



TOWN OF PELHAM CONSERVATION COMMISSION
Pelham, Massachusetts

Minutes for March 25, 2021

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

Also present: Barbara Cooper (Pelham Housing Committee), Dan McCullough, Rusty Rowell (Pelham Assessors), Judy Eiseman (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 7:07 pm.

Public Hearing for the Tower Road-Abbreviated Notice of Resource Area Delineation

The public hearing was continued from February 11, 2021. There was no discussion of the ANRAD.

Public Meeting for a Request for Determination of Applicability at 75 Arnold Road

The public meeting was continued from February 11, 2021. There was no discussion of the RDA.

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

The public hearing was continued from March 11, 2021. There was no discussion of the NOI.

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

Review Forest Stewardship Plan for the Buffam Brook Community Forest (BBCF), McClung Property

Chair MacDonald discussed the need to close out reporting, including the Stewardship Plan, for the BBCF. The report is overdue to the US Forest Service, and delaying the report would jeopardize the grant funding for BBCF purchases. Chair MacDonald shared via Zoom the Community Forest Final Report for the Community Forest Program. He said that, pending Commission Approval, he will sign the final report tonight and submit it to the Forest Service tomorrow.

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Chair MacDonald shared Mike Mauri's appendix to the original Stewardship Plan, with the appendix reflecting the recent McClung addition to the BBCF. Commissioner Seelig noted that there had been a change in the plan appendix since its first draft. The change was in the cutting plan for the McClung parcel, which changed from "early successional" to "irregular shelterwood". (Irregular shelterwood cutting removes roughly 50% of the overstory; it is not clearcutting, which removes nearly 100% of the overstory.) He expressed concern that this is a broad description which could mean clear cutting. He said that this does not appear to be in consort with the goals stated at beginning of the plan. He also noted that most of the Olver South parcel, which was clearcut perhaps ten years ago, is slated in the plan for "early successional" treatment, which is another name for clearcutting. Chair MacDonald noted that across the whole BBCF that the Olver parcel would be the likely target of patch cutting in which three to five acre areas would be opened up for successional habitat creation.

Commissioner Seelig proposed that there be no cutting on the Olver parcel and that it monitored for several years. Chair MacDonald said that the Kestrel Land Trust is currently monitoring this parcel to better understand what management would be appropriate. Judy Eiseman noted that the Stewardship Plan is not a prediction of what is going to happen at the BBCF. Any cutting plans would be coming in the future. Chair MacDonald pointed out that this is an amendment to the original Stewardship Plan to add McClung parcel. He shared the background for the management design that was created by the original BBCF steering committee. Commissioner Seelig asked, as a point of reference, if the cutting that happened a few years ago on the Knowles property on Buffam Road was considered shelterwood. Chair MacDonald said yes, and that much of that parcel is now early successional, and that the Forest Service would call it shelterwood. He noted that the cutting that happened there was more aggressive than what would be done at the BBCF. He reported that heavier cuts in the BBCF would be done in a patchwork with about 10% of the forest being in successional growth.

Chair MacDonald noted that Michael Mauri did a good job of identifying invasive species and their locations within the BBCF. He suggested that the Commission should aim to partner with private landowners to reduce the prevalence of invasives within and near the BBCF.

It was moved that we accept the draft of the McClung Stewardship Plan appendix as prepared by Michael Mauri and submit the completed Stewardship Plan to the US Forest Service on March 26. Second. Approved 4-0-1 (Gifford – yes, Gross – yes, Lukas – yes, MacDonald – yes, Seelig – abstain).

Invoice for Michael Mauri's Work on the Forest Stewardship Plan.

Chair MacDonald shared the invoice that Michael Mauri submitted for his work on the Forest Stewardship Plan. The final draft was submitted on March 24, 2021. The invoice shows a total fee of \$2507.60, with a credited downpayment of \$150 already paid. Chair MacDonald said that he will forward the invoice to Agent Borenstein for payment.

It was moved that the Commission pay Mr. Mauri's invoice out of the Conservation Trust Fund. Second. Approved 5-0 (Gifford – yes, Gross – yes, Lukas – yes, MacDonald – yes, Seelig – yes).

Update on Site Visits from the Past Week

Tower road visit with TRC. Commissioner Seelig, Commissioner Lukas and Commissioner Gross reported that they joined Maria Firstenberg of TRC to walk the Tower Road site that is subject of an Abbreviated Notice of Resource Area Delineation (ANRAD) review.

Commissioner Gross said that the attendees transected the delineated wetland and stream areas as well as the areas immediately uphill from those delineate areas. He shared the map of the delineated areas that was produced by TRC. He noted that the group found that there were no other wetland areas found and that the delineation appears to be accurate. There was some discussion of the potential for impact of stormwater on those resource areas should there be uphill construction. The Commissioners said that they had spoken with Emily Stockman who was also on site to do a final complete survey of the whole parcel and that she had noted no other wetlands besides the ones already identified.

340 Amherst Road. Agent Borenstein, Commissioner Lukas and Commissioner Gross met Susannah Cary at her property on March 24 to review potential per test sites in the field behind the current dwelling. The group noted that there is a stream and wetland on the eastern side of the parcel and another wetland on west side. The group explored the field to the north of the house which was quite moist. Additionally, the group went 200 feet into the woods at the north end of the field and found some wet areas as well as tree signatures indicating high ground water levels. Agent Borenstein said that she returned to take some soil samples in the field and that they appeared to indicate upland soils. Chair MacDonald said that any new septic system construction must be outside of any buffer zone. He noted that Ms. Cary should have the wetlands delineated in order for the Commission to be able to assess what is permissible. Commissioner Lukas suggested that a simple test hole that is more than 100 feet from the treelines would be outside any buffer areas and thus would not require permission of the Commission. He said that if it satisfies a perc test, then Ms. Cary should proceed to have the wetlands delineated. Chair MacDonald asked Agent Borenstein to write a short assessment letter with these details to be sent to Ms. Cary.

66 Daniel Shays Highway. Agent Borenstein and Commissioner Gross reported that they viewed the parcel on March 24. The owner asked for guidance on a potential driveway improvement and extension using the exiting curb cut to make a shared driveway for the current house and house he is proposing to build. There was discussion of the current driveway, materials stored within the buffer zone of a large wetland on the east side of the property and the upland area where the new house would likely be sited. The Commission agree that the owner's next step should be a wetland delineation and driveway design. A Request for Determination of Applicability (RDA) for the driveway should be filed. Chair MacDonald asked Agent Borenstein to send an advisory assessment to the owner that a wetlands delineation is needed and that an RDA for the driveway work will need to be submitted.

Work at 5 Harkness Road

Agent Borenstein said that the owner of 5 Harkness Road wants the Commission to review and approve a fire pit improvement at the property. Additionally, the owner needs to replace a bulkhead that is deteriorating. Chair MacDonald said that the entire yard is within a wetland buffer zone. After some discussion of the site, it was agreed that work on the bulkhead

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required no permission but that work on the fire pit would likely require erosion barriers and that disturbed areas would need to be revegetated. Commissioner Lukas suggested that the Commission should do a site visit to take a look at the fire pit. Agent Borenstein said that she will contact the owner for a date and time to do a site visit.

Updates on Ongoing Hearings and Public Meetings

Agent Borenstein noted that a site visit to 75 Arnold Road needs to be scheduled to review the RDA site work. She also reported that Peter Serafino of Home City Development said that the response to the reviewer comments and revised NOI plans for 20-22 Amherst Road would be ready by April 8.

Additionally, Agent Borenstein said that she had checked with the Department of Environmental Protection (DEP) on the start of the 21 day period that the Commission has to review the Notice of Intent submitted for driveway work on Buffam Road. The DEP said that the 21 day period does not start until they issue a file number for the project, all fees are paid, and the application is complete. It was agreed that it was not necessary to hold the Public Meeting until April 29 at the earliest.

The meeting was adjourned at 9:08 pm.

A handwritten signature in black ink, appearing to read "David Gross". The signature is written in a cursive, flowing style with a large initial "D" and a stylized "G".

Respectfully submitted by David Gross