

**TOWN OF SHEFFIELD
CONSERVATION COMMISSION
DECEMBER 9, 2019
FIRST FLOOR MEETING ROOM
7:00 PM**

Commission Members Present: Theodore Pitman, Chairman
Donald Ward, III, Vice Chairman
Cheryl Blackburn
Arthur Batacchi, Jr.

Commission Members Not Present: Martin Mitsoff

Others Present: Renee LeClair, Conservation Commission Clerk
Members of the public (see sign in sheet)

Chairman Pitman called the meeting to Order at 7:00 p.m.

Public Hearing, Notice of Intent Application, filed by SWCA Environmental Consultants for property on Bow Wow Road / Mill Pond, in accordance with the provisions of M.G.L. Chapter 131, sec. 40. The proposed project is being filed in order to renew a permit for the continued maintenance of Mill Pond, this maintenance includes invasive and nuisance aquatic vegetation management to improve the ecological health of the pond. Chairman Pitman welcomed Naomi Valentine from SWCA Environmental Consultants (SWCA) representing the Mill Pond Conservation Association, Inc. Naomi gave a summary of the prepared Notice of Intent (NOI) on behalf of the Mill Pond Conservation Association, Inc. (the Association) for pond management within Mill Pond, which is located along Bow Wow Road.

The scope of management within Mill Pond includes algae, nuisance aquatic plant, and invasive aquatic plant management. Aquatic vegetation and algae management has been conducted within Mill Pond for the past 16 years under a previous permit (MassDEP File No. 281-0173), which will expire in May of 2020. The results of the herbicide application in 2019 showed improvement in water clarity and decrease in overall invasive vegetation density. This proposed pond management includes chemical management of algae and invasive aquatic species present within Mill Pond. This management will result in the destruction of targeted submerged aquatic vegetation. This project is also being submitted as part of an integrated plan for the management of the invasive vegetation within Mill Pond. Naomi continued, the Association recognizes the importance of integrated management and anticipates that the methods described within this submission will work in concert with those being implemented through the OOC issued to Douglas Blume (MassDEP File No. 281-0255) on August 15, 2019. The relative success of both treatment methodologies will be assessed over the time of this permit if a permit is approved and issued.

Naomi stated that the Association did submit this Notice of Intent to Natural Heritage. Due to the holiday we have not received their response as of tonight's meeting. Therefore this hearing will need to be continued to the Commissions' next meeting.

Sarah Williams, a member of the Mill Pond Conservation Association shared a chart created for the plan for monitoring of the lake. The water quality testing would be submitted to the Commission in annual reports. Sarah stated that the management approach would be very judicious and extremely limited applications. Naomi said you will see multiple times in the NOI that this is to be reactionary not preventative. Management will only occur if it needed to occur. Naomi added that the management approach would only treat thirty acres at a time and that there are five sampling locations in the monitoring plan. Those will be the same five locations every time so that we can really understand how the water body is reacting to the treatments.

Naomi then reviewed the four chemicals that are listed on the plan. D. Ward summarized Naomi's comments for clarity and asked questions about the chemicals that she had mentioned. D. Ward asked Naomi to point out on a map where treatment would end on the lake and stated that it would be roughly 1300 feet from the dam.

Chairman Pitman asked Naomi if they will be removing the organic material. Naomi stated that they will not be disturbing the substrate or taking the plants out of the lake under this permit. Chairman Pitman stated for clarity that the eco harvester does remove the biomass from the water.

Mr. Blume asked Naomi what chemicals were used when the pond previously treated because it made the water very dark. There was discussion on the condition of the pond when this anomaly was witnessed.

D. Ward said we are all neighbors looking for a collective solution and we all have a lot to learn. He continued we are not the only lake in Massachusetts doing these types of treatments. Chemicals and mechanical harvesting are used throughout America. All methods are important and common under researched ways of dealing with weeds in many locations.

Sarah Williams commented that one of their goals in monitoring the lake is to record and take photos to see how treatments are impacting the lake.

Mr. Blume asked the Association to comment on how they were able to submit the NOI without the land owner's approval. A discussion ensued regarding the legal implications of ownership.

Chairman Pitman clarified concerns from Mr. Blume regarding glyphosate, a chemical that was used on the pond in the past. Naomi continued that the only chemicals being used are listed in this NOI will be used and the wetland protection act it states that these chemicals can be used.

That is legal to use our understanding is that they have the right to file a notice of intent for chemical treatment. D. Ward explained that the Commission is not a deciding factor.

Mr. Blume asked about the rate of turnover of the water in the pond. Naomi stated that the Association has not requested that SWCA conduct that study at this point.

Mrs. Felecie Joyce spoke on behalf of her parents that live on the property abutting the brook. Mrs. Joyce expressed concerns for the wildlife in the area and asked if there is some way of monitoring the animals as they may be affected by chemical treatments. A discussion ensued regarding monitoring of the wildlife on the pond. Naomi responded, yes those could be parameters included in monitoring.

Ms. Marilyn Whiteman stated for the record that we all need to work together to manage the pond.

Mr. John Gilligan stated that the eco harvester is being used in the area that is in the plan to be treated with chemicals. Integrated treatments do not make sense to him if the harvester is also working in the area stirring up the water. The Schnurr family is a majority land owner so he thinks we should respect their decision to use this method.

A. Batacchi, Jr and C. Blackburn asked if SWCA went out to monitor the pond themselves at any time. Naomi stated that the Association did the monitoring and SWCA observed the results in 2019.

D. Ward asked about previous water testing samples that a resident mentioned were done 30 years ago. Mr. Gilligan stated that he may be able to find the paperwork. D. Ward mentioned that Mark Stinson DEP circuit rider stated at the last meeting that it is important to have a baseline for any monitoring that is done and requested those documents if John could find them.

A discussion ensued regarding the integrated management plan and how that would work. Naomi concluded that integrated management is recommended by the State and the Lakes and Pond Association.

D. Ward displayed a map of water resources and spoke about where the water is flowing into the pond and where. D. Ward stated that monitoring will be very useful for everyone involved. D. Ward also mentioned the Lakes and Pond Association (LAPA) meeting that the Chairman and he attended.

C. Blackburn expressed her concern for the scientist to do the monitoring of the lake. Naomi stated that this is a reasonable condition for the Commission to ask for.

Mr. Timothy Coon spoke to the ownership of the pond and listed all of the neighbors that own the land jointly. Mr. Coon stated he is a strong advocate of ownership rights. The majority landowner feels strongly about not using chemical treatments and that in light of the recent problems with the treatments let's put the chemicals on the shelf and see if this weed harvester is going to work. A discussion ensued. **D. Ward motioned with a second from Chairman Pitman to continue the public hearing to the January 13, 2020 meeting and requests that within the NOI there is a monitoring component along with the SDS sheets included in the file. The motion passed 4-0.**

A discussion ensued regarding protocol for monitoring lakes and ponds in Sheffield.

Public hearing, Notice of Intent Application, filed by Stockman Associates LLC for property on 992 Foley Road, in accordance with the provisions of M.G.L. Chapter 131, sec. 40. The proposed project is for the mechanical control of invasive plant species. Emily Stockman of Stockman Associates gave a summary of the property's history with the Conservation Commission up until now. Emily Stockman communicated that this project is a limited protection project. There are species of turtle present so they will mow during the off season in that area proposing that there is five year order of conditions for with monitoring. D. Ward asked for clarity on why the NOI is being submitted now. A discussion ensued.

Mr. George Oleen spoke regarding the phragmites and asked how effective mowing is for this invasive. Emily response was that the land owner is proposing this plan as a control and he has no desire to use chemical treatment. Emily went over the submitted NOI comments from Mark Stinson Circuit rider with the Commission in detail.

A. Batacchi asked why the owner is requesting five years instead of the typical three year term for these types of permits. Emily stated the invasive control was created by Helia Land Design and it included a five year plan to allow time for results. Emily respectfully requested approval for that five year plan. **A. Batacchi motioned, with a second from C. Blackburn to adjourn the meeting. The motion passed 4-0.**

Discussion and possible action regarding Enforcement Order for property at 1448 South Undermountain Road: Emily Stockman stated that she is still waiting for a response to her memo from Michael Kulig from Berkshire Engineering.

Approval of Minutes: The Commission reviewed the draft meeting minutes from November 25, 2019. **D.Ward motioned with a second from Chairman Pitman to accept the November 25, 2019 minutes. The motion passed 3-0. A. Batacchi abstained.**

There being no further business before the Commission this evening. **A. Batacchi motioned, with a second from D.Ward to adjourn the meeting. The motion passed 4-0.**

Chairman Pitman adjourned the meeting at 9:07 p.m.

Respectfully submitted,



Renée LeClair
Conservation Commission Clerk

Documents reviewed at the meeting:

Draft 11/25/2019 meeting minutes

Notice of Intent filed by Stockman Associates for 992 Foley Road

Notice of Intent filed by SWCA for Mill Pond

Sheffield Conservation Commission

Date: December 9, 2019

PLEASE PRINT: Your Name

Street, Town

1. Emily Stockman Adams MA
2. Brian & Alice Orritt
3. Teresa Joyce
4. Regina King Coolidge Sheffield
5. Debra Cole Foley Rd
6. Timothy King Cool Rd Sheffield
7. Honor + Douglas Brown Look Rd
8. Judy Schauer Pinehurst Lane
9. Holly Coon East Rd Sheffield
10. Timothy Coon 139 W. Granby Rd
Granby, CT
11. Elsie Gilligan 5 Bay Ln Sheffield
12. John Gilligan 5 Bay Lane Sheffield
13. Sarah Williams 340 Beech Lane
14. Naomi Valentine SWCA, Amherst, MA
15. Jim Larkin 174 West Rd

Sherry Gynbeal
Janet Hellegren
Marilyn Hyattman
Sari Hoy.