

**SOUTH HADLEY CONSERVATION COMMISSION  
VIRTUAL MEETING MINUTES  
JANUARY 27, 2021**

<https://vimeo.com/508996641>

**As Approved**

Present: Bill DeLuca, Chair; Jim Canning, member; Bill Bacis, Member; Steph Clymer, member; Garth Schwellenbach, Member; Tom Dennis (left meeting at 6:54PM), member; Mary Zawatski, Associate Member; Anne Capra, Conservation Administrator/Planner; Colleen Canning, Senior Clerk Planning and Conservation Department

Chair DeLuca called the virtual meeting to order at 6:00PM and reviewed the protocols for virtual meetings.

**Agenda Item #1 --- Discuss and Consider Signed Vote with Wet Signature and Seal for Authorized Signatory on Permits**

The Conservation Administrator explained that the Commission recently issued Orders of Condition for development of a garage at 27 Gaylord Street. When the applicant attempted to record the Order at the Registry of Deeds, they encountered an issue. As title of the property at 27 Gaylord Street was 'registered land' it was filed through Land Court. The recording requirements for Land Court were different than that of the Registry of Deeds which is more commonly used. The Conservation Administrator was able to speak with a Land Court administrator to better understand what documentation was needed for filing the Order. She was able to draft a document which reflected the Commission's previous vote to authorize her to sign Orders and Determinations on their behalf due to the COVID-19 state-of emergency, sign her name as a wet signature, and had the document notarized. This would be sufficient for recording of the Order. Therefore, no further action was required from the Commission.

**Agenda Item #2 --- Discuss and Consider Request for Determination of Applicability filed by J. N. Duquette & Son Construction, Inc. for the construction of a single-family house and associated site work at 32 Lyon Green (Map 38, Lot 60)**

**&**

**Agenda Item #3 --- Discuss and Consider Request for Determination of Applicability filed by J. N. Duquette & Son Construction, Inc. for the construction of a single-family house and associated site work at 40 Lyon Green (Map 38, Lot 62)**

Agenda Item #2 and #3 were discussed in tandem as both items were related. Commissioner Bacis recused himself from deliberating as a Commissioner on the items as he was an abutter to the project location.

Chair DeLuca called the public meetings to order by reading both notices out loud at 6:03 PM.

The applicant's consultant, Terry Reynolds, was present at the public meetings.

The Conservation Administrator explained that two Requests for Determination of Applicability were received for development of single-family homes at 32 and 40 Lyon Green. The lots were associated with the Mountainbrook Subdivision which was entering its second phase of development. Phase 1 developed Red Bridge Lane which was issued a Certificate of Compliance (COC) from the Commission in 2019. The phase 1 COC included conditions for permitting of phase 2 which required Notices of Intent to be filed for development of phase 2 lots with Buffer Zone. When the applicant's consultant was notified of the requirement, he spoke with DEP who informed him that a Request for Determination of Applicability would be a sufficient filing for the Commission's review since the proposed work was outside of the Buffer Zone and/or on lots with Buffer Zone only

Terry Reynolds stated that he was requesting a Negative Determination for development of both lots as the building footprints would remain outside the 100 foot Buffer Zone.

Commissioner Canning inquired when the wetland delineation was performed. The Conservation Administrator explained that the delineation would have been performed around 2006, the year phase 1 of development was initiated.

Commissioner Clymer asked if any work would be performed within the Buffer Zone. Terry Reynolds stated that there would be no clearing or alteration within the Buffer Zone.

Chair DeLuca expressed concern for potential encroachment on the Buffer Zone from the future residents. The Conservation Administrator stated that this subdivision would be a good place for a targeted mailing. She would inquire with DEP as to what homeowner notification could be required by the Commission within a Determination

The Conservation Administrator asked how close the building footprints were to the Buffer Zone and if construction activities could take place and stay outside of the Buffer Zone. Terry Reynolds stated that the building footprints were about ten feet from the Buffer Zone and it was possible but would be tight

The Commissioners discussed the relevance of the wetland delineation as it had been performed some years ago.

Aldo Villani, 16 Saybrook Circle, submitted a comment through the meeting's 'question and answer' function (attached) which stated that verification of the wetland delineation would be a good idea.

Commissioner Dennis left the meeting at 6:54PM

Bill Bacis, Westbrook Road, identified that, within phase 1 of development, clearing was allowed in the outer Buffer Zone. Therefore, it did not seem appropriate to apply different standards to phase 2 of development.

The Conservation Administrator noted that the applicant was seeking the Commission's review on the work itself, not an affirmation of the wetland delineation.

**Motion:** Commissioner Schwellenbach moved to issue a Negative Determination #1 for construction of single family homes and associated site work at 32 and 40 Lyon Green with associated Special Conditions. Commissioner Clymer seconded the motion. Four (4) out of four (4) voting commissioners voted in favor of the motion.

Chair DeLuca recommended that Mark Stinson, the DEP circuit rider for the western region, attend a future meeting to answer questions about wetland delineation expirations and others

**Agenda Item #4 --- Discuss and Consider 18 Silverwood Terrace - Orchards Golf Club Forest Cutting Plan Revisions (Map 52, Parcel 164)**

As was discussed at a previous meeting, Orchards Golf Club had submitted a Forest Cutting Plan to the DCR Service Forester for management of a stand of diseased red pines. The Conservation Administrator explained that Orchards has submitted an amendment to their plan to cut additional diseased red pines than originally planned. They explained that conditions were ideal to do the work now while the logging contractor was on site. Aerial photos would be provided to Service Forester to show the extent of the additional work, and can be shared with the Commission

**Agenda Item #5 --- Discuss and Consider River Road - Forest Cutting Plan filed by Paul Boudreau (Map 23, Parcels 40 & 44)**

The Conservation Administrator explained that the owner of a large parcel of land along River Road submitted a Forest Cutting Plan to the DCR Service Forester. She spoke with the property owner who expressed interest in developing the land but had no precise development plan at this time. According to MassGIS data, wetlands and streams are present on site. Therefore, the Conservation Administrator requested a site visit. Forest Cutting Plans were not within the jurisdiction of the Conservation Commission. However, a comment letter could be drafted for the Service Forester's consideration.

**Agenda Item #6 --- Discuss and Consider Eversource Energy Five Year Vegetation Management Plan**

The Conservation Administrator explained that Eversource submitted a Vegetation Management Plan for their right-of-ways throughout the region- which included areas in South Hadley. The management plan was under review for approval by the Massachusetts Department of Agricultural Resources (MDAR) for a five year management plan. Notice of the plan was sent for informational purposes only as the work did not fall under the jurisdiction on the Commission.

**Agenda Item #7 --- Discuss and Consider MassTrails Grant Application Letter of Support**

The Conservation Administrator explained that she was working on developing applications for funding through the MassTrail Program. In previous years, the Town received funding through

the program for trail work at Bachelor-Stony Brook Conservation Area. However, last year's application was not awarded. The Conservation Administrator met with the grant administrator to review last year's application. As was relayed, proposed ADA (Americans with Disabilities Act) accommodations within design helped craft a competitive grant application. Creation of an ADA accessible parking and seating area at Leaping Well Nature Trail was included within this year's application. The Conservation Administrator displayed concept plans for the Commission's consideration. Additionally, upgrades to kiosks and signage at Black Stevens and Bynan Conservation Areas were proposed as well as Leaping Well.

**Motion:** Commissioner Bacis moved to authorize the Chair to sign a letter of support for the 2021 MassTrails Grant on behalf of the Conservation Commission. Commissioner Schwellenbach seconded the motion Five (5) out of five (5) commissioners present voted in favor of the motion through roll call.

### **Agenda Item #8 --- Discuss and Consider Approval of January 6, 2021 Meeting Minutes**

Draft minutes of the January 6, 2021 meeting were sent to the Commission for review.

**Motion:** Commissioner Schwellenbach moved to approve the meeting minutes of January 6, 2021. Commissioner Bacis seconded the motion. Five (5) out of five (5) Commissioners present voted in favor of the motion through roll call.

### **Agenda Item #9 --- Administrator's report**

#### **Bachelor –Stony Brook Conservation Area**

The Conservation Administrator explained that reports were received of excessive dog waste left along the trails at Bachelor-Stony Brook Conservation Area. Town staff would work on public outreach to combat the issue. Additionally, reports had been received of downed trees at Bachelor-Stony Brook, Bagg-Pierce, Bynan, and Black Stevens Conservation Areas. The Conservation Administrator expressed interest in hiring a contractor to perform the work and is seeking price quotes.

#### **Senior Center Fineness Trail**

The Conservation Administrator explained that the Town received grant funding to install a fitness trail on the campus of the new senior center. The Commission previously issued an Order of Conditions for the construction of the new senior center and the associated site work. As the newly proposed fitness trail crossed over Buffer Zone, the Commission would need to consider amending the issued Order of Conditions to allow the work to proceed.

### **Agenda Item #10 --- Other New Business**

**No new business was discussed.**

### **Adjournment**

Chair DeLuca adjourned the meeting at 8:07 PM.

Respectfully Submitted,  
**As Approved**  
Colleen Canning, Senior Clerk Planning and Conservation Department

**Appendix**

<b>Document</b>	<b>Document Location</b>
January 27, 2021 Meeting 'Q&A' report	Attached
32 Lyon Green RDA	Conservation Files
40 Lyon Green RDA	Conservation Files
Revised Forest Cutting Plan – Orchards	Conservation Files
River Road Forest Cutting Plan	Conservation Files
Eversource Vegetation Management	Conservation Files

Conservation Commission Meeting

27-Jan-21

#	Question	Asker Name	Asker Email	Answer(s)
1	It would be good to make sure wetland and buffer zones have not changed and expanded?	Aldo Villani	avillani@umass.edu	I will read your comment into the record when the time is appropriate. Can you send me your address for the record to be reflected in the meeting's minutes? Thank you!
2	16 Saybrook Circle	Aldo Villani	avillani@umass.edu	Thank you!