

MINUTES
CONSERVATION COMMISSION
HYBRID PARTICIPATION
January 17, 2023

OPENING: The regularly scheduled meeting of the Conservation Commission opened at 7:00 via hybrid. Chairman MacWilliams announced the names, time and date of the meeting, and stated that the meeting was being recorded.

ATTENDANCE

David MacWilliams, Chairman	Present
Norman Cheever, Vice Chairman	Present
Mehmet Mizanoglu, Commissioner	Absent
Brian Drenen, Commissioner	Absent
Jerry Patria, Commissioner	Present
Kevin Solek, Commissioner	Present
Andrew Reardon, Commissioner	Present

PUBLIC COMMENTS

Mr. Burt Hansen, Chairman of the Agricultural Committee, made note of a property on Mort Vining Road that is planning to withdraw from Chapter 61A. Mr. Hansen is questioning if there might be any action taken relative to this property. Chairman MacWilliams stated that the Conservation Commission will have a conversation on the issue once they have been officially notified of the withdrawal.

MINUTES

Commissioner Patria made a motion to accept the minutes of December 19, 2022. Commissioner Solek seconded the motion. The roll call vote was unanimous in favor.

Dave MacWilliams	yes	Norm Cheever	yes
Kevin Solek	yes	Andrew Reardon	Yes
Jerry Patria	yes		

NEW BUSINESS

11 North Pond Mr. Andy Hartley related the progress made on the retaining wall and requested the removal of a portion of the erosion controls. The area at the bordering property line will retain erosion control until the project is completed. Chairman MacWilliams made a motion to approve the removal of the specified section of erosion control with a required site visit from the Conservation Commission after the alterations have been made. Commissioner Reardon seconded the motion. The roll call vote was unanimous in favor.

Dave MacWilliams yes
Kevin Solek yes
Jerry Patria yes

Norm Cheever yes
Andrew Reardon Yes

13 North Pond Coordinator Pooler received a notice from the Board of Health of a complaint that a septic system has been found on the property and there is a concern of possible leaking. There is no dwelling on the property. Mr. FitzGerald, Interim Health Director, stated that the tank was inspected and only filled with water after his inspection he sees no threat of leaching.

726 College Highway Coordinator Pooler received a report of a large soil stock pine near a stream. Coordinator Pooler will contact the owner for erosion controls to be put in place so the stream near the pile will not be impacted.

19 South Longyard Road Mass DEP was contacted by a neighbor complaining of land being filled in and continued building possibly located within 200 feet of the River Front. As this has been an ongoing issue, the Conservation Commission will request to contact legal counsel. The actual lot lines are in dispute as to the exact location of the Conservation Commission owned property in relation to the owners of 19 South Longyard Road. Chairman MacWilliams will contact Mr. Steinhart to determine if the Town has the means to survey the land. There is a building that was approved by the Building Department. Coordinator Pooler will contact Mr. Scott for details on the building and its location in accordance with the submitted plan.

22 Babb Road Coordinator Pooler sent a certified letter to the property owner which was returned as not deliverable. A boulder that was installed to prevent motorized vehicles access was removed. The Southwick Police Department has been notified of the continual activity on the property. Mary Ann Philo, 11 North Pond, noted that there is a variety of illegal activity taking place on the property.

Chapter 61A Coordinator Pooler noted that there are several Chapter 61A properties currently for sale. They are 21 Davis Road, 221 Mort Vining Road, 233 Mort Vining Road and a back lot next to the Sofinowski Land Preserve. According to BioMap, there are rare species habitats on some of the properties. Coordinator Pooler suggested that the Town consider purchasing some of these properties. However, the Town has not approved purchases in the past that have buildings currently existing. The property boarding the Sofinowski Land Preserve is land locked and may be a potential for a Conservation land purchase. The property on 21 Davis Road has a stream with marsh wooded areas. Mr. Burt Hansen, Chairman of the Agricultural Commission, noted that the purchase would enhance the already preserved properties.

Land Stewardship Volunteer Program Coordinator Pooler proposed that the program be updated as to generate more interest in caring for existing and future conservation land.

Free Webinars Coordinator Pooler noted that there are free webinars on the Conservation Commission home page that are available to the general public.

Granville Gorge Coordinator Pooler stated that Commissioner Drenen was researching the purchase of materials for the metal roof of the kiosk.

Mr. Jesse Saltmarsh, Property Owner

Extension request for DEP # 292-0280 Noble Steed Crossing Mr. Mark Stinson, DEP, noted four points of concern relative to the expiration of the Order of Conditions. The current Order of Conditions can be revised then extended. Coordinator Pooler also noted that sediment is getting to the culvert during a rain storm which is also entering the stream. Commissioner Solek made note that the water will continue to be discolored for a period of time until the area is 100% vegetated. Mr. Saltmarsh made note that a Wetland Scientist is being contracted and will be meeting at the site on January 18th. Not allowing the entire project to be completed would be more of a detriment to the wetland.

Mr. Saltmarsh did not attend the Court hearing concerning fining. The ruling by the Court Magistrate was that the fine will need to be paid by one ticket instead of a daily fine of \$300.00. There may be an option to have Mr. Saltmarsh do work on conservation owned land such as replacing a culvert at the entrance of North Pond. Mr. Saltmarsh commented that the Town was making an example of him even though he is a taxpayer in the Town.

Chairman MacWilliams made a motion to table the issue until the next meeting. Vice Chairman Cheever seconded the motion. The roll call vote was unanimous in favor.

Dave MacWilliams yes

Norm Cheever yes

Kevin Solek yes

Andrew Reardon Yes

Jerry Patria yes

OLD BUSINESS

LMC Update Vice Chairman Cheever related a review by the Lake Management Committee for 129 North Lake Avenue. It will need to be determined if the docks are permitted by Chapter 91. The sewer pumps for 141 Congamond Road are still not working. A dredging study of the lakes will be conducted in 2023.

Vice Chairman Cheever presented a revised application for the 2023 LPP. The revision includes spaces for 10 vessels at each property. The revision also eliminated a portion relative to owner information which will be reinstated.

Master Plan Vice Chairman Cheever related more information on the data from the Master Plan: What types of business should be encouraged 1) agricultural 2) business 3) residential. There were several sub topics noted in a variety of categories

Do you oppose or support land uses strategies for future growth the number one was educate land owners on protecting land.

Sub Committee Coordinator Pooler stated that if the committee is established and managed through the Conservation Commission, the proposal will not need to go before the Select Board.

Conservation Fund Coordinator Pooler had no further information on the funds.

As there was not further business to discuss, Chairman MacWilliams made a motion to adjourn the meeting at 9:15. Commissioner Reardon seconded the motion. The roll call vote was as follows:

Dave MacWilliams yes
Kevin Solek yes
Jerry Patria yes

Norm Cheever yes
Andrew Reardon Yes

Respectfully submitted,

Jean Nilsson, Secretary

cc:
Select Board
Town Clerk

Dave MacWilliams, Chairman

Norman Cheever, Vice Chairman

Jerry Patria, Commissioner

Brian Drenen, Commissioner

Mehmet Mizanoglu, Commissioner

Kevin Solek, Commissioner

Andy Reardon, Commissioner

Date