



TOWN OF PELHAM CONSERVATION COMMISSION
Pelham, Massachusetts

Minutes for January 30, 2020

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

Also present: Janice Gifford, Susannah Carey

The meeting was brought to order by Chair MacDonald at 7:02 PM.

Approve deed for the McClung property.

The deed for the purchase of the 39 acre McClung property was signed by the Commissioners in the presence of Susannah Carey, the Select Board Administrative Assistant. The deed was then notarized by Ms. Carey. The town will close on the sale tomorrow, January 31, 2020. Chair MacDonald, Catherine Klein, Town of Pelham Attorney, and a representative from the Kestrel Trust will complete the sale and deed transfer. The town will become owner of the property. There is no conservation restriction on the parcel as is was deemed unnecessary.

Approve minutes

Minutes from November 14, 2020.

Motion to approve the minutes, seconded. Three in favor, Gross abstains.

Minutes from January 9, 2020.

There were two typo fixes to the draft minutes. Motion to approve as modified, seconded, approved unanimously.

Fennessey property purchase update

Chair MacDonald reported that a survey of the Fennessey property discovered that there are only 15 acres in the property to be transferred rather than the 32 acres described on the Town Meeting warrant at which the purchase was approved. Chair MacDonald spoke with the Fennesseys about reducing the town's purchase price of the parcel by the proportion of the reduced acreage. As the funding comes from the Community Preservation Committee (CPC), the CPC at its next meeting will vote to change the purchase price down by the proportion of reduced acreage. The purchase price will include the extra costs of surveying that the Fennesseys have expended.

It was moved that the Conservation Commission acknowledge the reduction in the size of the disbursement for the Fennessey property purchase, as previously approved by Town Meeting, proportional to the decrease in actual acreage plus project costs. Moved, seconded, approved.

Review of work at 34-36 Amherst Road

Chair MacDonald reported that he had visited 34-36 Amherst Road owned by Corey Shumway. Chair MacDonald found that machinery had made tracks on the old road down the

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embankment near the trailer park, timber had been moved, and some selective tree cutting was done on the slope down to the Amethyst Brook river bed. Although this work was done within the resource area, it did not threaten the brook. Chair MacDonald noted that the Commission should request that Mr. Shumway leave the small wetland area at the base of the slope in vegetation and that any movement of equipment up or down the slope not disturb the soil so as to lead to erosion. The Commission will request that Mr. Shumway come to a future meeting so that the Commission can learn what his plans at the site are.

Shutesbury Road Abbreviated Notice of Resource Area Delineation (ANRAD)

The Commission received a copy of the ANRAD filing by Cows Lumber for resource area delineation in Amherst (Map 9B, Lots 11 and 12 and Map 9D, Lot 27). This parcel is adjacent to the Pelham/Shutesbury/Amherst town line intersection, and there are wetland resources in Pelham that would be affected by work within the parcel. There was discussion about attending the upcoming February 12 hearing for this ANRAD.

Discussion of Community Forest boundary with 39 Buffam Road property

The owner of 39 Buffam Road, Richard Seelig, has noted a discrepancy between the survey for the purchase of the Community Forest by Kestrel Land trust (surveyor Sherman & Frydryk, dated 1/19/2017) with the survey for the purchase of his property (surveyor Harold Eaton and Associates, dated 6/16/2000). Chair MacDonald advised Mr. Seelig that he may have to do a new survey to confirm which of the other two is correct. The town will be liable for costs if the Eaton survey is correct and the Sherman & Frydryk survey is wrong.

Annual Ethics Training

Agent Borenstein relayed to the Commission that all members are required to complete state ethics training every year. She noted that she will send Commission members information needed to complete the training.

It was moved, seconded and unanimously approved that the meeting adjourn at 8:50 PM.

Respectfully submitted by David Gross

