



TOWN OF PELHAM CONSERVATION COMMISSION
Pelham, Massachusetts

Minutes for February 11, 2021

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

Also present: Ralph Faulkingham (Pelham Zoning Board of Appeals), Jim Duda Bruce Klotz, Judy Eiseman (Pelham Planning Board), Peter Sarafino (Home City Development), Abbie Jenks (Pelham Planning Board), Gail Kenney (Pelham Housing Committee), Ruth Elcan (Pelham Housing Committee)

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 7:02 pm.

Public Hearing for the Tower Road-Abbreviated Notice of Resource Area Delineation (ANRAD)-continued from January 28, 2021

There was no discussion on the ANRAD.

Public Meeting for a Request for Determination of Applicability (RDA) submitted by Lynda and Mike Grybko for Tree Clearing in the 100-foot Buffer Zone Located at 75 Arnold Road – continued from January 28, 2021

There was no discussion on the RDA.

It was moved to continue the ANRAD public hearing and the RDA public meeting to a subsequent meeting. Second. Approved 5-0 (Gifford – yes, Gross – yes, Lukas – yes, MacDonald – yes, Seelig – yes).

Upcoming Abbreviated Notice of Resource Area Delineation

Chairman MacDonald said that he has been notified that an ANRAD for the Amherst Water Department water treatment plant on Amherst Road is expected later this winter.

Public Hearing for a Notice of Intent (NOI) Submitted by Home City Development, Inc. for a Riverfront Redevelopment Project

The Public Hearing for a Notice of Intent submitted by Home City Development, Inc. for a Riverfront Re-development project from an existing commercial building and single family home to affordable housing units located at 18 to 22 Amherst Road (Map 3 Parcel 30 and 32)

Pelham Conservation Commission minutes

February 11, 2021

was continued from January 28, 2021. This project is under the Department of Environmental (DEP) Protection File #258-0096.

Chair MacDonald noted that Commissioner Lukas is recused from the public hearing. Chair MacDonald asked Commission members for their input on the two proposals from potential plan reviewers, CEI and Tighe and Bond. Commissioner Gross said that he liked the CEI proposal in that it suggested that CEI would be interactive with the Commission and the cost is less than the Tighe and Bond proposal. Commissioner Seelig agreed and felt that CEI is more likely to be available in a more timely fashion. Commissioner Gifford said that she liked the detail in the CEI proposal and the specifics of projects on which they had worked. Chair MacDonald agreed with these comments.

It was moved that the Commission hire CEI as the peer reviewer of the Home City Development NOI for the Town of Pelham. Second. Approved 4-0-0 (Gifford – yes, Gross – yes, Lukas – abstain, MacDonald – yes, Seelig – yes).

Chair MacDonald suggested that CEI be in the meeting that the Commission hopes to have with the DEP (preferably with DEP staff members David Foulis and Mark Stinson) to discuss the project. There was discussion about the number of Commission members who might meet with the reviewer and DEP staff for an initial review. Given the open meetings law constraints, no more than two Commission members could be present without a public advertisement of a public hearing. Agent Borenstein noted that Mr. Foulis works a daytime schedule, and thus would not come to an evening Commission meeting. Circuit Rider Stinson does come to evening meetings. Agent Borenstein will contact Mr. Stinson to see if he can join the next Commission meeting on February 25.

Chair MacDonald asked for questions from the Commission. Commissioner Seelig asked if other topics on the NOI can be discussed. Agent Borenstein said that general discussion was included in the meeting agenda. Chair MacDonald noted that the tentative schedule had suggested that the peer review report would be available on February 2 and that the timing for the report would be tight. Agent Borenstein said that will check with CEI when she contacts them. Commissioner Gross suggested that the Commission should nail down the timing for the anticipated site visit by CEI so that Commission members and the project designers can be present to ask and answer questions.

Chair MacDonald opened the discussion to other boards and commissions. Judy Eiseman from the Planning Board asked if the Commission had received emailed comments from the Planning Board. (The Commission replied in the affirmative.) She asked about the expected time line for completion of the Orders of Conditions. Chair MacDonald said that he hoped that the Commission will be able to draft and approve the Orders of Conditions by the second week in April. He noted that this projection depends on the extent of progress at the next Commission meeting and the complexity of suggestions that will be provided by the peer reviewer. He said that a goal is to finish the first draft of the Orders by April 8. Ms. Eiseman asked if the draft orders will be available for public review. Chair MacDonald indicated that they would be posted on the Commission's web page. Ms. Eiseman asked about the Commission's thoughts about meeting with DEP officials absent the quorum required for a public meeting. Chair MacDonald said that his aim is to get a more fundamental understanding of the project and what will be needed to protect the resource in a more informal setting with DEP. He felt that this meeting will be technical and detailed, and not

Pelham Conservation Commission minutes

February 11, 2021

necessarily appropriate for a public meeting. Ms. Eiseman asked if David Cameron will be available. Chair MacDonald was not sure. Chair MacDonald asked Peter Serafino for a copy of the project plans for the Chief of Police Gary Thomann for a public safety review.

Chair MacDonald opened the meeting to any other participants. Tilman Lukas, speaking as a private citizen, noted that Chief Thomann will want a digital copy. He said that there is a copy of the plans at the Rhodes Building and another at the library. He reiterated his willingness to loan out his copy. This could help to expedite the public safety review. He said that he will try to reach Chief Thomann on Friday, February 12 to work out details.

The Commission continued discussion of scheduling. Chair MacDonald noted that it will be necessary to push back the original schedule a bit. There was discussion about the peer reviewers. Ms. Eiseman asked about help from the reviewer in the writing of the Orders of Conditions. Chair MacDonald pointed out that the Commission already has Orders of Conditions from the dam removal project that deal with the riparian environment. He said that those can be used as a starting point for the Orders for this project. Ms. Eiseman asked if the Commission plans to have a stormwater advisor on site regularly to inspect the work. There was further discussion on this point.

Bruce Klotz asked if the Commission can keep the drawings, questions, comments, and responses on a web portal. There was discussion of the posting of materials on the Commission's web page, and Agent Borenstein noted that much of the material for the project including the plans have been posted there.

It was moved to continue the hearing to the next Commission meeting. Second. Approved 4-0-0 (Gifford – yes, Gross – yes, Lukas – abstain, MacDonald – yes, Seelig – yes).

Chair MacDonald asked the Commission to prepare for the next meeting by devising a set of written questions about the design, location, native plants, etc.

Informational Poster for Buffam Brook Community Forest Kiosk

Chair MacDonald said that he felt that the poster should use the town seal at the top left rather than Conservation Commission seal. He also said that the US Department of Agriculture, US Forest Service, Community Forest Program seal should be displayed at top of the flyer. He also felt that some narrative about the genesis of the Community Forest should be included. Commission Gross suggested that the color for Brewer Road and Cook Cemetery road be made different than the color for drivable roads such as North Valley. Commissioner Lukas suggested that the narrative about the Community Forest Program as well as the landowners who made this happen could be placed on a second sign in the kiosk. Chair MacDonald said that he will transmit this information and feedback to Chris Volonte of the Kestrel Trust.

Dogs in the Buffam Falls Conservation Area (BFCA)

Police Chief Thomann requested that the Commission discuss the complaints that have been coming from visitors to the BFCA. He said that he has received a number of complaints from townspeople as has the Select Board concerning dogs that are not under owner control. He suggested that the Commission has the power to require that dogs be on leash. There was discussion about the signage that the Commission put up at three entrances to the BFCA this past summer. There was discussion about adopting the language that is on the Cook Road conservation area signs that require dogs on leash. Commission Lukas suggested that a note be placed in the town report or in the Pelham Slate that there have been a number of complaints from conservation area visitors and that the Commission may need to restrict dog walking. It was agreed to discuss this further at the next Commission meeting.

Pelham Conservation Commission minutes

February 11, 2021

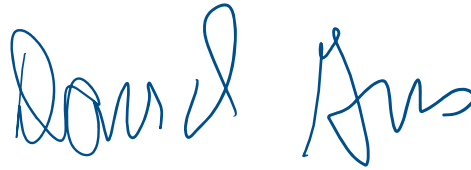
Buffam Brook Community Forest (BBCF) Management Plan

Mike Mauri confirmed with Agent Borenstein that he received the initial payment for his work on the amendment to the BBCF management plan. He asked for guidance concerning the landowner goals for the new parcel. Chair MacDonald argued that the goals should be the same as for the original BBCF landowner goals to keep the goals from morphing into a difficult-to-monitor patchwork. Agent Borenstein will relay this answer to Mr. Mauri.

It was moved that the BBCF management plan retain the landowner goals the of the original plan for subsequent plan amendments. Second. Approved 5-0 (Gifford – yes, Gross – yes, Lukas – yes, MacDonald – yes, Seelig – yes).

The meeting was adjourned at 8:54 pm.

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.