

Southampton Conservation Commission
Meeting – May 17, 2021
Via Zoom - Meeting ID: 818 6060 2595

Present via Zoom: Marla Hanc, Joy Piper (logged out at 7:48pm), Brittany Taylor, Dan LaValley, Mike Reed, Anna Breen (logged out at 7:36pm)

Absent: Art Lawrence

Public Present via Zoom:

Chris Fowles, Select Board
Diana Federman, Associate ConCom Member
Mark Stinson, DEP
Mark Reed, Heritage Land Surveying & Engineering, Inc.
Ryan Nelson, R. Levesque Associates, Inc.
Dan & Heather Pellegrini, 76 Crooked Ledge Rd
Andrew Townsend
John Drude, Cain's Mechanical LLC
Sofia Bitzas, R. Levesque Associates, Inc.

6:00 Meeting called to order.

6:00pm Open Time to the Public

Diana Federman reported that the 3 benches made by students at Smith Vocational and Agricultural High were installed at the Manhan Meadows Sanctuary. Special thanks to the following who helped transport and install the benches:

Anna and Dan Breen
Ted, Rory, and Cindy Palmer
Randall Kemp
Bob and Ted Hermon
Bill and Diana Federman

6:02pm New Business

Metal Detecting Permissions on Conservation Property

Andrew Townsend explained that he uses a drain spade and hand trowel to cut modest plugs roughly six inches in diameter, and often not deeper than that. He is willing to go down 10-12", but only if appropriate. This allows him to preserve and replace the top cover growth. He wears headphones so as not to create any noise disturbance and stays where it is dry. Whatever he finds he will document and surrender if desired.

M. Hanc asked Mark Stinson his thoughts on the request. M. Stinson replied that under the guidelines, metal detecting does not qualify as a minor exemption to making holes in the Buffer Zone. M. Reed - would advise coordinating with the Commission beforehand.

Requested checking with the Conservation Commission who can provide guidance on individual properties and being careful not to leave the holes uncovered and to remain outside of buffer zones.

M. Hanc noted that Wolf Hill Sanctuary is private property, Szczypta Conservation Farm is leased by a local farmer, and much of Manhan Meadows Sanctuary falls under NHESP.

6:10pm Old Business

Notice Of Intent (NOI) - continued, DEP# 289-0235, 24 Pleasant St, Applicant: Corey & Tammi Ouimette, Representative: Heritage Land Surveying & Engineering, Inc.

DEP file number and comments were received from Mark Stinson on May 6.

Mark Reed addressed comments from M. Stinson. Based on the request to armor the silt fence at the last meeting, plans were revised to now show a straw wattle to be placed along the entire length of the silt fence. Several aerial photos provided by M. Stinson suggested that agricultural activities have taken place on the parcel. However, some aerial photos suggest that there may have been a greater than 5-year gap when no agricultural activities were being conducted. The area where the house is proposed has always been maintained as lawn area, not agricultural. Activity is not being proposed on the entire Parcel A. There will be a visual barrier of 7 trees planted along the 25-foot Conservation Zone as a permanent condition.

M. Stinson - plan shows the wetland symbol on most of the area to the north to the edge of the property. Concern for the BVW and possible vacancy of the agricultural exemption. Is that area in continuous agricultural use? Separate issue from NOI to build house?

M. Hanc - NOI is specifically for the building of the house outside of the wetland boundary, not the entire Parcel A.

6:34pm Motion to send a letter to Thomas Ouimette requesting more information made by M. Reed, seconded by D. LaValley.

Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Breen (aye), Hanc (aye).

6:34pm Motion to close public hearing made by D. LaValley, seconded by J. Piper.

Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Breen (aye), Hanc (aye).

6:35pm Motion to issue Order of Conditions with Southampton Special Conditions made by D. LaValley, seconded by B. Taylor.

Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Breen (aye), Hanc (aye).

6:36pm Abbreviated Notice of Resource Area Delineation (ANRAD) - continued, DEP# 289-0234, Crooked Ledge Rd, Applicant: Pellegrini Development, LLC, Representative: R. Levesque Associates, Inc.

Revised ANRAD plan was received from R. Levesque Associates, Inc. on May 17.

R. Nelson - submitted revised plan. Applicant has modified plan. In order to simplify things, they limited the ANRAD delineation. Heavy dashed red line is the boundary of the delineation being requested. Just under 200 flags included. Modified flags are now shown on the plans. Eliminated backwoods area to north and east that are not necessary now.

M. Hanc - since the revised plans were received today, there was not sufficient time to request an updated estimate for a peer review.

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D. Pellegrini - asked about the sliding scale ANRAD local fee. Concerned about the perceived service that he is being charged for and that the fees are not covering a peer review.

M. Hanc - state law and local bylaw state that the applicant pays for the peer review. Local fee is based on the number of square feet. Southwick and Westfield Conservation Commission agents were consulted and agreed that a peer review is warranted for large projects. Money for peer review must be set aside in an interest-bearing account. In 2007 every NOI and RDA in Southampton had a peer review paid for by the applicants. Also of note, “spot checking” is not advisable per the wetland scientists consulted.

6:52pm Motion to hire Emily Stockman to perform Peer Review made by D. LaValley, seconded by B. Taylor.

Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Breen (aye), Hanc (aye).

D. Pellegrini agreed to continue the public hearing.

7:00pm Motion to continue public hearing to 6:00pm on June 7 made by D. LaValley, seconded by J. Piper.

Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Breen (aye), Hanc (aye).

7:02pm Trees on ConCom managed property – Strong Rd

M. Hanc contacted K&J Tree Service on May 11. The project is on their schedule. Sean Wilkins and Kevin Labrie will make the arrangements for access to the Wilkins property.

7:03pm Stewardship Projects

Forestry Work update

Nothing new.

Manhan Meadows Sanctuary RTP Grant Projects

2020 RTP Grant

The three donated benches were brought to the Manhan Meadows Sanctuary on May 15 and reassembled in temporary locations. Next local project to consider is purchasing and installing kiosks.

Ed Gibson, Town administrator had checked references for Cain’s Mechanical LLC, the only bidder on the project. Their work was well regarded but did not appear to involve the trail bridging needed. He had recommended putting the project out to bid again, but subsequently heard from another reference on May 17. He then recommended speaking further with someone from Cain Mechanical.

J. Drude : Coordinating a company meeting with D. Federman and M. Hanc, also discussed bog bridges. Meeting with Cain’s Mechanical will take place.

2021 RTP Grant

Nothing new

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Property work elsewhere

Szczypta Conservation Farm –

Barn roof appears to have panels missing again, the trim near the newest door still needs painting.

Reprint of Ed Nied Jr memorial sign cost would be \$60. Reapplying the picture to the frame would be \$60 if the sign is brought to the shop in Westfield, \$125 if the sign maker goes to the farm field.

7:21pm Motion to spend the \$60 to reprint and \$125 for sign maker to go to the location and apply the sign made by D. LaValley, Mike Reed.

Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Breen (aye), Hanc (aye).

Wolf Hill Sanctuary-

“Bridge” work over a muddy area was noticed. Property owner Barry Searle knew nothing about it. If any Commission members head out there, please move the logs/branches to the side.

Lyman Conservation property -

Invasive plant species removal needed.

7:32pm Regular Business

Wetlands Protection Bylaw – update

Question of requirement for a member of the Commission to speak about the proposed changes at the Annual Town Meeting on June 12. If yes, who is volunteering to do so?

C. Fowles - not required but someone usually speaks as part of the process.

D. LaValley volunteered to speak at the Town Meeting.

Updates from Other Boards

MVP Rep B. Gutermuth – no items.

Open Space Update

C. Fowles – neighborhood outreach finished. Hike at Clearwater and Wolf Hill as well as some presentations.

MPIC Update

Representative B. Taylor – no meeting held recently.

CPC Update

Representative J. Piper – no items to report.

Review minutes from May 3, 2021

7:40pm Motion to accept May 3 minutes as amended made by D. LaValley, seconded by Mike Reed.

Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Hanc (aye).

Review minutes from May 10, 2021

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7:41pm Motion to accept May 10 minutes as presented made by Mike Reed, seconded by D. LaValley.

Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Hanc (aye).

7:42pm Treasurer's Report

Note: Still cannot reconcile the Conservation Commission's accounts without a Town Revenue Report. Revenue Reports have not yet been sent out.

Totals:

Conservation Revolving Fund (Act # 255200.021) = \$6,062.85

Signatures

- Conservation Revolving Fund (Act # 255200.021, SCC-FY21-P22)
 - Payable to Daily Hampshire Gazette, for legal notices for 66 East RDA, 24 Pleasant NOI, & Crooked Ledge Rd ANRAD, \$295.32

7:44pm Motion to accept Treasurer's Report made by J. Piper, seconded by B. Taylor.

Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Hanc (aye).

Correspondence

- May 4, 2021, from Paul Catanzaro, UMass – regarding MassWoods: MA Women's network, stumpage, and upcoming events
- May 4, 2021, from resident – regarding access to Pomeroy Mountain
- May 5, 2021, from Mark Reed, Heritage Land Surveying & Engineering, Inc. – regarding Ouimette-24 Pleasant St-Notice of Intent Revised Plans
- May 5, 2021, from Andrew Townsend – regarding Metal Detecting Permissions on Conservation Property
- May 6, 2021, from Mark Stinson (DEP) – regarding Southampton - DEP File Number 289-0235 – NOI, 24 Pleasant Street
- May 6, 2021, from Jonathan Roberge – regarding Southampton MA Eversource Solar Project, DEP#289-0208
- May 6, 2021, from Michele Grzenda – regarding MSMCP events, mosquitoes, woodcocks, Oh my!
- May 7, 2021, from Mark and Barb Johnson – regarding Mountain Property
- May 7, 2021, from Ed Gibson, Town Administrator – regarding Select Board decision about Trees near Strong Rd.
- May 11, 2021, from Roz Terry, R. Levesque Associates, Inc. – regarding 289-0221 Daviau - 9 Quigley Rd OOC recorded
- May 11, 2021, from Olivia Donais – regarding Forest Conservation of Southampton
- May 12, 2021, from Chris Volonte - regarding Kestrel Nest Box - MAY UPDATE
- May 12, 2021, from MHP – regarding Register for Housing Institute, June 3, 10, 17
- May 13, 2021, from resident - Clearing of land off of Bluemer Road
- May 13, 2021, from Dorothy McGlinicy, MACC – regarding Time Sensitive PLPA Action Alert & More Mosquito Information
- May 14, 2021, from Cori Garrett-Goodyear (DCR) – regarding Disapproved cutting plan for EAS Realty Trust

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- May 17, 2021, from Ryan Nelson, R. Levesque, Associates, Inc. – regarding Revised ANRAD - Crooked Ledge Rd - Pellegrini
- May 17, 2021, from Bryce Spare, SCA – regarding SCA Massachusetts Conservation Corps inclusion resources
- May 17, 2021, from Bluemer Rd resident – regarding disposal of trees in wetlands

Hard Copy

- ANR signed May 5, 2021, from Planning Board, Plan of Land In Southampton, Massachusetts surveyed for The Charles M. Fisher Living Trust by Heritage Land Surveying & Engineering, Inc.. Date: April 22, 2021; depicting updating three lots on Fomer Rd (Lot 1, 1.377 ± acres, Lot 2, 1.409 ± acres, Lot 3, 1.756 ± acres) and the creation of two new lots on Crooked Ledge Rd (Lot 4, 1.644 ± acres, Lot 5, 1.406 ± acres).

Any other necessary business that cannot await the June 7, 2021, regular Conservation Commission meeting.

None.

Other Site Visits

May 7, 2021, DEP# 289-0217, College Hwy Bridge, Pre-construction meeting attended by M. Carmasine, E. Gomes, A. Lawrence, and M. Hanc. DEP# sign and fiber log erosion control barrier for the installation of new water main were in place.

Upcoming Meeting Dates (subject to change)

06/07/2021, 06/21/2021, 07/05/2021, 07/19/2021

Question of holding meeting on July 5 – i.e. will there be a quorum? Terms ending, etc. Will discuss at next meeting as some members are not present.

Adjournment

7:56pm Motion to adjourn made by B. Taylor, seconded by D. LaValley.
Taylor (aye), LaValley (aye), Reed (aye), Hanc (aye).