Kazunas had planned to cut down the overgrown trees. Mr. Kemp asked that this removal be delayed until he can see if pruning would work instead. Mr. Kemp urged caution with bringing in wood chips as landscaping mulch around the sign since wood chips can spread disease.

9:10 A motion was made by Mr. Kemp to approve up to \$1,000.00 to be spent on signage for the Nancy Whittemore Conservation Area trails, with approval of the individual sign formats required prior to the expenditures. Ms. Hanc seconded the motion. The motion passed with four (4) YES votes.

9:12 Training with Mark Stinson

Mark Stinson reviewed some terminology and concepts useful for the SCC.

Next Meetings

The next SCC meetings are planned for November 18 and December 9, 2013.

9:30 Adjournment

A motion was made by Mr. Kemp to adjourn. The motion was seconded by Mr. Lawrence. The motion passed unanimously with four (4) YES votes.