

**TOWN OF SHEFFIELD
CONSERVATION COMMISSION**

July 27, 2020

Virtual Meeting

7:00 PM

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

Commission Members Absent: Cheryl Blackburn

Others Present: Noelle Machia, Town Hall Administrative Support
Mark Stinson, MASS DEP Circuit Rider

Members of the Public

Chairman Ward called the meeting to order at 7:08 pm.

Request for Determination of Applicability filed by Lisa Fried for property located at 290 Bow Wow Road, 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: change/add dock area, cut down dead and hazardous trees, and expand deck to go above the tree roots. Lisa Fried provided details for the installation of dock, deck, and cutting down dead and hazardous trees at 290 Bow Wow Road. Ms. Fried did not have any plans for the proposed project from a contractor. After questions and discussion, **M. Mitsoff made a motion for a Positive determination, finding 1 and 3, under the applicant's Request for Determination of Applicability for 290 Bow Wow Road, seconded by D. Ward. The motion passed 4-0.**

Request for Determination of Applicability, filed by Canna Provisions Group for property on 1876 North Main Street, 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: Install fence on existing lawn, remove pine tree and overhanging branches. Jon Piasecki, representing Canna Provisions Group, provided details for the installation of a fence, cutting down overhanging branches, and cutting down a pine tree at 1876 North Main Street. Mr. Piasecki stated that Canna Provisions Group wants to put in a fence by digging holes in the ground and filling them with metal posts and concrete. Mr. Piasecki discussed putting fabric down on top of the grass to grow marijuana. After questions and discussion, **M. Mitsoff made a motion to continue the public hearing to August 10, 2020 so that applicant can modify the Request of Determination and Applicability with the cultivation project, seconded by A. Batacchi Jr. The motion passed 4-0.**

T. Pitman asked Sarah Williams to speak on the situation at Mill Pond regarding treatment for invasive species. Ms. Williams stated that the DEP case 281-0257 was not listed on the prior meeting agenda, and sought to continue this case to the August 10, 2020 Commission meeting. **M. Mitsoff made motion to continue the discussion to August 10, 2020, seconded by A. Batacchi, the motion passed 4-0.**

Discussion/Possible Action Regarding Possible Wetland Violations 1149 N Main Street: The Commission discussed developments regarding the Notice of Violation for 1149 North Main Street. Mark Stinson discussed that this should be an Enforcement Order instead of a Notice of Violation due to the fact that the work they did could have potentially destroyed wetlands. **M. Mitsoff made the motion to do an Enforcement Order for 1149 North Main Street and research on old Notice of Intent, seconded by D. Ward. The motion passed 2-2. Discussion ensued. T. Pitman reconsidered; the vote was taken again and passed 3-1. A Batacchi abstained.**

Discussion/Possible Action on Enforcement Order for 1448 S Undermountain Road: The Commission discussed developments regarding the Enforcement Order for 1448 South Undermountain Road. No new information has been received by the owner's engineer, with correspondence from Natural Heritage and Endangered Species Program (NHESP) also indicating the failure to provide such information. M. Mitsoff requested taking further action to get a response from them in a couple of weeks.

Discussion/Possible Action regarding Enforcement Order delivered to owners of Race Brook Lodge / Stagecoach Inn: The Commission discussed the Enforcement Order delivered to the owners of Race Brook Lodge & Stage Coach Inn at 854 and 864 South Undermountain Road. Casey Meade Rothstein- Fitzpatrick asked the Commission for more clarification on what was being referenced in the Order. M. Mitsoff discussed Mark Stinson's findings on unpermitted, prohibited riverfront encroachment by owners and how the Commission had previously been provided with aerial photographs taken over the period 2005-2019 indicating that approximately 6,000 square feet of resource area had been so encroached. Discussion ensued. No further action was taken.

Discussion/Possible Action On Request to Select Board Regarding Documents: M. Mitsoff stated that the members of the Select Board have a copy of the document from the Commission and that they will discuss it in their next meeting and come back to discuss it with the Commission.

Approval of Minutes: The Commission reviewed the draft minutes from July 13, 2020. **T. Pitman made a motion to approve the July 13, 2020 minutes, seconded by M. Mitsoff. The motion passed 3-1. A. Batacchi abstained because he was absent from the meeting.**

Review of Forest Cutting Plans: There were no forest cutting plans presented.

Public Comment: There were no public inquiries.

T. Pitman made a motion to adjourn, seconded by M. Mitsoff. The motion passed 4-0

The meeting adjourned at 8:55 pm.

Respectfully submitted by:

Noelle Machia
Town Hall Administrative Support

Documents reviewed at meeting:
RDA for 290 Bow Wow Road
RDA for Canna Provisions Group
Enforcement Order for 854 / 864 S. Undermountain Road
DRAFT Notice of Violation for 1149 North Main Street
DRAFT Minutes from meeting on July 13, 2020
Drawings from Canna Provisions Group