

**SOUTH HADLEY CONSERVATION COMMISSION
MEETING MINUTES
JANUARY 29, 2020**

Present: Bill DeLuca, Chair; Jim Canning, Vice-Chair; Bill Bacis, Member; Neva Tolopko, Member; Steph Clymer, Member; Garth Schwellenbach, Member; Tom Dennis, Member; Julie Watson, Associate Member; Anne Capra, Conservation Administrator/Planner; Colleen Canning, Senior Clerk Planning and Conservation; Mark Reed, Heritage Surveys; Michael and Laurie Fleming; Mike Fontaine, IGM Management; Stephen Franz, 300 North Main Street; Mark Gilmore, SHELD; April Dobroski, Tighe and Bond

Chair DeLuca called the meeting to order at 6:00 PM.

Agenda Item #1 --- Discuss and Consider Request for a Public Hearing Continuance for Notice of Intent filed by Orchards Golf Club for an operation and maintenance plan of the golf course grounds at 18 Silverwood Terrace (Map 52, Parcel 164)

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Agenda Item #2 --- 6:00 PM Public Hearing Continuance for Notice of Intent filed by Orchards Golf Club for an operation and maintenance plan of the golf course grounds at 18 Silverwood Terrace (Map 52, Parcel 164)

Agenda Item #1 and #2 were discussed in tandem as they were related.

Chair DeLuca called the Public Hearing continuance to order by reading the notice at 6:00 PM.

The Conservation Administrator explained the applicant requested a continuation of the Public Hearing as the DEP had not yet responded to the submission of updated materials by Orchards.

Chair DeLuca inquired when DEP was expected to respond to the updated materials. The Conservation Administrator responded that she did not know but noted that the materials were submitted in mid-December.

Motion: Vice-Chair Canning moved to continue the Public Hearing to March 4, 2020 at 6:00 PM. Commissioner Bacis seconded the motion. Seven (7) out of seven (7) members voted in favor of the motion.

Agenda Item #7 --- Discuss and Consider Approval of Meeting Minutes from January 8, 2020

Draft minutes of the January 8, 2020 meeting were previously transmitted to the Commission for their review.

Motion: Commissioner Schwellenbach moved to approve the draft minutes of January 8, 2020. Commissioner Tolopko seconded the motion. Six (6) out of seven (7) commissioners voted in favor of the motion. Commissioner Clymer abstained from the vote as she was not present at the January 8, 2020 meeting.

Agenda Item #8 --- Administrator's Report

DPW Tree Removal Request

The Conservation Administrator explained that DPW requested to remove three trees along River Road. The trees were located directly on the road's shoulder and were leaning over the road causing DPW's trucks to continuously hit them. She approved their removal with a 2:1 replanting. She noted that DPW would need to coordinate removal with HG&E as they were the property owner.

Adams Conservation Restriction

The Conservation Administrator explained that Kestrel Land Trust was working with the Adams Family to secure a Conservation Restriction (CR) for land owned by the family along Pearl Street. Kestrel requested the Conservation Commission to act as the secondary holder of the restriction in the event that Kestrel Land Trust dissolved as an organization. She noted the importance of securing the restriction as the land was closely associated with the Mount Holyoke Range. Chair DeLuca inquired if it was typical for a CR to have a secondary holder. The Conservation Administrator explained that it was not. The administration of a CR is dependent upon the affiliated parties. She added that all CRs are reviewed by the Executive Office of Energy and Environmental Affairs before signed by the Secretary of the Environment. Chair DeLuca asked what responsibilities a Conservation Restriction holder has. The Conservation Administrator explained that the CR holder performs annual stewardship and monitoring which includes review of encroachments. For this CR, Kestrel would be the primary steward and perform the annual monitoring. Commissioner Tolopko inquired what Conservation Restrictions the Commission currently holds. The Conservation Administrator explained that most of the conservation lands are owned by the Town of South Hadley in fee.

Commissioner Clymer asked if there were downsides of holding a CR. The Conservation Administrator explained that the annual stewardship requires time and money, and if there is an encroachment, enforcing the CR could end up in court. Many land trusts now require the payment of an endowment at the time of accepting a CR to cover these long term costs.

Motion: Commissioner Tolopko moved to accept the Commission's designation as a secondary holder of the Conservation Restriction associated with the Adams Family property on Pearl Street. Commissioner Bacis seconded the motion. Seven (7) out of seven (7) commissioners voted in favor of the motion.

30 Cove Island Road

The Conservation Administrator explained that the lease at this property was proposing to construct a second floor on an existing house on Cove Island Road and had inquired if there would be a requirement for conservation permitting. The property is within Riverfront Area and Bordering Land Subject to Flooding. The DEP was contacted and expressed that no conservation permitting would be required for the project as proposed because all work is above BLSF and no

new alteration of the site is occurring. The Conservation Administrator affirmed that there would be no soil disturbance or new runoff and dumpsters would be placed on the existing driveway.

Vice-Chair Canning inquired if trees were proposed to be removed. The Conservation Administrator explained that no trees would be removed.

Chair DeLuca concurred that no permitting would be necessary.

18 Lyman Street Tree Removal

The Conservation Administrator explained that there were several standing dead trees along the property line of Black Stevens Conservation Area abutting private property at 18 Lyman Street. Northern Tree has been contracted to remove them, and we are able to pay for the removal through encumbered funds from FY19 designated for tree removal.

Commissioner Bacis inquired about methods of removal. The Conservation Administrator explained that trucks would access the tree by driving on the private property at 18 Lyman via a waiver signed by the property owner. The dead trees would be cut using methods to not disturb the surrounding healthy trees, and the down trees would be left on site.

Vice-Chair Canning asked if the property line had been surveyed. The Conservation Administrator explained that the property line was monumented with concrete bounds at this location.

Commissioner Dennis inquired if the standing dead trees were a hazard. The Conservation Administrator explained that the trees were not near any structures. However, they were on the property line. If the dead trees were further inside the Conservation Area, there would have been less reason to remove them. Chair DeLuca concurred that it was good practice as the dead trees were on the property line.

Mass Trails Grant

The Conservation Administrator explained that she was seeking grant funding for another round of trail improvements. She would be petitioning for \$50,000 which would require a Town match of 20%. The funds would be used to improve signage and parking at Leaping Well Nature Trail, Hahn-Warner Arboretum, Black Stevens Conservation Area and Bynan Conservation Area. She explained that the focus of the funding would improve trail access to the population-dense urbanized southern reaches of Town with a new trail head proposed behind Newton Manor.

Commissioner Bacis noted that the River-to-Range trailhead off Ferry Street would benefit from a sign along the road.

All of the Commissioners present signed the letter of support for the Mass Trails Grant application.

Agenda Item #3 --- 6:30 PM Public Meeting for Request for Determination filed by Maraline Development Corporation for the widening of an existing 24' driveway to 36' to allow for a new travel lane to better accommodate traffic flow with a new turning lane at 470 Granby Road (Map 31, Parcel 36)

Chair DeLuca called the Public Meeting into order at 6:30 PM.

The applicant's representative, Joe Marois of 148 Newton Street, and the project consultant, Mark Reed of Heritage Surveys, were present at the Public Meeting. Mark Reed distributed copies of the plan and described the proposed project. He explained that the proposed project would widen an existing driveway to create a new turning lane to better accommodate traffic flow at 470 Granby Road. The building was currently used as a medical facility and required quick access for emergency vehicles. The new turning lane would be constructed within buffer zone on an existing lawn area. No trees were proposed to be removed. Slight grading would be required to construct the additional lane. The work was coordinated and permitted with MassDOT as Route 202 was a state right-of-way. Due to the necessary grading, the existing berm would need to be replaced. Erosion controls would be installed prior to site work.

Commissioner Schwellenbach inquired if the project would alter the site's drainage. Mark Reed responded that the stormwater system would remain the same. Stormwater would sheet flow into a catch basin.

Vice-Chair Canning inquired about exposed soils on site. Mark Reed responded that exposed soil would be reseeded and revegetated.

The Conservation Administrator noted that the existing berm adjacent to the wetland was in poor condition. She advised that a Special Condition of the Commission's determination should require the berm to be satisfactorily installed.

The Public Meeting was closed at 6:38PM

Motion: Commissioner Schwellenbach moved to issue a Negative Determination #3 for widening an existing 24' driveway to 36' to allow for a new travel lane at 470 Granby Road. Commissioner Bacis seconded the motion. Seven (7) out of seven (7) members voted in favor of the motion.

Agenda Item #9 --- Other New Business

Proposed Wetland Protection Act Legislation

Commissioner Schwellenbach inquired about the newly proposed wetland regulations. The Conservation Administrator explained that the DEP was proposing to require that permits be sent to them via certified mail as is currently required when sending permits to applicants. She noted that Conservation staff currently sends permits to DEP certified so when, or if, the new regulations get adopted, the Commission will already be in compliance.

DPW Wetland Protection Act Training

The DPW training with the DEP Wetland Circuit Rider had been rescheduled to February 6, 2020 at 9:00 at the South Hadley Library. Members of the Commission were welcome to attend.

Open Space Workshop

The Conservation Administrator invited everyone to attend an ‘Open Space Committee Panel Discussion and Networking Event’ hosted by Kestrel Land Trust at the South Hadley Public Library on March 16, 2020.

Agenda Item #4 --- 6:45 PM Public Meeting for Request for Determination filed by Michael Fleming for restoration plantings in Riverfront Area in response to an Enforcement Order for cutting trees and clearing vegetation without a permit at 177 Woodbridge Street (Map 56, Parcel 49)

Chair DeLuca called the Public Meeting into order at 6:45 PM.

The applicants, Michael and Lori Fleming, were present at the meeting.

Michael Fleming submitted drawings of the proposed restoration plan, which included the planting of eight trees and 26 shrubs, with an attached list of proposed plant selections. The proposed revegetation work was in response to an Enforcement Order issued by the Commission for Riverfront Area clearing.

The Conservation Administrator reviewed the plant selection list. She explained that shade tolerant varieties were appropriate for the site. Most of the selected species were appropriate but she advised that ‘Clethra Alnifolia- Sweet Pepperbush’ would not establish well and could be removed from the list. She recommended loaming the site to help the plants establish as the Commission would require the plantings to survive for two years.

Chair DeLuca asked the applicant for input on how to better communicate with homeowners about the Wetland Protection Act so the amount of Enforcement Orders, like the one he received, could be reduced. Michael Fleming responded that mailings would have been beneficial. He added that he believed the work was exempt as the house was existing.

Vice-Chair Canning noted that the tree removal contractor, who removed the trees on site, should have been aware of the Riverfront Area regulations.

Motion: Commissioner Clymer moved to issue a Negative Determination #2 for restoration planting in Riverfront Area in response to an Enforcement Order at 177 Woodbridge Street. Commissioner Canning seconded the motion. Seven (7) out of seven (7) commissioners voted in favor of the motion.

Agenda Item #9- Other New Business

MVP Grant

Commissioner Tolopko inquired about the status of the Climate Change Listening Sessions. The Conservation Administrator explained that watershed restoration was one of the areas of focus. She explained the flood storage would be impactful on the potential for redevelopment of the South Hadley Falls.

As time afforded, the Commission brainstormed ideas relating to climate change preparedness.

Chair DeLuca noted that flood storage was needed around the Connecticut River. He advocated for implementing a fund to allow private homeowners to revegetate the banks abutting their property.

Commissioner Clymer noted that there were incentive systems in Philadelphia for stormwater mitigation. The Conservation Administrator explained that some communities manage stormwater as a utility. The City of Chicopee offers rebates on water utility bills for stormwater mitigation. However, in South Hadley the Water Department is separate from the Town.

Commissioner Bacis noted that there was another dam at Hillcrest Park Condos used in the past which could be restored to help divert runoff at Buttery Brook.

Commissioner Tolopko noted that the field at Plains School could be used as flood storage. She mentioned the possibility of creating an underground stormwater storage system which could be used during droughts.

Commissioner Clymer noted the importance of solar energy in town.

Chair DeLuca noted the importance of regional efforts.

Agenda Item #5 --- 7:15 PM Public Hearing Continuance for Notice of Intent filed by Ledges Golf Club for general maintenance of the golf course at 18 Mulligan Drive (Map 23 & 42, Parcels 1, 48, 71, 72 & 73)

Chair DeLuca called the Public Hearing continuance into order at 7:15 PM.

The applicant's representative, Michel Fontaine of IGM, was present at the Public Hearing.

The Conservation Administrator reviewed the application's progress since the previous Public Hearing date. A site visit was performed to evaluate the delineation along the driving range. A full site visit was not possible due to the snow cover. Additionally, she recovered the required yearly reports for well monitoring up to 2011, the last year that monitoring was required by the state. A range of chemicals were tested for and some tests uncovered low level quantities of some chemicals. Since 2011, the monitoring wells are just used to evaluate water withdrawal from the Connecticut River.

Chair Deluca inquired what the Commission needed to evaluate relative to the monitoring wells. The Conservation Administrator explained that the DEP asked for the applicant to demonstrate the course's impact on the surrounding environment. Commissioner Tolopko noted that comparative analysis could be used to evaluate the preexisting chemicals within the Connecticut River.

Vice-Chair Canning asked the applicant to demonstrate his sincerity in environmental protection. Mike Fontaine explained that his family works on the course and he walks his dogs on the course. He would not subject his family to dangerous chemicals. Commissioner Clymer noted that the Course's Audubon certification demonstrated his interest in protecting the environment.

The Conservation Administrator reviewed information that needed to be received before the Public Hearing could close. The applicant's consultant needed to respond to the DEP's comments and the Commission needed to perform a site visit to walk the course after the snow cleared.

The Commission reviewed the submitted Environmental Plan and the allowable chemicals dictated within. Merritt was found within the 2011 monitoring report. Mike Fontaine explained that Merritt was found in flea, tick and grub killer and was allowable within the Environmental Plan. However, the chemical was not within the certified applicator most recent reporting.

Commissioner Tolopko inquired how deep the monitoring wells were. Mike Fontaine responded that the wells were about 10-15 feet deep.

Stephen Franz, 300 North Main Street, addressed the Commission. He reviewed the chemical list. He explained they were better than Glyphosate but some chemicals were banned in Europe due to the potential danger they cause. He advocated for an organic golf course consultant. Mike Fontaine noted that he was aware of one organic golf course on Nantucket that had an operation cost of \$3M which was \$2.5M more than Ledges.

Commissioner Clymer inquired about the club's National Audubon certification. Mike Fontaine replied that he did not submit it as he didn't think the Commission wanted to see it.

Stephen Franz noted that Chip Osbourne worked locally in organic landscape management. The Conservation Administrator noted that she has attended Chip Osbourne's workshops in the past. He has worked as a consultant for organic turf management, such as youth athletic fields.

The Public Hearing needed to be continued to allow the Commission to perform a full site visit and for the applicant to submit supplemental material.

Motion: Commissioner Bacis moved to continue the Public Hearing to February 12, 2020 at 6:00 PM. Vice-Chair Canning seconded the motion. Seven (7) out of seven (7) members voted in favor of the motion.

Agenda Item #6 --- 7:45 PM Public Hearing Continuance for Notice of Intent filed by South Hadley Electric Light Department for replacement of an existing three-pole distribution line structure and overhead lines at Titans Pier Road (Map 54, Parcel 1)

Chair DeLuca called the Public Hearing into order at 7:56 PM.

The applicant's representative, Mark Gilmore of SHELD, was present at the hearing along with the consultant, April Dobroski of Tighe & Bond.

April Dobroski reviewed the application's progress from the previous Public Hearing date. A site visit was performed with the Commission to assess the proposed project. The work scope was revised to reflect a reduction in size of the work pad and a total reduction of 30% of the project's impact to the Riverfront Area. 14 trees were proposed for removal with mitigation in payment as the site conditions were disallowed planting on-site. An access path will remain after construction to allow SHELD to perform routine electrical maintenance.

Chair DeLuca inquired how many trees were initially proposed for removal. April Doroski replied that the trees initially proposed for removal were all identified on the plan. Lesser trees were proposed for removal within the updated plan.

Chair DeLuca inquired about installation of the work pad. Mark Gilmore responded that construction of the work plan would be dictated by the site conditions at the time of development.

Vice-Chair Canning inquired if the site would require fencing. Mark Gilmore responded that no fencing was proposed. No trespassing signs would be installed.

Commissioner Bacis asked who owned the property. Mark Gilmore replied that SHELD acquired the property within recent years.

The Conservation Administrator noted that the Commission should decide if they expect the mitigation proposed.

Motion: Commissioner Schwellenbach moved to accept payment in the amount of \$3,250 for mitigation for removal of 14 trees in-lieu of the Commission's 2:1 replacement ratio for trees removed as site conditions disallowed replanting on site.

The Public Hearing closed at 8:18 PM.

Motion: Commissioner Schwellenbach moved to issue Order of Conditions to DEP File # 288-0462 for replacement of an existing three-pole distribution line structure and overhead lines at Titan's Pier Road. Commissioner Tolopko seconded the motion. Seven (7) out of seven (7) commissioners voted in favor of the motion.

Adjournment

Chair DeLuca adjourned the meeting at 8:18 PM.

Respectfully Submitted,
Colleen Canning, Senior Clerk Planning and Conservation

Appendix

Document	Document Location
MassTrails Grant Letter of Endorsement (1/29/20)	Conservation Files
Project Plan and detail for widening driveway at 470 Granby Road	Conservation Files
Replanting plan for Riverfront restoration at 177 Woodbridge Road	Conservation Files
Species list for Riverfront restoration at 177 Woodbridge Road	Conservation Files
2011 Monitoring Well Report for Ledges Golf Club	Conservation Files
Ledges Golf Club Integrated Pest Management Plan (Revised June 2015)	Conservation Files
Site Plan for existing electrical structure on Titan's Pier Road (January 2020)	Conservation Files