

**HADLEY CONSERVATION COMMISSION
MEETING MINUTES**

December 9, 2014

Approved at the 1/15/15 meeting

PRESENT: Paul Alexanderson, Chair; Edwin Matuszko; Gordon Smith; Jim Habana Hafner; Gary Pelissier; Steve Szymkowicz; and Janice Stone, Conservation Staff.

1. 7:00 PM Notice of Intent #170-235, continued. Filed by Patrick Leighton, to demolish an old barn and build a new one in the Connecticut River Riverfront Area and 100-year floodplain at *105 Honey Pot Road*. The Applicant has requested an automatic continuance to the next regularly scheduled Conservation Commission meeting. Gary made a motion to continue the hearing to Tuesday 1/13/15. Edwin seconded and all voted in favor.

2. 7:00 PM Request for Certificate of Compliance under Hadley Wetlands Bylaw only for the Montgomery Company property at *328 Russell Street*. This property was shown as Parcel C on the Hadley Corner plans, but was retained by the Johnson family. Commission agreed to continue the consideration of the Request to their meeting on 1/13/15.

3. 7:00 PM Old Business. Charles McQueeney from Gator Pearson is working on a plan for moving or regrading fill at Hadley Corner, *350 Russell Street*.

4. 7:05 PM Discussion on recent violations and responses. Steve Koretz from Evaluation Systems Group of Pearson, *Venture Way* spoke with the Commission about the clearing of vegetation in the buffer zone of the wetland on the company's property. He stated he had not been aware of the work done, and that it was a new landscaping company. It was not intentional. He has spoken with Mark Stinson at DEP and Janice about what should be done. They brush-hogged close to but not into the wetland. The Commission discussed having a wetland delineation done and permanent monumentation installed. It is too late to do the delineation this season. Commission agreed he should wait until spring to have the wetland delineated. It should be done by June 1, 2015. Once the wetland boundary has been confirmed the company shall install permanent monuments at the 35-foot No-Disturb buffer line. The monuments should be about 50' apart, the type to be determined in consultation with the Commission. Since this work has to wait until spring the Commission is going to issue a formal Enforcement Order with the deadlines. Edwin made the motion to issue the Enforcement Order as described. Gary seconded and all voted in favor.

Richard Buckowski was present to discuss the wetland violation at *91 North Maple Street*. He has cleared brush and trees in most of the 100-foot buffer to a wetland and intermittent stream. Mr. Buckowski told the Commission he was unaware that he had to file with them and DEP to do this work. The land used to be in agriculture and he was clearing it to return it to farming. It was last farmed in about 1985-88. In response to the violation letter he has planted winter rye at the bottom of the slope, so that the dirt does not wash into the wetland. The Commission explained that any new clearing within 100 feet of wetlands has to be approved by the Commission and DEP first. They discussed their policy for "new

agriculture” which includes land that has not been cleared and farmed for some time. They have established a 25-foot setback for new agriculture. Mr. Buckowski agreed to complete a Request for Determination and submit it in time to be on the agenda for the next meeting in January.

5. 7:45 PM Updates. Commissioners discussed the recent DEP site visit to *Parcel C* of the Montgomery Rose properties (*off Rt 9* next to Stables Restaurant). The visit was requested by the owner as part of a Request for Certificate of Compliance. The DEP staff person (D. Foulis) discovered several violations, including mowing into the wetland and destruction of the monumentation. Paul and Edwin attended the site visit, and thought the yellow markers were a good idea as they were clearly visible. The property owner’s representative was told that there would be restoration necessary for the violations observed.

Janice asked members to consider who would like to get a subscription to the MACC e-handbook. She also mentioned that new DEP wetland regulations have gone into effect as of October 24, 2014. There have been a number of changes, and some new projects such as Ecological Restoration, which could be used in Hadley for Lake Warner or for riverbank restoration among other things. She asked who would like a copy of the new regulations. She will order one for each member and for the office.

She handed out the Levee Report to members. The report states that overall the levee/dike is in good condition, but there is one problem area near the railroad crossing. There were questions about the maintenance. Commissioners discussed the need for the Town to own the dike, in order to maintain and repair it as necessary. No mention of that in report.

Commission discussed Associate Members. A person has submitted a letter of interest, but that has opened up the question of how many Associate Members the Commission can have. Janice has checked with the Town Clerk and the Town Bylaws, and there is no mention. Each town decides how many Members (3-7) and Associate Members there are. This will need to be addressed at some time, probably at Town Meeting. For now the Selectboard Office is assuming there is one Associate Member until things are clarified otherwise.

Janice gave an update on the APRs coming through soon. They include two large ones, Barstow (*Hockanum Meadows*) and Goulet/Allard’s Farm (*Mill Valley Road and South Maple Streets*). Janice told the Commission she is not aware of any new APRs ready for funding requests for Annual Town Meeting, and more importantly, the CPA Committee meeting in January. She is checking in with the MA Department of Agricultural Resources.

6. Minutes. Gary made a motion to accept the minutes from 9/9/14 and 8/26/14. Jim seconded and all voted in favor.

7. Other topics. Commissioners mentioned that there has been no work started at *1 Mill Valley Road* (#170-236) despite the urgency of the request by the applicant in November.

Jim discussed Land for Good, the organization he works for. Land For Good (LFG) is a nonprofit tax-exempt organization offering education and assistance to owners and managers

of working lands, entering farmers, and other-land use decision-makers in the six New England states. They are working with the Conservation Land Foundation (CLF) putting together a pro bono legal service for farmers, and are looking for suggestions of names of attorneys to contact about this program. They do not have to be experts on farming. The farmers have to meet certain criteria to qualify for the service. CLF has 60 attorneys in eastern MA, and are looking for more in western MA. The services can be for sales, leases, estates, expansion of agricultural services etc. Commissioners will think of names of attorneys and let Jim know.

8. 9:00 PM Adjournment. Gary made the motion to adjourn. Edwin seconded, all voted in favor.

Respectfully submitted by

Janice Stone

Janice Stone

Materials used in review and deliberation of agenda items will be found in corresponding project folder in Conservation Commission office.