

**Town of Sheffield**  
**CONSERVATION COMMISSION**  
**November 09, 2020**  
**VIRTUAL MEETING**  
**7:00 PM**

Commission Members Present:	Ted Pitman, Chairman Arthur Batacchi, Jr., Martin Mitsoff
Commission Members Not Present:	Don Ward Cheryl Blackburn
Others Present:	Members of the Public Lori Neil, Administrative Assistant

Chairman T. Pitman called the Sheffield Conservation Commission meeting to order at 7pm. Discussion ensued regarding a continuation of a public hearing for the Notice of Intent of filed by SWCA Environmental Consultant for the property on Bow Wow Road, Mill Pond. The proposed project is being filed in order to renew a permit for a continuance of maintenance of Mill Pond. This maintenance includes invasive nuisance, aquatic vegetative management and to improve the ecological health of the pond. The Commission did receive a response from National Heritage.

M. Mitsoff made a motion to approve the NOI filed by SCWA consultants on behalf of Mill Pond Conservation Association for the removal of aquatic nuisance vegetation to impede purification of the pond under 310 CMR 10.53 sections 4a – d. Orders of conditions to include the complete conditions 1-8 on pages 2-3 of the Mass. Division of Fisheries and Wildlife letter to the Mill Pond Conservation Association dated; October 20, 2020. This is a five year treatment plan that is subject to an annual renewal by the Conservation Commission premised on the water sampling protocols provided by the Mill Pond Conservation Association with results to be provided to the Conservation Commission in advance of those one year certifications. A. Batacchi seconded the motion. Motion carried unanimously, 3-0.

Sarah Williams inquired whether or not SCWA would receive a five year permit to match the MESA review period with an annual report to Conservation Commission of the water test results. Martin clarified; this also includes a 3 year NOI, which has an annual re-certification of the original NOI, approval by the commission. Moving forward each year, as long as water treatments are completed, and water samples are provided to the Conservation Commission and are satisfactory, a re-certification will be granted. Sarah Williams also asked if she would receive a copy of the form filed with DEP, Chairman T. Pitman responded, yes.

### **Public Hearing:**

Chairman Pitman opened the public hearing for the RDA filed by the Friends of Bushnell Sage Library to install a children's playground to go on the east lawn, immediately behind the Bushnell Sage Library. The applicant was not present and did not have any representation at the hearing. M. Mitsoff stated that he reviewed the area and the playground site is not located in a wetlands area or a buffer zone. He recused himself from any votes, as he is a member of the Library Trustees. M. Mitsoff made a motion to continue this hearing until the full Commission is available, as there was not a quorum. A. Batacchi seconded the motion. The motion carried unanimously, 3-0.

**Public Hearing:** Chairman Pittman opened the public hearing for a Request for Determination of Applicability for Robert and Mary Killard for property located on Brush Hill Road. The purpose of the hearing is to gather information regarding construction of a single family home. Ryan Nelson from Silverbrook Environmental LLC presented the project. Chairman Pitman requested a site visit and a continuation of the public hearing. M. Mitsoff asked the applicants to submit a site plan to the Commission. M. Mitsoff made a motion to continue the public hearing for the Request for Determination of Applicability to December 14, 2020 at 7 pm. A. Batacchi seconded the motion. The motion carried unanimously, 3-0. The Commission will conduct a site visit on December 14, 2020 at 4:45 pm.

**Public Hearing:** Chairman Pitman opened a public for a Request for Determination of Applicability filed by the MASS DOT for property located along Route 7 and another property along Route 7A for reconstruction of sidewalks. National Heritage of Endangered Species has sent a letter stating they had no issues with this project. Amer Raza from Mass Dot discussed the details of the project for the two locations. Discussion ensued. Chairman Pitman made a motion to continue the public hearing until December 14, 2020 at 7 pm. A. Batacchi seconded the motion. The motion carried unanimously, 3-0.

Discussion ensued regarding an enforcement order at 1448 South Undermountain Road. Chairman Pitman requested another site visit stating the pictures were unclear. E. Goodman, from Cain, Hibbard & Myers, PC/Counselors at Law, stated she will check with the owners and arrange a site visit. Brian Butler from Oxbow Associates may attend instead of the owner. It was the consensus of the Committee to schedule a site visit. E. Goodman stated the next steps are working with National Heritage under MESA and she will keep the Conservation Commission informed.

Discussion and possible action regarding an Enforcement Order of 854 and 864 Undermountain Road. M. Mitsoff stated that he lives in the neighborhood of this business, but is not a direct abutter. E. Goodman stated her client was unable to attend. A remediation plan will be distributed from her client before the December meeting so it can be reviewed. E. Goodman stated she will bring to her clients attention and suggest he take voluntary action to the areas that were identified. Mitsoff stated this

particular property owner has shown significant resistance and disagreement on what constitutes whose parcel is where. In addition to the fact, there is a large dump site on one of the parcels and that we have notified Fisheries and Wildlife and NHESP, National Heritage & Endangered Species Program.

Discussion ensued regarding a request for a permit extension of Perlman Pond, DEP #281-0166. M. Mitsoff made a motion that a new filing be required due to fact that it was filed in 2001 and does not follow Conservation Commission's policy and DEP's policy. Chairman T. Pitman seconded the motion, the motion carried unanimously, 3-0.

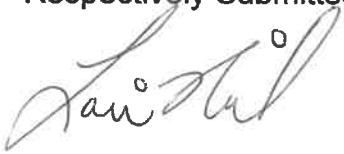
M. Mitsoff made a motion to approve the minutes for October 19, 2020, seconded by A. Batacchi. The motion carried unanimously, 3-0.

Cutting plans submitted by Jim Kelly on County Road were reviewed. The forester has signed off on the forest cutting plan.

M. Mitsoff made a motion to adjourn the meeting, seconded by Chairman T. Pitman. The motion carried unanimously, 3-0.

The meeting was adjourned at 8:06pm.

Respectively Submitted

A handwritten signature in cursive script, appearing to read "Lori Neil", with a small circle above the "i".

Lori Neil, Administrative Assistant.