

**Town of Sheffield**  
**CONSERVATION COMMISSION**  
**October 25, 2021**  
**7:00 PM**

Commission Members Present: Don Ward, Chairman  
Ted Pitman  
Rene Wood  
Arthur Batacchi, Jr.

Others Present: Lori Neil, Administrative Assistant  
Members of the Public

Chairman Ward called the Conservation Commission meeting to order at 7:00 pm.

**1. Continued Public Hearing on a Request for Determination of Applicability (RDA), filed by the Town of Sheffield for property located at 422 Berkshire School Road, in accordance with the Provisions of M.G.L. Chapter 131, sec. 40.** The applicant is seeking approval to construct and occupy a new highway garage with buildings, well and septic. Marc Volk of Foresight Land Services was present and shared the results of six (6) samples of soil analysis based on hydrology, vegetation and hydric soil. M. Volk described the process of how Foresight makes their Wetland Determination and gave a detailed description of the data analysis sheets. **T. Pitman made a motion to approve the RDA with a negative determination under #1; the area described in the request is not an area subject to protection under the Act or the Buffer Zone as the area shown as the outside the buffer zone and wetland resource areas as indicated on the 10-25-21 survey map. D. Ward seconded the motion. Motion carried 4-0.**

**R. Wood made a motion to close the public hearing. Chairman Ward seconded the motion. Motion carried, 4-0.**

**2. Public Hearing on a Request for Determination of Applicability (RDA), filed by Frank P. Clarke for property located at 328 Silver Street, Sheffield, in accordance with the Provisions of M.G.L. Chapter 131, sec. 40.** The purpose of this hearing is to remove an in-ground pool. A site-visit was completed earlier today by T. Pitman & R. Wood. Chairman Ward viewed the site approx. one week ago. R. Wood mentioned the distance was measured and came to approx. 80' within the 100' buffer zone. The pool area will be converted back to lawn. **Chairman Ward made a motion to accept the RDA with a Negative Determination under #3: The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions: 1.) All work performed will be completed entering from Silver Street 2.) Two waddles or silk-fences to be placed between the work to be done and the brook. T. Pitman seconded the motion. Motion passed 4-0.**

**R. Wood made a motion to close the public hearing. T. Pitman seconded the motion. Motion carried, 4-0.**

**3. Discussion/Possible Action regarding Enforcement Order for 1152 Barnum Street:** A letter is being prepared to send to 1152 Barnum Street regarding lifting the Enforcement order. R. Wood mentioned having a statement relating to zero draining of pool water into the stream/brook and to request a report for the next two years. **R. Wood made a motion to defer this item until the next meeting on November 8<sup>th</sup>. Chairman Ward seconded the motion. Motion carried, 4-0.**

**4. Discussion/Possible Action regarding Enforcement Order for 854 and 864 South Undermountain Road:** No one was present to represent the property at 854 and 864 S. Undermountain Road. This item was continued to the next meeting of November 8<sup>th</sup> to decide the next course of action.

**5.) Discussion/Possible Action regarding Enforcement Order for 1448 South Undermountain Road:** Brian Butler of Oxbow Associates, Inc. sent in a Site Report for the Commission to review; Restoration of Bordering Vegetated Wetlands. At the next meeting on Nov. 8, the Commission will ask consultant, Emily Stockman, to share the status of the National Heritage on this project and the waterways.

**6. Commission Member Items:** R. Wood shared sample flyers that the Conservation Commission could replicate for Sheffield. The flyers will contain educational material for individuals seeking additional information regarding wetlands. R. Wood also mentioned taking advantage of the free mailing. R. Wood made a suggestion of hiring Emily Stockman to act as the Conservation Commission's consultant on the Volunteer Fire Department's Dry Hydrant Notice of Intent (NOI).

T. Pitman shared with the Commission a Notice of Violation (NOV) he had written as a draft. He feels this sample could be used first, as a tool to educate landowners and secondly, as a user friendly tool to notify change and to attend the next meeting.

**7.) Approval of Draft Minutes from October 12, 2021. R. Wood made a motion to amend two items on the draft minutes. The motion was seconded by T. Pitman. Motion passed, 3-0.**  
A. Batacchi abstained.

**8. Public Inquires: None**

**9. Adjournment.**

**A. Batacchi made a motion to adjourn the meeting, which was seconded by R. Wood and approved by a 4-0 vote.** The meeting adjourned at 8:30 pm.

Respectfully Submitted,



Lori Neil  
Administrative Assistant

**Documents reviewed at this meeting:**

- 10-25-21 Meeting Agenda
- Request for Determination of Applicability, (RDA) – 422 Berkshire School Rd. – Town Garage
- MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form
- Request for Determination of Applicability, (RDA) – 328 Silver Street
- Oxbow Associates, Inc. – Site Report on 1448 S. Undermountain Rd.
- Sample Flyers from Boxford, MA Conservation Commission and Weston, MA Conservation Commission.
- Draft Notice of Violation (NOV)
- Violation Notices of Resolving Minor Violations, Section 11, Appendix 4.
- Draft Minutes from 10/12/21
- Attendee Sign in Sheet