

Southampton Conservation Commission  
Meeting – May 18, 2020  
Online Via Zoom - Meeting ID: 816 3861 8970

**Present via Zoom:** Marla Hanc, Art Lawrence, Joy Piper (6:07), Brittany Taylor, Dan LaValley, Mike Reed, Anna Breen (6:15)

**Public Present via Zoom:** Chris Fowles, Select Board  
Charlie McDonald, 45 Rattle Hill Rd  
Diana Federman, 3 Birchwood Dr  
Donna Whiteley, 52 Maple St  
Matthew & Allison Radon, 80 High St  
Melissa Kapan, BSC Group  
Kathleen Roj Hillman  
Meredith Borenstein, City of Westfield  
Kimberly Moran  
Don Leger, 28 Camp Jahn Rd  
Barbara Giroux, 37 Bluemer Rd  
Jack and Chris Padden, Pequot Pond

**6:00pm Meeting called to order**

**6:01pm Open Time to the Public**

Donna Whiteley is in the process of applying for a building permit for a garage across from 52 Maple St. She wants to be sure there is no special permit she needs from the Commission. A. Lawrence had visited the site and found that the proposed building site is not within 100' of the intermittent stream on the property. Therefore, there is no permit required from the Commission for this project.

**New Business**

**6:06pm Request for Determination of Applicability, 80 High St, Applicant: Allison Radon**

The proposed project involves construction of a swimming pool deck within 100' of a Bordering Vegetated Wetland (BVW) at 80 High St. Checks for the \$75.00 local fee and the \$199.35 (check was written for \$200.00) Gazette legal notice were received. The May 16 site visit was attended by Matthew Radon, Allison Radon, M. Reed, D. LaValley, A. Breen, B. Taylor, and M. Hanc. The erosion control barrier had been installed to the Commission members' satisfaction.

Definition of 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) - Southampton Conservation Commission RDA Permit Conditions - Page 3A.

**6:10pm Motion to issue a Negative 3 with additional Southampton Special Conditions made by M. Reed, seconded by D. LaValley.**

Lawrence (aye), Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Breen (not present), Hanc (aye).

**6:13pm Friendly Enforcement Order, 6 Coleman Rd**

A prior owner of the property had left piles of brush near and on a stream bank several years ago. Tim Hopkins, the current owner, had requested direction for the appropriate cleanup of the brush piles. DEP suggested that a “Friendly” EO could be issued by the Commission to have the brush piles removed. The cleared area should then be planted with a native grass seed mix or native shrubs to both maintain stability of the bank and limit the growth of invasives. T. Hopkins agreed to grind out the stumps of some trees which had been felled by the prior owner within the 100’ Buffer Zone rather pulling out the stumps with a backhoe. The Commission felt the stump grinding would cause less damage to the soil and would not require an RDA.

**6:18pm** Motion to issue a “Friendly” Enforcement Order to clean up the brush piles at 6 Coleman Rd made by A. Lawrence, seconded by D. LaValley.

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

**6:19pm Extension of Order of Conditions DEP# 289-0208, 41 Valley Rd, Applicant: Jonathan Roberge, Eversource Energy, Representative: Mark Kasinskas, Burns & McConnell**

On May 18, an email was received from DEP notifying Eversource Energy and the Conservation Commission that all matters relating to the Valley Road solar project are being handled through MassDEP and the Massachusetts Attorney General’s Office (AGO). Therefore, there will be no actions taken by the Commission related to the NOI until further notice from DEP.

**6:21pm Request for Determination of Applicability, Eversource Line 1657 near Middle Rd, Applicant: Jonathan Roberge, Eversource Energy, Representative: BSC Group, Inc.**

M. Hanc opened the public meeting and read aloud a portion from the advertisement which had been published in the May 8, 2020 edition of the Daily Hampshire Gazette. The \$75.00 RDA fee and \$215.30 charge for the legal notice have not yet been received. A site visit on May 16, 2020, was attended by Melissa Kaplan, D. LaValley, M. Reed, J. Piper, A. Breen, B. Taylor, and M. Hanc

The proposed work is to upgrade an existing access road and construct a 50’x50’ stone work pad associated with the Line 1657 Optical Ground Wire (OPGW) Installation Project. The project location is near Middle Rd. between Old County Rd. and Old Long Pond Rd, a portion of which is within the 100’ Buffer Zone of a Bordering Vegetated Wetland (BVW). The Commission asked what the new slope into the wetland will be after the fill for construction of the work pad and requested more information regarding the erosion controls.

Per M. Kaplan, there will be no change to the slope into the wetland. The plan is to level the knolls rather than to add fill. The location of the stone work pad will allow for 25 feet between the edge of the pad to the wetland. M. Kaplan noted that the Protective Measures section of the NOI application references Eversource’s standard BMP’s: Construction & Maintenance Environmental Requirements, Best Management Practices Manual for Massachusetts and Connecticut. These BMP’s will be used to determine the erosion control at the site. M. Hanc requested that the Conservation Commission be alerted when the site is ready for inspection.

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**6:34pm** Motion to issue a Negative 3 with additional Southampton Special Conditions made by B. Taylor, seconded by M. Reed.  
Lawrence (aye), Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Breen (aye), Hanc (aye).

**Old Business**

**6:35pm Notice of Intent (NOI) DEP#289-0225 - continued, Pequot Pond, Applicant: Don Leger, Hampton Ponds Association, Representative: SOLitude Lake Management**

The check for the legal notice, \$223.27 had been received. On May 18, an email was received from Kara Sliwoski, SOLitude Lake Management, requesting to continue the Public Hearing to the next meeting. The Southampton Conservation Commission does not yet know when the Westfield Conservation Commission will open their public hearing for their corresponding NOI for this project.

**6:38pm** Motion to continue public hearing to 6:00 pm June 1, 2020 made by A. Lawrence, seconded by D. LaValley.  
Lawrence (aye), Piper (aye), Taylor (aye), LaValley (aye), Reed (aye), Breen (aye), Hanc (aye).

**6:39pm Stewardship Projects**

**Forest Management**

*Pomeroy Mt/Durell's Path & Alice Brown Conservation Area* – Nothing new from the forester.

**Volunteers**

A resident of Pleasant St had volunteered to do trail maintenance at the Alice Brown Conservation Area.

**6:43pm Regular Business**

**Conservation Agent discussion**

D. LaValley discussed the need for a paid conservation agent and it should be considered as part of the town's budget rather than working off of a grant. Documents containing salary data from MACC surveys were shown. The year of data collection was 2014. It was also discussed as to how many approximate hours might be required. D. LaValley will continue to gather more data for further discussion.

**7:02pm Updates from Other Boards**

**Stormwater Code Review**

Representative A. Lawrence – Nothing to report. Next meeting May 20.

**OSRP Update**

Representative B. Gutermuth – No update.

**Open Space Update**

Representative C. McDonald – Met May 14, discussed ways of ensuring access across private property to conservation areas, including “permissive easements”: landowner posts a sign that it is private property, access is allowed. Voted to begin pursuing conservation of property abutting an existing preserved parcel.

### **MPIC Update**

Representative B. Taylor – Committee is still working with the PVPC consultant, no current items pertaining to the Conservation Commission.

### **CPC Update**

Representative J. Piper – No CPC meeting since last Conservation Commission meeting.

### **Review minutes from May 4, 2020**

**7:09** Motion to accept May 4 minutes as corrected made by A. Lawrence, seconded by D. LaValley.

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

### **7:11pm Treasurer's Report**

Work is being done by Voss signs to create new property boundary medallions for the Commission. A. Lawrence worked with them to recreate the medallions based on the previous design.

### **Signatures**

- Conservation Revolving Fund (Act #255200.021, SCC-FY20-P15)
  - Payable to Daily Hampshire Gazette for legal notice for Piper NOI, 61 Gunn Rd, \$211.31
  - Payable to Daily Hampshire Gazette for legal notice for Pequot Pond Association NOI, \$223.27
- Conservation General Fund (Act #015171.70, SCC-FY20-P16)
  - Payable to Conservation Work LLC for trail extension at Clearwater Woodland Conservation Area, \$400.00

**7:20pm** Motion to accept Treasurer's Report made by J. Piper, seconded by D. LaValley.

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

### **7:20pm Correspondence**

#### **Email**

- May 4, 2020, from Janet Brown – regarding Cedarhurst
- May 5, 2020, from Mass Wildlife – regarding MassWildlife Monthly May
- May 5, 2020, from Joy Duperault (DCR) – regarding [massFM] massFM Exclusive Free Webinar May 13
- May 6, 2020, from Mark Kasinskas, Burns & McDonnell - regarding Eversource solar array – Request for OOC Extension
- May 6, 2020, from Mark Kasinskas, Burns & McDonnell - regarding Eversource solar array – 05/04/2020 SWPPP inspection report
- May 6, 2020, from Michele Grzenda – regarding MSMCP - NEW DEP FAQ sheet has been published and special guest at today's MSMCP Zoom meeting
- May 6, 2020, from Bucky Sparkle, The Zengineer - regarding 32 High Street - Greg Felton culvert

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- May 6, 2020, from Randall Kemp, Highway Superintendent – regarding Digging compliant on Pequot
- May 7, 2020, from Joy Duperrault (DCR) - Federal Emergency Management Agency (FEMA) Daily Digest Bulletin
- May 8, 2020, from Michele Grzenda – regarding MSMCP - Week 8: Weekly Wednesday zoom meeting signup and more great Covid19 resources for conservation departments
- May 8, 2020, from Bob Riggs – regarding Riggs project update farm access road
- May 8, 2020, to Luci Dalton, Town Clerk – regarding copy of RDA for 80 High St
- May 9, 2020, from Pete Westover, Conservation Works LLC – regarding Invoice for trail work at 111 Glendale Rd
- May 11, 2020, from MHP – regarding New rental assistance Q&A and munis go virtual to push housing forward
- May 11, 2020, from Joey Wigglesworth, MACC – regarding MACC: COVID-19 Deadlines & Updates for Commissioners & Wetlands Experts
- May 11, 2020, from Paul Truehart – regarding Pre-construction meeting for DEP# 289-0222, 151 East St
- May 11, 2020, from Tim Hopkins – regarding 6 Coleman Rd
- May 11, 2020, to DEP – regarding Southampton, DEP# 289-0208 request for extension
- May 12, 2020, from Mass. Division of Ecological Restoration – regarding DER seeks Priority Ecological Restoration Projects
- May 12, 2020, from Joy Duperrault (DCR) – regarding EBC Weekly Program Announcement
- May 12, 2020, from Mark Droy – regarding Alice Brown/Pleasant Street Conservation Area
- May 13, 2020, from Joey Wigglesworth, MACC – regarding YOU make a difference!
- May 14, 2020, from Joy Duperrault (DCR) – regarding FEMA recommended training for new employees
- May 14, 2020, from Lyndon Tree Care & Landscaping, LLC – regarding Love What We Do? 😊
- May 14, 2020, from Meredith Borenstein, City of Westfield – regarding Complaint Westfield Fw: Intake Westfield 4-30-20 0 Russellville Road
- May 14, 2020, from Michael Downey (DCR) – regarding Intro to Agroforestry and Silvopasture Webinar 5-18-20 (4:00P to 6:00P) \*\*Hosted by North County Land Trust\*\*
- May 15, 2020, from Bucky Sparkle, The Zengineer – regarding Complaint Westfield Fw: Intake Westfield 4-30-20 0 Russellville Road
- May 15, 2020, from Meredith Borenstein, City of Westfield – regarding Complaint Westfield Fw: Intake Westfield 4-30-20 0 Russellville Road
- May 15, 2020, from Michele Grzenda – regarding MSMCP - May 15th - Weekly Wednesday zoom meeting signup and more great Covid19 resources for conservation departments
- May 17, 2020,, to Melissa Kaplan, BSC Group – regarding Southampton Conservation Commission questions
- May 17, 2020, from Janet Brown – regarding Cedarhurst annual cleanup

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- May 18, 2020, from Mark Kasinskas, Burns & McDonnell - regarding Eversource solar array – Request for OOC Extension
- May 18, 2020, to Amanda Mahaney, SOLitude Lake Management – regarding Formally Addressing DEP Comments
- May 18, 2020, from David Cameron (DEP) – regarding Southampton: 41 Valley Road; Eversource Solar Project
- May 18, 2020, from Kara Sliwoski, SOLitude Lake Management – regarding Southampton Conservation Commission Meeting 5/18/2020
- May 18, 2020, from Denise Barstow, Kestrel Land Trust – regarding Kestrel, Open Space, & the Town of Southampton

**Hard Copy**

- ANR signed May 6, 2020 from Planning Board, Plan of Land In Southampton, Massachusetts prepared for Kathleen A. Labrie & James R. Labrie, Jr. Date: April 22, 2020; depicting transfer of Parcel C, Area = 4.054 acres from Labrie property on Gunn Rd creating 62 Gunn Rd

**Any other necessary business that cannot await the June 1, 2020 regular Conservation Commission meeting.**

None.

**7:25pm Other Site Visits**

- May 9, 2020 – 88 Pleasant St, DEP#289-0223 M. Hanc met with Robert Riggs to review cart path/wetland replication construction in progress. Mark Reed has been monitoring the work.
- May 13, 2020 – 7 High St, DEP# 289-0205, pre-construction meeting, Walter Marek, A. Lawrence, and M. Hanc
- May 13, 2020 – 151 East St, DEP# 289-0222, pre-construction meeting, Mark Reed, David Huntley, Susan Huntley, Paul Truehart, A. Lawrence, and M. Hanc
- May 13, 2020 – 62 East St, RDA pre-construction meeting, Paul Truehart, A. Lawrence, and M. Hanc. An obsolete utility company concrete pad was being removed as had been permitted. Revegetation with a native seed mix will need to be done in that area due to substantial removal of vegetation within the 100' Buffer Zone to the BVW.
- May 18, 2020 – 0 Russellville Rd, DEP# 289-0216, review condition of site with Westfield Commission reps, abutters, and owner. M. Hanc attended from Southampton Conservation Commission.

**Upcoming Meeting Dates (subject to change)**

06/01/2020, 06/15/2020

**Adjournment**

**7:32pm** Motion to adjourn made by J. Piper, seconded by D. LaValley.

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