



TOWN OF PELHAM CONSERVATION COMMISSION
Pelham, Massachusetts

Minutes for May 27, 2021

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

Also present: Valerie Miller (SWCA)

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 7:01 pm.

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

The public hearing was continued from March 25, 2021. Chair MacDonald noted that Commissioner Lukas has recused himself from the discussion. This 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) has DEP File #258-0096.

It was moved to continue the hearing to modify and finalize the current draft Orders of Conditions subsequent to issuance by the Zoning Board of Appeals (ZBA) of their conditions. Second. Approved 4-0-1 (Gifford – yes, Gross – yes, Lukas – abstain, MacDonald – yes, Seelig – yes).

Public Hearing for a Notice of Intent (NOI) submitted by Hank Brakeley c/o SWCA Environmental Consultants for a Driveway/Wetland Crossing for a Single-Family Home (Map 8 Parcel 29.A)

The hearing was continued from April 8, 2021. It was noted that Commissioner Seelig has recused himself as he is an abutter.

Chair MacDonald asked Val Miller from SWCA for an update on the project. He noted that Mr. Brakeley has not yet submitted a check to complete the NOI application and that the Commission needs to schedule Emily Stockman to review the wetlands delineation. He further noted that subsequent analysis and ruling by the Commission is contingent on agreed-upon wetland boundaries. Ms. Miller said that she did not realize that Mr. Brakeley had not yet sent the check for the NOI application and that she would remind him to do that. She said that Chase Bernier from SWCA will contact Ms. Stockman to schedule a wetland delineation review. She noted that the recent septic perk was satisfactory to proceed with septic and house site planning. A revised plan will now include those plan features to be

produced by Jeff Squire of Berkshire Design Group. Ms. Miller said that Ms. Stockman will have the revised plan before she does the delineation review.

Chair MacDonald said that the Commission will want another site visit once the driveway route is staked in the field and the wetland delineation review has taken place. Ms. Miller said that the applicant does not want to do a wetland delineation on the whole property as had been suggested by the Commission. Chair MacDonald noted that Mark Stinson, Western Circuit Rider from the DEP, said that the driveway plan must be approved by Zoning Board of Appeals before the Commission can approve it. Ms. Miller also said that Mr. Brakeley called the neighbor twice to ask if it would be possible to share the existing driveway. He received no response, so he sent a certified letter asking about the possibility of a joint driveway.

Chair MacDonald asked Ms. Miller if it was acceptable to continue the hearing to June 24 to allow for reviews and a site visit. She replied in the affirmative. Commissioner Lukas said that he feels that the Commission needs a revised set of plans plus a site visit so that the Commission can determine if the plan satisfies the Wetlands Protection Act and the Town Wetlands Bylaw. Chair MacDonald concurred and noted that the Commission will need a full-scale plan with wetland lines, buffer areas, riverfront, driveway and house site indicated on them. He requested two copies, one for the Commission's use and one for the public's use to be located in the library.

It was moved to continue the NOI hearing to June 24. Second. Approved 4-0-1 (Gifford – yes, Gross – yes, Lukas – yes, MacDonald – yes, Seelig – abstain).

Leashing Dogs on Town Property

There was discussion of the planned town-wide Zoom meetings that were scheduled for June 12 and 26 at the May 13 Commission meeting in response to a call for such at the Annual Town Meeting. The thrust of the meetings will be for town residents to provide guidance on dog walking in conservation areas and on town streets.

Chair MacDonald shared a draft of text to go on a postcard to be sent to all residents. After some revisions and suggestions were made Chair MacDonald said that he will adjust the text and will circulate it for final comments. It was agreed to have the draft finalized by Tuesday, June 1. It was agreed to change the original dates for the meetings to June 26 and July 10. Commissioner Gross said that he will adjust the Zoom meeting dates and confirm availability with the Town Administrator.

59 Meetinghouse Road - Siltation Fence

Commissioner Lukas said that the Commission should send a response to Amy Sporn, agent for the owner, about the siltation fence that is a component of the Enforcement Order enacted for 59 Meetinghouse Road. He noted that the construction is unusual, but it appears to work. After some discussion it was agreed that Commissioner Lukas will send an email to Ms. Sporn, with a copy to Mark Stinson, confirming that the siltation fence installation is complete.

57 South Valley Road Request for Determination of Applicability (RDA)

Pelham Conservation Commission minutes

May 27, 2021

Chair MacDonald reported that Nathaniel Bruursema of 57 South Valley Road has submitted an RDA with a check for \$50 for work planned at his property. It was agreed that the public meeting for this RDA will be scheduled for June 24. Agent Borenstein should have time to send out the abutter notices and put in the legal ad in the Daily Hampshire Gazette. A site visit for the site will be scheduled prior to June 24. Chair MacDonald said that he will leave copies of the RDA plans at the Rhodes Building and also will scan it as a PDF to send out to the Commission.

Site visit to 312 Daniel Shays Highway

Chair MacDonald said that Rusty Rowell of 312 Daniel Shays Highway has requested that the Commission provide an Advisory Assessment for a new driveway on his property. After some discussion it was agreed to take a site visit on Thursday June 3 at 4:30 pm.

Community Preservation Committee Participation

Chair MacDonald noted that he had been contacted by the Chair of the Community Preservation Committee (CPC) with a request to have a Commission member attend CPC meetings. In the discussion that ensued, it was clear that there is reluctance from all Commissioners to add work. It was suggested that Chair MacDonald could ask the Select Board to appoint someone to the CPC who is an adjunct member of the Cons Com. There was discussion of potential candidates for this new position.

Conservation Agent

Chair MacDonald said that he had emailed Tessa Dowling who is Conservation Agent for Shutesbury and Leverett to determine if she would be willing to take over the Conservation Agent position that Agent Borenstein will be vacating. He said that Ms. Dowling has not called him back.

The meeting was adjourned at 8:44 pm.

A handwritten signature in black ink, appearing to read "David Gross", is written over the text of the meeting adjournment.

Respectfully submitted by David Gross