



TOWN OF PELHAM CONSERVATION COMMISSION

Pelham, Massachusetts

Minutes for September 10, 2020

Present: Janice Gifford, David Gross, Dana MacDonald, Richard Seelig, Tilman Lukas

Also present: Peter and Kate Lamdin, David Shanabrook

The meeting was held online via Zoom due to the ongoing COVID-19 pandemic and state-mandated restrictions on meeting in person. The link to the Zoom meeting was published as part of the regular Commission agenda. The meeting was held under guidelines from the Attorney General and the Governor.

The meeting was brought to order at 7:00 pm.

Chair MacDonald took the roll call.

Updates on Conservation Signage

Chair MacDonald asked Peter and Kate Lamdin for a time that would be good to install signs at the Cook Road conservation area on their property. Ms. Lamdin asked if we need to coordinate with Amherst. Chair MacDonald said that he has already met with Amherst representatives who said that we can install the signs as we see fit. He said that the Commission needs to meet at the site to review where to place the signs, and then the Commission will install them. The group agreed that 4 pm on Monday, September 14 will be the date and time to meet at the site to review sign locations. Those available will meet at the Lamdin's house on Cook Road. Chair MacDonald said that he will pick up the signs from Amherst Copy prior to the Monday meeting. Commissioner Lukas will bring sign posts and tools.

Conservation Easement at 8 Amherst Road

Commissioner Lukas noted that Habitat for Humanity, which owns 8 Amherst Road, has requested a change in the loan terms for the property. The loan of \$109,000 was funded by the Community Preservation Committee (CPC) to Habitat. The loan application stated that an easement for access to the trail adjacent to Amethyst Brook was required. Habitat has asked to strike that from the loan application in return for deeding about ½ acre of property that fronts the brook and includes the trail. The deed would be to the town or to the Kestrel Land Trust.

The proposal was discussed and the Commission agreed that its primary goal is to preserve the riparian corridor and to promote public access to it. The Commission noted that, with such an arrangement, there will be a continuous preserved corridor from the Amherst town line past the Amethyst Brook Apartments and continuing on to the Buffam Brook Conservation Area trail system and beyond. The Commission agreed that this arrangement will satisfy the loan agreement Conservation Restriction (CR) aspect of the original loan.

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Chair MacDonald asked if Kestrel wants the property. Commissioner Lukas said that Chris Volonte from Kestrel had been on vacation, so there is not yet an answer to that.

It was moved that the Conservation Commission support the redaction of the Habitat for Humanity CR restriction language from the CPC loan agreement on the parcel owned by Habitat in return for donation of the small parcel to the Kestrel Land Trust or the Town of Pelham with a CR in the riparian corridor. Seconded. Approved unanimously, 5-0-0. (Gifford – yes, Gross – yes, Seelig – yes, Lukas – yes, MacDonald – yes).

Updates from the Chair

Site visit at 75 Arnold Road

Chair MacDonald reported that he had visited with Lynda Grybko on August 26 at 5 pm. The Grybkos had cleared about 2 ½ acres of an overgrown Christmas tree plantation on their property. The work area included about 45 feet of the buffer zone of a small wetland. The area of incursion is separated from the wetland by a paved driveway. Chair MacDonald felt that this incursion would have been allowed by the Commission if the Grybkos had requested a review of the proposed work. Chair MacDonald noted that the wetland is only seasonally moist. The Commission agreed that this is a technical violation of “failure to file”.

Chair MacDonald noted that the Grybkos want to have a mowed area with apple trees in place of the removed firs. He suggested that the Grybkos file a Request for Determination of Applicability (RDA) for that proposed work. The Commission will review the application and hold a public hearing. A likely condition for an approval would be that the area remains vegetated. The Commission agreed to ask Agent Borenstein to set up the interaction with the Grybkos for the RDA process.

It was moved that Agent Borenstein contact Lynda Grybko to get the RDA process for the proposed work started. Seconded. Approved unanimously, 5-0-0. (Gifford – yes, Gross – yes, Seelig – yes, Lukas – yes, MacDonald – yes).

Site visit to Hills Reservoir

The Commission reviewed the site visit on August 18 to the Amherst watershed Hills Reservoir on the north side of Meetinghouse Road. Chair MacDonald, Commissioner Seelig and Commissioner Gross met Beth Wilson from the Amherst DPW to view trees that had been marked along the access road to the reservoir dam as well as trees at the base of the dam. Ms. Wilson said that there was no current plan to cut trees along the access road but that dam regulations from the Commonwealth require a number of trees at the base of the dam to be removed. She said that the Amherst DPW will file a cutting plan for the trees directly below the dam.

Cadwell Forest

Commissioners Gifford and Gross reported on a visit to the area in the vicinity of Tower Road in the Cadwell Forest area. They noted that the Civil War soldiers’ cemetery that is on Cows land is well maintained and has about 15 graves. Commissioner Gross mentioned that there is substantial erosion on Tower Road that would be something to note should the Commission receive a proposal for clear cutting on the Cows parcel. There was discussion about hiring an expert consultant if a solar array is proposed for the Cows parcel. Select Board member

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Sanabrook noted that UMass provides a solar siting certificate program, mostly about making the site pollinator friendly, and that we might ask the program director for suggestions about a consultant. Chair MacDonald noted that the Commission will have jurisdiction over this upland site due to the wetlands located at the lower end of the area that would be threatened if stormwater is not properly retained.

59 Meetinghouse Road

Chair MacDonald said that he had been contacted by Mark Stinson, DEP Circuit Rider, about the issues at 59 Meetinghouse Road discussed at previous meetings. Mr. Stinson had made a site visit and noted the trash and compaction at the rear of the house. He suggested that the Commission point out this area (along with the nonconforming driveway we already know about) when it writes up the conditions for remediation at the site.

Minutes from August 13, 2020

The Commission reviewed the draft minutes from August 13. Commissioner Gifford pointed out three typos to correct. It was moved that the Commission accept the minutes as amended for August 13, 2020. Seconded. Approved unanimously, 5-0-0. (Gifford – yes, Gross – yes, Seelig – yes, Lukas – yes, MacDonald – yes).

It was moved to adjourn at 8:20 pm. Seconded. Approved unanimously 5-0.

Respectfully submitted by David Gross

A handwritten signature in blue ink, appearing to read "David Gross", is positioned to the right of the typed name.