

SOUTH HADLEY CONSERVATION COMMISSION
MEETING MINUTES
March 13, 2019

PRESENT: Bill DeLuca, Chair; Jim Canning, Vice-Chair; William (Bill) Bacis, Member; Neva Tolopko, Member; Steph Clymer, Member; Anne Capra, Conservation Administrator/Planner; Colleen Canning, Conservation and Planning Clerk; Linda Young, Tree Committee; Ted Boulais, Tree Committee; Naomi Valentine, SWCA; David Parson, Orchards Golf Course; Daniel and Elizabeth Blaney, South Hadley Residents; Debbie Boeher, South Hadley resident; and Alistair Catto, South Hadley resident.

Chair Bill DeLuca called the meeting into session at 6:05 PM.

6:00 PM Discuss and Consider Request for Certificate of Compliance for #288-399, Orchards Golf Course at 18 Silverwood Terrace (Map 52, Parcel 164)

The Conservation Administrator opened with some background on the case. She introduced the applicant and the applicant's representative to the Commission. Dave Parson, Course Superintendent of Orchards Golf Course, and Naomi Valentine, Wetland Scientist for SWCA, were present at the meeting. Separate from the request for a COC, The Conservation Administrator received an anonymous letter informing her that tree cutting had been performed in resource areas.

SWCA created a matrix that listed each Condition from the OOC and the completeness of each listed item. A handful of line items required research on behalf of SWCA. Naomi Valentine walked the Commission through these conditions and the recommended action plan for each. She went on to explain as follows:

Condition 35 required Orchards to supply maintenance staff with plans and maps for reference when working in regulated areas. While there was no tangible proof this was done in the past, Orchard's currently has reference maps in maintenance areas.

Condition 36 included a narrative of sediment removal at the 6th pond. It was reiterated to the Commission that there currently is no soil disturbance and water levels have been stable throughout storm events. The recommended action plan was to carry this condition to the new 'operations and maintenance' NOI.

Condition 37 required sediment control structures at multiple locations. Currently, only one out of three structures have been maintained periodically. The recommended action plan was to carry this condition to the new 'operations and maintenance' NOI.

Condition 44 required control of invasive species including Oriental Bittersweet. It was commented that Oriental Bittersweet was not present and combatting invasive species should be carried over to the new 'operations and maintenance' NOI.

Condition 46 required plantings of multiple varieties. This was not implemented. A plan will be provided to the Commission for the plantings prior to the start of the golf season

Condition 49 required establishing signage at wetland areas. There is no proof that this was implemented and there currently aren't any markings. This condition will be implemented prior to the golf season.

Motion: Commissioner Canning moved and Commissioner Basis seconded the motion to grant a Certificate of Compliance for #288-399 Orchards Gold Course at 18 Silverwood Terrace (Map 52, parcel 164) with specified conditions carried over to the new 'operations and maintenance' Notice of Intent. Five (5) out of Five (5) Commissioners voted in favor of the motion.

The Conservation Administrator reminded the representative of Orchard's that no work can be done in resource areas until they submit a new NOI and are granted an OOC from the Conservation Commission. A site visit will be performed on March 14, 2019 at 2:00PM with the Conservation Administrator and the applicant's representative wetland scientist.

6:30 PM PUBLIC MEETING on Request for Determination by Daniel R. Blaney for revegetation of Riverfront Area, 317 River Road (Map 22, Parcel 01)

Chair DeLuca opened the public hearing by reading the Public Meeting Notice aloud. The Conservation Administrator followed by offering some background. It was explained that David and Elizabeth Blaney were new homeowners of the property at 317 River Road and they cut bittersweet and other shrubs across the street on riverfront property owned by Holyoke Gas & Electric. It was the Blaney's understanding, which was inaccurate, that they had permission from Holyoke Gas and Electric to perform the cutting. It was not their intention to harm the river as they thought they were increasing the area's aesthetic value. No wetlands are present on the site. An Enforcement Order was issued to the Blaneys. The homeowners, who were present at the Public Meeting, submitted a Request for Determination (RFD) to restore the area and to create a three-foot wide natural surface path to the water. Included in the RFD, the applicant demonstrated that they will replant the 10,000 square foot area with 24 native plants, recommended by New England Wetland Plants.

The Blaney's informed the Commission that some of the plants detailed in their RFD application were not available at the nursery. They added that the staff recommended some species as substitutes. Upon hearing the given recommendations, the Conservation Administrator recommended that plants chosen for this location should be compatible with dry environments. The recommendations given were species that flourished in wet environments. The intended work area is drier than most river front areas

David Blaney detailed his planting method and action plan to keep the plants alive. He would create a hole in the ground with a post-hole digger and plant by hand. He will water the plants by hand and apply mulch so the plants retain moisture. Invasive species will be removed by hand or by lopping sheers, whichever is appropriate for the situation.

The Conservation Administrator confirmed that for a project of this scale, a map with plant locations would not be necessary. The Conservation Administrator will add Special Conditions to include: 1) a site visit upon completion of the project, 2) complete survival of all plantings after two years, and 3) prior approval of plant species used.

Motion: Commissioner Tolopko moved and Commissioner Bacis seconded the motion to issue a Negative Determination #2 to allow the plantings of 24 plants located at Assessor's Map 22 Parcel 1. Five (5) out of Five (5) Commissioners voted in favor of the motion.

Discuss and Consider Arbor Day Event Planning with Tree Committee

As Commissioner Canning was recently appointed to the Tree Committee, he is functioning as a liaison between the Conservation Commission and the Tree Committee in planning Arbor Day festivities. Linda Young and Ted Boulais, Tree Committee Members, were present. The Tree Committee is hosting the Arbor Day event and the Conservation Commission is being consulted for input. Linda Young shared that the Arbor Day Festivities will be held at 9:30 AM at the Arboretum at South Hadley Middle School on Friday April 26, 2019. In the event of bad weather, festivities will be held at the library. She added that channel 15 is coming to cover the event. The festivities will be held during a school period to prioritize student engagement and outreach. Chair DeLuca has agreed to speak at the event. As an educator and a parent, the Commission was enthusiastic to have him in attendance. The Conservation Administrator has a prior obligation at South Hadley High School and will not be able to attend. To generate student interest, Commissioner Canning asked if it would be appropriate to offer prizes at the event. In previous years, seventh grade students wrote Arbor Day-related essays and the top essays were given gift cards. The Conservation Administrator agreed that it was appropriate. Commissioner Canning will purchase gift cards for the top student essays. The Conservation Department reimburse the purchase.

Discuss and Consider Request for Certificate of Compliance for #288-050 by John Bellerose at 184 Pine Grove Drive (Map 31, Parcel 110-184)

A request had been made for a *partial* Certificate of Compliance for the property at 184 Pine Grove Drive. The Conservation Administrator explained that this property is part of a condominium complex so all units associated with Pine Grove Condos fall under the same DEP file number. She explained that when the condos were built, an Order of Conditions was placed on the site during construction. As the years pass, potential new condo owners perform property searches on the units and see municipal leans on the property because no Certificate of Compliance had been requested by the previous owner. To remove the municipal lean, they apply for a COC.

Motion: Commissioner Canning moved and Commissioner Tolopko seconded the motion to grant a Certificate of Compliance #288-050 for the Condominium unit at 184 Pine Grove Drive (Map 31, Parcel 110-184). Five (5) out of Five (5) Commissioners voted in favor of the motion.

Discuss and Consider Application for Conservation Permit for tree removal by Holyoke Gas and Electric at 46 Canal Street (Map 4B, Parcel 48)

The Conservation Administrator opened with background. She shared that He submitted an Application for Conservation Permit (ACP) to remove five trees within Riverfront Area at 46 Canal Street. A letter from a certified arborist stated that the trees were dead and posed a safety risk. The size and close proximity of the proposed tree removal generated concern. Due to the location and condition of the trees, Commissioner Tolopko commented that eagles seek out these types of trees to nest. The Conservation Administrator noted that this area is mapped as Priority Habitat and the request should be sent to them for review. Chair DeLuca agreed with consulting NHESP.

Discuss and Consider Conservation Commission Tree Removal Policy

There have been a number of recent ‘Applications for Conservation Permits’ (ACP) for large scale tree removal. The current tree removal policy requires a 2:1 replacement ratio. This can be a challenging benchmark to reach for a large removal project. There has been discussion around implementing a “Tree Fund” in which an applicant would have the option, with the Commission’s prior approval, to monetarily compensate for the tree removal in lieu of the 2:1 replacement. The Conservation Administrator recommended offering replacement options to applicants. The options would include: 1) payment into a tree fund, 2) tree replacement or 3) a combination of payment into a fund and tree replacement, all options are consistent with the Town’s Tree Policy for Non-hazardous Shade Tree Removal

The Conservation Administrator has been researching how to implement such a fund. She has confirmed with the Town Administrator that potential “tree fund” monies could be directly deposited into the Conservation Fund. This would create less clerical work than establishing a new fund.

The Tree Warden has a policy for “removal of non-hazardous street trees” and can be used to inform the Conservation Commission’s tree policy. Dictated in this policy are requirements for replacement trees. An adequate replacement tree is directly related to the removed tree’s ‘Diameter at Breast Height’ (DBH). The Conservation Administrator noted that the types of trees under the Conservation Commission’s jurisdiction are often different than the types of trees used for street shade. However, having continuity among town organizations is wise.

Discuss and Consider Approval of Meeting Minutes from January 30, 2019 and February 20, 2019

Motion: Commissioner Canning moved and Commissioner Tolopko seconded the motion to approve both minutes from January 30, 2019 and February 20, 2019. Five (5) out of Five (5) Commissioners voted in favor of the motion.

Administrator’s Report including updates on projects, violations, next meeting dates, correspondence log

- **Dog Park:** The Conservation Administrator informed the Commission that grant funding had been guaranteed for the municipal dog park. She and Jim Canning conducted a site visit with representatives from Berkshire Design Group to evaluate the site on Mulligan Drive. Based upon wetland delineation’s done for Ledges Golf Course and observations

on site, the Conservation Administrator determined that there would be Buffer Zone and BVW considerations if they were to construct the Dog Park at the location. Possible new locations are being considered.

- **440 Amherst Road (288-455):** The Conservation Administrator informed the Commission that she has been in touch with the applicant's lawyer in assisting them in creating a Conservation Restriction (CR) for 2.7 acres of property. Once the draft is complete, it will be available for the Commission to review.

Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice).

- Commissioner Canning shared that he attended the Massachusetts Association of Conservation Commissions Conference on March 2, 2019 in Worcester.
- The Conservation Administrator noted that there will be a site visit on Friday, March 15, 2019 to follow up on an enforcement order for woodchip dumping at 16 Upper River Road
- Commissioner Canning and Chair DeLuca shared that they were both in attendance at the Planning Board Meeting on Monday, March 13, 2019. A discussion of the Conservation Commission's letter to Town Boards was part of the Planning Board's Agenda. Commissioner Canning shared that he pushed for a definitive response in how the Planning Board would reposed to the items in the letter. The Town Planner will draft a response for the Planning Board's approval. It was inquired if it would be appropriate to request the attendance of the Planning Board and the Building Commissioner at a future Conservation Commission meeting to discuss the status of Chicopee Concrete's permits. Opinions varied on whether or not such a meeting would produce fruitful information.
- As there were conflicts for the regularly scheduled meeting on April 24, it was agreed that the Conservation Commission will meet at 5:00PM instead of the regularly scheduled 6:00PM. This meeting will need to be adjourned by 6:00PM to allow for interested parties to attend the OSRP/Master Plan public forum scheduled for 6:00 PM the same afternoon

Adjournment

The meeting was adjourned at 8:20 PM.

Respectfully Submitted,
Colleen Canning, Senior Clerk to Conservation

Appendix

Orchard's Golf Course Matrix generated by SWCA	Conservation Files
Anonymous Letter Expressing Wetland Concern at Orchard's	Conservation Files
Public Hearing Notice for 317 River Road RFD	Conservation Files
RFD application for 317 River Road	Conservation Files
COC request for 184 Pine Grove Drive	Conservation Files
HG&E ACP permit application with corresponding photos	Conservation Files
Tree Warden's policy for removal of non-hazardous shade trees	Conservation Files
Letter from School Superintendent returning land to Conservation	Conservation Files