

**Town of Sheffield**  
**CONSERVATION COMMISSION**  
**April 26, 2021**  
**VIRTUAL MEETING**  
**7:00 PM**

Commission Members Present:	Arthur Batacchi Don Ward Martin Mitsoff Cheryl Blackburn
Members Absent:	Ted Pitman, Chair
Others Present:	Lori Neil, Administrative Assistant Members of the Public

Don Ward called the Conservation Commission meeting to order at 7:03 pm.

Public Hearing Continuation: Request for Determination of Applicability, filed by Michael C. Baumgaertner at property located at 1080 Water Farm Road in accordance with the provisions of M.G.L. Chapter 131, sec. 40. The purpose of the hearing is to construct a single family dwelling. Walter Cudnohufsky gave an overview of the new site plans for the property. He mentioned, the building moved 10-12 feet south, but there is nothing that is significantly different. He also stated they have located new protective silk fencing. M. Mitsoff made a motion for a Negative Determination under number two, for Michael C. Baumgaertner at 1080 Water Farm Road. The work described in the request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent. A. Batacchi seconded the motion. Motion carried, 4-0.

Public Hearing for a Notice of Intent Application filed by the Nature Conservancy for property on Kelsey Road, in accordance with the Provisions of M. G. L. Chapter 131, sec. 40. The proposed project: ongoing ecological restoration and habitat management. Angela Sirois-Pitel gave an overview of the property and explained they are seeking permission to continue their ongoing restoration plan. She stated they have 28 listed species. D. Ward asked if the species on the list are all animals or plants or both. A. Sirois-Pitel answered that most are plants but there are animals as well. They cover approximately five acres per year. D. Ward asked; will any research come out of this or will grad/school kids be working on this or studying the effects? She stated, yes and we are seeing expansion of rare species into the managed habitat. A. Batacchi asked how much land does the Conservancy want to burn? A. Sirois-Pitel answered, it's approximately a two acre hill-side, the Nature Conservancy is trying to restore. M. Mitsoff mentioned Mark Stinson of DEP, has appointed the file number to the Notice of Intent as well as comments and he has proposed that we not take any action on this Notice of Intent until we hear back from the National Heritage and Endangered Species Program, (NHESP) determination. D. Ward made a motion to continue this Notice of Intent until our next meeting on May 10, 2021. M. Mitsoff seconded the motion. Motion carried, 4-0.

Discussion/Possible Action for Shmulsky Tract (Nature Conservancy) unauthorized tree clearing. Angela Sirois-Pitel said she had brought this issue to the Commissions attention in March. One hundred trees varying in size from three inch diameter to 30 inch diameter trees were cut from within wetlands and within priority habitat. This was done by an abutter. A letter was sent to the abutter letting him know that they are aware of what has happened and no further cutting could happen. The cutting area was viewed by the NHESP. The Nature Conservancy is looking for direction or next steps for restoration of the property. D. Ward asked, what are your concerns at this time? A. Sirois-Pitel responded, to install a fence to clearly delineate the boundary. M. Mitsoff asked, what would you like the Conservation Commission to do? A. Sirois-Pitel mentioned, if you feel it is important to do an enforcement order, we will do that. What complicates this for us is that there are wetland violations on your property but you didn't do it. It becomes a trespass or legal issue in which the Nature Conservancy has the ability to address the trespassing destruction of its own land. The Commission will support such action the Nature Conservancy decides to take. A. Batacchi asked if we could get Mark Stinson, of DEP's opinion before moving forward. M. Mitsoff proposed to resurrect the draft letter. The draft will be sent to Lori. Lori will send it to each member. The completed letter will be sent to Angela Sirois-Pitel and also to Mark Stinson. D. Ward mentioned it should possibly be sent to the police as well.

Discussion Possible Action regarding Enforcement Order for 854 and 864 South Undermountain Road. Race Brook sent a revised mitigation plan with comment and Emily Stockman, who we have formerly engaged, has established another site visit for this Thursday at 1:30 PM. D. Ward & M. Mitsoff will attend the site visit. No action taken on revised plan the owner has sent this afternoon.

Discussion Possible Action regarding Enforcement Order for 1152 Barnum Street. M. Mitsoff gave a summary of a site visit he and Chairman Pitman had attended approximately a week ago. This Enforcement Order will continue at the next meeting of May 10, 2021.

Discussion regarding proposed County Road culvert work. M. Mitsoff mentioned he will work with Rhonda LaBombard, Town Administrator and Jim Collingwood, Highway Superintendent, on the 16 culverts. It will be incorporated in the text of the Notice of Intent. There are 65 abutters. The expected completion is November 1, 2021. The road will be able to settle through the winter and it will be one of the first paved in the summer.

Discussion/Possible Action regarding 250 Rote Hill Road. The Board agreed to revisit and Enforcement Order. D. Ward mentioned he will put an Enforcement Order together for the next meeting for the members to review.

Discussion/Possible Action on Boardman Street – request for site visits. M. Mitsoff mentioned three letters were sent to properties on Boardman Street. It pertains to filling and dredging. M. Mitsoff also noted that Mark Stinson of DEP had sent out maps and measurements with comments on these parcels.

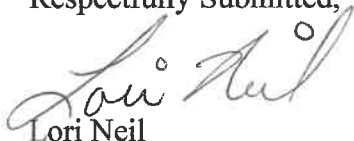
Commission Member Items: M. Mitsoff stated he is not seeking re-appointment on the Commission this year. Cheryl Blackburn also mentioned she is not seeking reappointment but she will stay on until a replacement is found.

Approval of Minutes: M. Mitsoff made a motion to approve the minutes of April 12, 2021 as drafted. A. Batacchi seconded the motion. Motion carried 4-0.

Public Inquiries: None

M. Mitsoff made a motion to adjourn the meeting at 8:28 pm. C. Blackburn seconded the motion. Motion carried, 4-0.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Lori Neil", written in dark ink.

Lori Neil  
Administrative Assistant

**Documents reviewed at this meeting:**

RDA/Request for Determination of Applicability

NOI/Notice of Intent

Enforcement Order

Site Plans

Draft Minutes