



**TOWN OF PELHAM CONSERVATION COMMISSION**  
Pelham, Massachusetts

**Minutes for August 12, 2021**

Present: Dana MacDonald, David Gross, Janice Gifford, Richard Seelig, Tilman Lukas

Also present: Robert Agolia

The meeting was held in person at the Rhodes Building. A link to a Zoom meeting was published as part of the regular Commission agenda, however, an internet outage at the Rhodes Building forced the Commission to abandon the Zoom meeting. The meeting was held under guidelines from the Attorney General and the Governor.

The meeting was brought to order at 7:07 pm.

**Public Hearing for a Notice of Intent (NOI) Submitted by Home City Development, Inc.**

The public hearing was continued from a previous meeting. Chair MacDonald noted that Commissioner Lukas has recused himself from the discussion. This Public Hearing for a Notice of Intent submitted by Home City Development, Inc. for a Riverfront Re-development project from an existing commercial building and single-family home to affordable housing units located at 18 to 22 Amherst Road (Map 3 Parcel 30 and 32) has DEP File #258-0096. Chair MacDonald noted that Commissioner Lukas has recused himself.

Tilman Lukas, speaking as a member of the Housing Committee, said that the Zoning Board of Appeals has voted on a final set of Orders of Conditions (OoC). Chair MacDonald noted that the next step is to finalize the Commission's OoC. Commissioner Lukas said that James Lowenthal, a lighting consultant, has reviewed and approved the lighting design changes. All parties seem to be happy with the design. Chair MacDonald said that he sent the lighting plan, The Commission's draft OoC and the current NOI to Todd Richards for comment.

It was moved to continue the NOI hearing until August 29, 2021. Second. Approved (Gifford – yes, Gross – yes, Lukas – abstain, MacDonald – yes, Seelig – yes).

**Public Hearing for a Notice of Intent (NOI) submitted by Hank Brakeley c/o SWCA Environmental Consultants for a Driveway/Wetland Crossing for a Single-Family Home (Map 8 Parcel 29.A)**

The hearing was continued from a previous meeting. Commissioner Seelig noted that he has recused himself.

It was moved to continue the hearing to a future meeting. Second. Approved 4-0-1 (Gifford – yes, Gross – yes, Lukas – yes, MacDonald – yes, Seelig – abstain).

Pelham Conservation Commission minutes

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**Review Town-wide Dog Walking Forums**

Select Board Chair Agolia reported that he heard from different people that the forums went well. He expressed concern that a bylaw change warrant would be difficult to pass at Town Meeting. He noted that the Commission has the authority to set regulations within conservation areas.

There was discussion of the draft report. Commissioner Lukas brought up the suggestion for the forums that a second animal control officer be hired. He asked Select Board Chair Agolia if funding might be available. He said that any such position would need to be funded from free cash until it was approved at Town Meeting, and he suggested that adding a position to the town's employee roll would be difficult financially. He also noted that clarity of rules for dog walkers is important. Discussion about what such rules might be included that dogs shall not jump on people, attack other dogs, or accost wildlife. Chair MacDonald showed the map of hot spots that was developed at the first forum. There was discussion of the Buffam Falls Conservation Area, which is very heavily used. It was suggested that the Commission might try a leash-only rule there. There was discussion about adding the phrase "dogs must be leashed on public roads" to the bylaw as well as changing the fines for dog walking bylaw infractions to a warning for the first infraction, \$50 for the second and \$100 for the third. It was agreed that there should be signage at trail heads to make the regulations, fines and reporting procedure clear.

It was agreed that the Commission will revisit and finalize any new regulations for the Buffam Falls Conservation Area at the next meeting. At that meeting the Commission will also outline the language for warrant article to modify the bylaw and to request a second half-time animal control officer. Select Board Chair Agolia said that September 13 is the deadline for warrant article submissions.

**Discuss Site Visits at 33 and 372 Amherst Road**

Chair MacDonald noted that the owners of 372 Amherst Road need to file a Request for Determination of Applicability (RDA) for their proposed septic replacement. Alan Weiss, who drew up the plans, will do that. Chair MacDonald also noted that the owners of 22 Amherst Road will need to file an RDA once they have full plans for the proposed work on their garage.

**Minutes from July 29, 2021**

Commissioner Gross said that he had revised the draft minutes to reflect corrections supplied by Commissioner Seelig.

It was moved to approve the draft minutes for the July 29, 2021 meeting. Second. Approved 5-0 (Gifford – yes, Gross – yes, Lukas – yes, MacDonald – yes, Seelig – yes).

The meeting was adjourned at 9:00 pm.



Respectfully submitted by David Gross