



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

**Minutes for July 28, 2022**

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

Also present Stacey McCullough

The meeting was held at the Rhodes Building.

The meeting was opened at 7:00 PM.

**Update on 96 Harkness Road Incursion onto Harkness Conservation Area**

Chair MacDonald noted that a draft license for use of Harkness Conservation Area (HCA) adjacent to 96 Harkness Road was produced by K-P Law, the Town Counsel. He pointed out that the license does not include language that no parking on the HCA drive be permitted. Commissioner Seelig suggested that the \$2M liability insurance proposed in the license might not be necessary. Chair MacDonald said that he will inquire of Town Counsel if such insurance is necessary. Both Commissioners Seelig and Gross noted that they had seen vehicles in the front and back yards adjacent to and in the HCA driveway. Chair MacDonald proposed to have Town Counsel add the restriction on use of the HCA drive to the license in item 4 and that the language should say that the drive is for use of wood shed access only. Additionally, the drive should be converted to a grassy way. The license should state specifically that parking is not allowed in the encroachment area.

Chair MacDonald said that he will send the revisions to the license to Jeffrey Blake of K-P Law to have him incorporate the changes, and then the license should be presented to the Select Board to keep them informed.

**Review of the Eversource Proposal for Power Line Right-of-Way (ROW) Tree Cutting**

The Commission discussed the online presentation by SWCA on the preliminary proposal by Eversource to expand the cleared area in the power line right of way that runs through the west side of town. The presentation or a recording of it was viewed by several commissioners. Additionally, some commissioners joined a site visit at the Eversource site off of North Valley Road to see what was being proposed. Commissioner Seelig noted that he asked at the presentation about the sag height of the wires between towers. He has not yet received that information. Chair MacDonald pointed out that an irregular edge in a managed forest reduces wind turbulence and thus would be preferable to the current straight-line cutting that is proposed. He noted that such an edge has been shown to improve wildlife usage of a cleared corridor within a forested area.

Chair MacDonald said that revised drawings were produced to show reduced cutting near Buffam Brook. His view was that the amount of cutting now proposed appears not to be sufficient to cause substantial warming of the stream. He pointed out that the steep area at the

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North Valley Road crossing is sufficiently sharp that machinery can't be used there. He noted that there are obvious geomorphical issues there (with the historical slip that occurred there during the dual hurricanes in the mid 1950s). He pointed out that the 20-22 Amherst Road residence structure proposed for the brook area could be damaged if another upstream slip occurred, and thus this would be an environmental justice issue. He said that there should be a forestry plan for the Buffam Brook area and that it be reviewed annually by a certified forester.

Chair MacDonald went on to suggest that the Commission could ask Eversource to buy and set aside in perpetuity forest land in Pelham to account for the lost carbon sequestration due to cutting in the ROW. He also suggested that the Commission ask for invasives control in the area of the Buffam Brook Community Forest where the ROW line cut crosses it, and also the use of native plantings for pollinators throughout the ROW plus a study of the box turtle population in town.

Ms. McCullough asked about the ROW area that crosses Buffam Brook at Buffam Falls Conservation Area as that part of the trail system is forested and she felt it would damage the quality of the conservation area to cut within it. There was discussion of this point. Chair MacDonald noted that in the Orders of Conditions for the Notice of Intent that will be submitted by Eversource the Commission can require appropriate maintenance of that area.

### **Discuss Amherst Road Sidewalk Installation Presentation**

Commissioners Gross and Gifford described the Zoom meeting with Jeff Squire of Berkshire Design, DPW Superintendent Rick Adamcek. Planning Board Chair Judy Eiseman and Select Board Chair Bob Agolia. The general plan was described as an extension of the sidewalk from the Amherst/Pelham boundary on Amherst Road to the municipal complex. Mr. Squire pointed out that there are several issues with the north side of the road including steep drop-offs and many utility poles. He favored sidewalk construction on the south side of the road. Superintendent Adamcek pointed out that the right of way for Amherst Road was never properly recorded, and thus prior to any further planning we need to know exactly where the right of way is. It was agreed that the group will do a site visit once the right of way is determined. There was further discussion of issues for sidewalk installation along both sides of the road as well as the wetland area at the Robb property.

### **Update on Conservation Agent Search**

Chair MacDonald reported that Susannah Carey, Town Administrator, crafted an abbreviated announcement of the agent position to publish in the Daily Hampshire Gazette. Chair MacDonald said that he had emailed the announcement to the Amherst, Shutesbury and Leverett Conservation Commission chairs. He said he would also send copies to Mark Stinson and Mary Glover, the new Western Mass Circuit Rider as well as to Kestrel Trust. The Commission suggested that the announcement also be sent to Meredith Borenstein and to Penny Jacques. The due date for applicants is August 15.

### **MACC Annual Dues**

Chair MacDonald noted that the annual dues invoice for the Commission's membership in the Massachusetts Association of Conservation Commissions has been received.

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It was moved to pay the MACC invoice in the amount of \$299. Second. Approved 4-0.  
(Gifford – yes, Gross – yes, MacDonald – yes, Seelig – yes).

**59 Meetinghouse Road Violations**

Commissioner Seelig noted that another large pile of trash is present behind the house at 59 Meetinghouse Road. After some discussion about the issues at the property including the trash pile, an illegal driveway, and the ongoing eviction proceedings with the tenants, it was concluded that Chair MacDonald should invite the new Western Mass Circuit Rider Mary Grover to join the Commissions next meeting, planned to be on Zoom. It was suggested that Ms. Grover should be brought up to speed on the ongoing problems and that she might be able to offer suggestions as to how to proceed.

The meeting was adjourned at 8:24 PM.



Respectfully submitted by David Gross