Char DeLuca called the meeting into order at 6:00 PM.

**Agenda Item #1 --- Public Meeting for Request for Determination filed by Hillcrest Park Condominium Association for removal and management of cattails from a pond at 20 Lawrence Avenue (Map 16, Parcel 185M)**

Chair Deluca open the Public Meeting by reading the notice aloud at 6:01PM.

The applicant’s consultant, Dominic Meringolo of Solitude Lake Management, was present at the Public Meeting.

Dominic Meringolo opened the discussion by detailing the scope of proposed work. He explained that Hillcrest Park had an ongoing Order of Conditions for general maintenance. The condo association was hoping to expand their maintenance activities to manage the cattails that have begun to encroach on the pond at the inlet end of the pond. As proposed, the cattails would be treated with herbicide, followed by trimming with a manual gas trimmer. The herbicide would be applied with a backpack sprayer.

Commissioner Bacis inquired about the depth of the cattails. The consultant explained that the cattails extended down several feet. He explained that, as biomass piles up, the areas become shallow with silt and sand.

Vice-Chair Canning inquired about the proposed use of glyphosate. The consultant explained that three herbicides would be used. He described them as a ‘systemic’ herbicide that would kill the root of the plant. He added that applicators were certified by the state and the use of the proposed herbicides were allowable by federal and state law.

Commissioner Schwellenbach arrived at 6:09 PM.

Vice-Chair Canning inquired about what that impact would be if no Glyphosate was used. The consultant explained that the herbicides proposed for use were most effective when used in conjunction with one another.
Commissioner Tolopko expressed concern for bioaccumulation following ongoing glyphosate use. The consultant explained that use of glyphosate was anticipated to decrease each year as ongoing maintenance would decrease the necessity for its use. He explained they intended on applying the herbicide during the summer months as the effects were most beneficial at that time.

Commissioner Dennis observed that application was intended to be used during the summer; the time at which water would be used for recreational use. He inquired how much glyphosate was intend to be used. The consultant explained that that solution contained about 1.5% glyphosate and he expected to use 15-20 gallons of the solution.

Vice-Chair Canning moved to continue the Public Meeting as he did not feel that enough information was provided to justify glyphosate use. The motion was not seconded.

The Conservation Administrator referenced a September 2018 site visit at Hillcrest Condos with a representative from Solitude Lake Management. She explained that, at that time, a boundary was marked where growth could be maintained and where removal could be managed manually. The Conservation Administrator acknowledged that, even though cattails are native, they function as invasive so removal could be permitted. However, justification needed to be made that their removal was for ecological purposes, rather than aesthetic purposes.

Chair DeLuca inquired about ongoing pond maintenance. The consultant explained that, ideally, management would be extensive for only the first year. Following that, annual management of regrowth would be minimal.

Commissioner Tolopko inquired about the other two chemicals proposed for use outside of glyphosate. The consultant explained that glyphosate was intended to be used for late season growth and the other chemicals would be subsequently used.

Vice-Chair Canning motioned to issue approval of the plan with a special condition to prohibit glyphosate. Commissioner Schwellenbach seconded the motion. Commissioner Bacis and Chair DeLuca expressed legal concern for informally ‘banning’ a substance that was legally allowed to be used.

**Motion:** Commissioner Tolopko moved to determine that the chemicals ‘Habitat’ and ‘Clearcast’ were allowable for maintenance of cattails at the pond located at 20 Lawrence Street. If additional chemicals were proposed for use, Conservation Commission approval would be required. No mechanized heavy equipment could be used for cattails maintenance or removal. Vice-Chair Canning seconded the motion. Six (6) out of six (6) Commissioners present voted in favor of the motion.

**Agenda Item #2 --- Public Meeting for Request for Determination filed by Tom Fitzell construction of a roof over an existing deck at 14 Edgewater Lane (Map 44, Parcel 10)**

Chair DeLuca opened the Public Meeting by reading the notice aloud at 6:57PM.

The applicant, Tom Fitzell of 14 Edgewater Lane, was present at meeting.
Tom Fitzell opened the discussion by describing the proposed work. He explained that construction of his home was permitted through the Conservation Commission. At the time of construction, he chose not to install a roof over the deck fearing that sunlight would not be able to enter the house. Since the home construction, he installed a retractable awning. However, high winds have created a challenge for enjoyment of the awning. Therefore, he was requesting to install a permanent roof over the existing deck.

Chair DeLuca inquired about installation of the deck roof. Tom Fitzell explained that roof would be built over the existing deck. The proposed new deck roof would extend from the existing roof. No new footings would be placed into the ground. He added that the downspout would drain into an existing infiltration system.

Commissioner Tolopko inquired about the materials used for the deck roof. Tom Fitzell explained that the new roof materials would be the same as the existing roof materials; which included asphalt shingles.

Vice-Chair Canning explained that he attended a site visit to access the proposed work. He affirmed that the proposed work wouldn’t contribute negative impact to the area.

**Motion**: Commissioner Bacis moved to issue a Negative Determination #2 for the construction of a roof over and existing deck at 14 Edgewater Lane. Vice-Chair Canning seconded the motion. Six (6) out of six (6) Commissioners present voted in favor of the motion.

**Agenda Item #3 --- Public Hearing Continuance for Notice of Intent filed by the Town of South Hadley for construction of a new Senior Center, parking lot, and associated site work at 45 Dayton Street (Map 28, Parcels 154 and 155)**

Chair DeLuca called the Public Hearing continuance into order by reading aloud the notice at 7:01 PM.

The applicant’s consultant, John Hammer of Milone and MacBroom, was present at the Public Hearing continuance.

John Hammer opened the discussion by sharing that the project had received Planning Board approval since the previous Conservation Commission hearing date. He explained that updated engineering reports had been generated and information justifying the need for 97 parking spaces had been submitted.

Vice-Chair Canning asked the consultant to revisit the restoration plan of the currently eroded area. John Hammer explained that the eroded swale would be restored with fill and plantings. The restoration would be maintained through improved erosion control and stormwater management. John Hammer added that maintenance would be guaranteed through the Planning Board’s Performance Guarantee.
Chair DeLuca asked for confirmation of the necessity for 97 parking spaces; some of which within the 50 foot Conservation Zone. John Hammer responded that, through building assessment, 117 spaces were needed. Zoning requirements allow for parking spaces in the amount of 85% of peak flow. Therefore, with 117 spaces needed at peak flow, 97 spaces would be 85% of peak flow.

Beatrice Ouimette, 20 Garden Street, addressed the Commission. She asked how the proposed project would affect the stream on site. Chair DeLuca responded that the Stormwater Management Plan would restore the stream’s health by treating water before it entered the stream.

Chair DeLuca closed the Public Hearing at 7:11 PM

**Motion:** Vice-Chair Canning moved to issue Orders of Conditions to DEP File Number 288-0460 for construction of a new Senior Center, parking lot and associated site work at 45 Dayton Street. The motion included approval of a waiver to perform work within the 50 foot Conservation Zone with associated remediation efforts positively impacting the associated wetland. Commissioner Schwellenbach seconded the motion. Six (6) out of six (6) Commissioners voted in favor of the motions.

**Agenda Item #4 --- Request for Public Hearing Continuance to November 13, 2019 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 #5 ---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)**

As Agenda Item #4 and Agenda Item #5 were related, they were discussed in tandem.

The Conservation Administrator explained the applicant’s consultant requested to continue the scheduled Public Hearing continuance as a DEP file number had not been assigned to the Notice of Intent yet. In turn, the Public Hearing could not close and Orders of Conditions could not be assigned.

**Motion:** Commissioner Schwellenbach moved to continue the Public Hearing to December 4, 2019 at 6:30 PM. Commissioner Dennis seconded the motion. Six (6) out of six (6) Commissioners present voted in favor of the motion.

**Agenda Item #6 ---Public Meeting for Request for Determination filed by Michael Matyszewski for removal of 25-30 trees at 7 Valley View Drive (Map 23, Parcel 115)**

Chair DeLuca called the Public Meeting into order by reading the notice aloud at 7:15PM.

The applicant, Michael Matyszewski of 7 Valley View Drive, was present at the Public Hearing.
Michael Matyszewski opened the discussion by describing the proposed project. He shared his concern for a series of trees in his backyard near his children’s play area. He submitted a request for removal along with an aerial photo showing the general area proposed for tree removal and the general area of jurisdiction.

A site visit with the Commission was performed the previous week to assess the proposed work. At the site visit, the area of jurisdiction was unclear. Therefore, the Conservation Administrator researched the permitting for the initial construction to determine the delineations endorsed at that time. Through research, it was determined that there was a certified vernal pool in the backyard. Vernal Pools and their associated Buffer Zone were jurisdictional under the local Wetlands Bylaw. The delineation done at time of initial construction would be used to determine the area of jurisdiction. For the purposes of the tree removal request, the Commission advised that a certified arborist assess the health of the trees. Removal of certified hazard trees could be permittable, even within areas of jurisdiction, if the trees were in decline and/or hazards. The Conservation Administrator added that the proximity of trees to living space did not necessarily make the tree as a hazard; the health of the tree did.

Before the Public Meeting could close, the applicant needed to receive an assessment to determine the health of the trees from a certified arborist. Individual hazard trees proposed for removal needed to be be flagged and a follow-up site visit with the Conservation Commission would need to be performed.

**Motion:** Vice-Chair Canning moved to continue the Public Meeting to November 13, 2019 at 6:00 PM. Commissioner Bacis seconded the motion. Six (6) out of six (6) Commissioners voted in favor of the motion.

**Agenda Item #7 —–Discuss and Consider Request for Certificate of Compliance for #288-0451 55 River Road**

The Conservation Administrator opened with background. She explained that a Request for Certificate of Compliance had been submitted for the construction of a new single-family home at 55 River Road. She performed a site visit to assess the as-built conditions. Permanent monumentation had been installed at the 50-foot buffer. Additionally, restrictions on development passed the 50 foot buffer were reflected in the drafted deed. Management of invasive species was performed and the site was vegetated with lawn. No sign of erosion was present. Conditions of the Order were satisfied.

**Motion:** Commissioner Bacis moved to issue a Certificate of Compliance for DEP File Number 288-0451 for the construction of a new house at 55 River Road. Commissioner Tolopko seconded the motion. Six (6) out of six (6) Commissioners present voted in favor of the motion.

**Agenda Item #8 —–Discuss and Consider Approval of Meeting Minutes from October 9, 2019**

The draft minutes of the October 9, 2019 meeting had been previously sent to the Commission for their review.
Motion: Commissioner Schwellenbach moved to approve the draft minutes of October 9, 2019. Vice-Canning seconded the motion. Six (6) out of six (6) Commissioners voted in favor of the motion.

Agenda Item #9 — Administrator’s Report

Riverlodge Road Embankment Repair

The Conservation Administrator explained that she attended a pre-construction meeting for embankment restoration and repaving of Riverlodge Road. The embankment restoration contractor was prepared to start work. However, the repaving contractor could not start until Spring. As coordination between both contractors was a condition of the Conservation Commission’s determination, restoration and repaving would commence in the Spring 2020 following another pre-construction meeting.

MassDOT Reconstruction of Route 116 Culvert at Newton Smith Brook

The Conservation Administrator explained that MassDOT was preparing to submit a Notice of Intent for the reconstruction of Newton Street (Route 116) and associated culvert replacement at Black Stevens Pond. The project’s consultant communicated with the department to detail components of the project which included a drawdown of Black Stevens Pond during culvert restoration. The consultant inquired if the Town would be interested in coordinating a dredge of the pond at the time of culvert restoration. The Conservation Administrator explained that coordination would decrease the cost of dredging to the Town. She added that the dredge could be tied to the Town’s ongoing Municipal Vulnerability Preparedness initiatives. However, a dredging project would be extremely costly. She explained that the Commission had roughly $50,000 which could be used to generate a cost estimate for the total dredge. Concerning the project’s high cost, the Conservation Administrator informed the Commission of other possible uses for the funds. She explained that local farms were engaging with a process to place their property into trust using an Agricultural Preservation Restriction (APR). This would require the Town to contribute a portion of the assessed value to preserve the land. Considerations for fund allocation would continue at a future meeting date.

Open Space and Recreation Plan (OSRP)

The Conservation Administrator explained that the draft Open Space and Recreation Plan was available on the Town’s website for review. The public comment period would be open until December 2, 2019. Consideration for the draft would be included on the Conservation Commission’s next meeting agenda on November 13, 2019.

Municipal Vulnerability Preparedness (MVP)

The Conservation Administrator explained that draft reports were posted on the Town’s website from the MVP workshop for public review and comment. She added that a listening session would be held on November 6, 2019 to consider the draft. Subsequent listening sessions would
be held to focus on restoration of Black Stevens and Titus Ponds. She reiterated the interaction between the Town’s MVP initiatives and the proposed MassDOT reconstruction activities; as was discussed earlier.

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

**North Pole Estates**

The Conservation Administrator explained that a Definitive Subdivision Plan had been received by the Planning Department for the proposed ‘North Pole Estates’ development. Considerations for the plan would be included on the Conservation Commission’s next meeting agenda on November 13, 2019. Commissioner Tolopko asked for clarity for the scope of the Commission’s review. The Conservation Administrator would confirm the scope of the review and report back to the Commission.

**Ledges Golf Club**

The Conservation Administrator explained that Ledges Golf Club had been operating out of compliance throughout the current season. Their ongoing ‘operations and maintenance’ Order of Conditions had expired earlier in the year and the Club had yet to file a new Notice of Intent. The Conservation Administrator explained that the Golf Club hired a consultant months prior to file a Notice of Intent but one had not been received. An Enforcement Order would be an appropriate form of action to alert the applicant of the urgency of matter. The Commissioners were agreeable to the issuance of an Enforcement Order.

**Proposed General Bylaw Amendment**

Commissioner Tolopko explained that the Bylaw Review Committee was holding a meeting on November 2, 2019 to review the proposed bylaw amendments to be considered at Special Town Meeting on November 20, 2019. Commissioner Tolopko shared her support of the proposed General Bylaw to restrict the amount of earth removal for development to the limit necessary for development. Commissioner Tolopko would attend the meeting and submit a letter in support of the prosed Bylaw. She inquired if members wanted to endorse the letter to show support; as a Commission rather than as a resident. A letter would be drafted, reviewed by commission members and endorsed by the Chair. Timeliness in drafting the letter of support was noted as the Bylaw Review Committee Meeting was just days away.

**Conservancy Conference Event**

Chair DeLuca invited everyone to attend the 2nd South Hadley Conservancy Conference which would be held on November 3, 2019 at 2:00 PM at the South Hadley Public Library. The event’s special guest speaker would be Dr. David Bout of UMass – Amherst Geoscience Department.

**Adjournment**

The meeting was adjourned at 8:40 PM.
Respectfully Submitted,

**AS APPROVED**

Colleen Canning, Senior Clerk Planning and Conservation

### Appendix

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<tr>
<th>Document</th>
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<tr>
<td>RFD for cattail maintenance at Hillcrest Park Condos</td>
<td>Conservation Files</td>
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<tr>
<td>General Maintenance Order of Conditions (288-0434) for Hillcrest Park Condos</td>
<td>Conservation Files</td>
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<td>Vernal Pool certification and maps at 7 Valley View Lane</td>
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