

**TOWN OF SHEFFIELD
CONSERVATION COMMISSION
MONDAY, MARCH 9, 2020
FIRST FLOOR MEETING ROOM
7:00 PM**

Commission Members Present: Theodore Pitman, Chairman
Arthur Batacchi, Jr.
Cheryl Blackburn
Martin Mitsoff

Commission Members Not Present: Donald Ward, III, Vice Chairman

Others Present: Members of the public (see attached sign in sheet)

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

Chairman Pitman made adjustments to the order of the agenda.

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.

M. Mitsoff motioned, with a second from A. Batacchi, Jr. open the public hearing. The motion passed 4-0.

Chairman Pitman welcomed back Sarah Williams from the Mill Pond Association. Sarah asked for another continuance due to delays of the projects review from Natural Heritage.

M. Mitsoff motioned, with a second from A. Batacchi, Jr. to continue the public hearing for the Notice of Intent submitted by SWCA Environmental Consultants for the property on Bow Wow Road / Mill Pond to the April 13, 2020 meeting. The motion passed 4-0.

Public Hearing: Request for Determination of Applicability, filed by Elia Del Molino, Greenagers for the property located at 491 Berkshire School Road, Sheffield, in accordance with the provisions of M.G.L. Chapter 131, sec. 40. The purpose of the hearing is to gather information regarding the proposed project: To rehabilitate and upgrade the vernal pool trail.

M. Mitsoff motioned, with a second from A. Batacchi, Jr. open the public hearing. The motion passed 4-0.

Elia Del Molino, Conservation Director of Greenagers, introduced himself and explained their proposed project to redevelop the existing trail to the Commission. T. Pitman asked if Natural Heritage has been contacted. Elia agreed to contact Natural Heritage. A discussion ensued regarding DEP Circuit Rider, Mark Stinson comments on the project.

M. Mitsoff motioned, with a second from C. Blackburn for a Positive Determination #1 under the Determination of Applicability to require a Notice of Intent. The motion passed 3-0. T. Pitman abstained from the vote.

Public Hearing: Request for Amendment of the Order of Conditions (MA DEP File #281-0253), for Scott and Amy Margolis for property on 1296 Ashley Falls Road in the Village of Ashley Falls, in accordance with the provisions of M.G.L. Chapter 131, sec. 40. The proposed project change involves the construction of an approximately 600 SF gravel driveway spur and a riverfront area mitigation planting. The proposed project change is located within Riverfront Area to the Konkapot River.

M. Mitsoff motioned, with a second from A. Batacchi, Jr. to open the public hearing. The motion passed 4-0.

Emily Stockman of Stockman Associates presented the proposed amendment to the Commission. A discussion ensued regarding the original Order of Conditions.

M. Mitsoff motioned, with a second from C. Blackburn closed the public hearing. The motion passed 4-0.

T. Pitman motioned, with a second from M. Mitsoff to accept the changes to allow for the driveway spur as well as the mitigation pursuant to amended work. The motion passed 4-0.

Encroachment by abutter of/on The Nature Conservancy/Shmulsky tract / Lower Barnum

Street: Angela Sirois-Pitel, Stewardship Manager from The Nature Conservancy Massachusetts shared with the Commission that during a recent site visit looking at what they would be doing for upcoming management they noticed a large area of tree removal. The removal extended to over half an acre in size with over 100 trees that had been cut in the area. Rene Wendell from The Nature Conservancy contacted the contractors working on the abutter's property to tell them to stop the cutting. Since that contact no trees have been cut since that contact with the abutter.

Angela reviewed the maps with the Commission and explained that it was never their intention to clear mature trees and The Nature Conservancy is not responsible for this clearing. Angela wanted to bring this clearing to the attention of the Commission because of the Negative Determination that was issued by the Commission in 2018 in that area. A discussion ensued. Angela summarized The Nature Conservancy plan. Their first step was to quantify the encroachment, then to notify the regulatory agencies and finally to understand what resources will be needed to be enforced in order to restore the area.

T. Pitman will reach out to DEP Circuit Rider, Mark Stinson to find out what the Commissions next step should be. M. Mitsoff proposed a question for Mark, is the Commission able to require restoration on behalf of The Nature Conservancy.

M. Mitsoff stated that the Commission should prepare two letters. The first being a letter to The Nature Conservancy acknowledging that the Commission is aware of the encroachment and knows that TNC was not part of this clearing. M. Mitsoff will prepare the second letter for the Commission once they hear back from DEP Circuit Rider, Mark Stinson.

The Commission will set up a site visit with Angela from The Nature Conservancy to observe the area before the next meeting.

Approval of Minutes: February 10, 2020: The Commission reviewed the draft meeting minutes from February 10, 2020. *A. Batacchi Jr. motioned with a second from M. Mitsoff to accept the February 10, 2020 minutes as presented. The motion passed 3-0. C. Blackburn abstained from the vote.*

The Commission reviewed the draft meeting minutes from February 28, 2020. *A. Batacchi Jr. motioned with a second from C. Blackburn to accept the February 28, 2020 minutes as presented. The motion passed 3-0. M. Mitsoff abstained from the vote.*

Review of Forest Cutting Plans: The Commission reviewed the recently received Forest Cutting Plans. A discussion ensued regarding the increase in plans received recently.

Commission Member Items: Discussion ensued regarding the frame work for the SMA section 2.41. Discussion ensued regarding height of buildings that will be required to come before the Commission.

There being no further business before the Commission, *M. Mitsoff motioned, with a second from C. Blackburn, to adjourn the meeting. The motion passed 4-0.*

Chairman Pitman adjourned the meeting at 8:09 p.m.

Respectfully submitted,



Renée LeClair, Conservation Commission Clerk

Documents reviewed at the meeting:

Joseph Zorzin - Abbott C. Combes III, Trustee of Abbott C. Combes Family Trust for Berkshire School Road

Robert Beham - Janet Stanton - Hewins Street & Shunpike Road

James Wilson Kelly - Louis T. Aragi Jr. & Sr. - Route 7

David Beers - Ed and Peter Jones - Brush Hill Road

Sheffield Conservation Commission

Date: March 9, 2020

PLEASE PRINT: Your Name

Street, Town

1. Mr. W. Blum 12th Cook Rd.
2. Joseph Williams 340 Bow Wow
3. Emily Stokman 29 Park St Adams
4. Angela Simon-Patel 777 Main St. GB
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