

**Town of Sheffield**  
**CONSERVATION COMMISSION**  
**April 11, 2022**  
**7:00 PM; Town Hall 1<sup>st</sup> Floor Meeting Room**

Commission Members Present:	Don Ward, Chairman Ted Pitman, Vice Chairman Anya Rosoff Rene Wood
Members Absent:	Donald Roeder
Others Present:	Members of the public, see sign in sheet

Chairman Ward called the Conservation Commission meeting to order at 7:05pm.

**1. Approval of Minutes.**

The minutes of 3/14/22 were deferred to 4/25 meeting as several members had not had an opportunity to review them.

Chair Ward reordered the meeting events based on the public in attendance.

**2. Public Hearing on a Notice of Intent (NOI), filed by BSC Group as agent for the Town of Sheffield, Town Administrator's office, for property located on Kelsey Road over Dry Book in Sheffield, in accordance with the Provision of M.G.L. C. 131, § 40. The proposed project is a limited project dealing with the replacement of a bridge.**

The public hearing was opened by Chair Ward at 7:08pm

The project was presented by Sarah Kreisel, Ecological Project Manager, and Micah Morrison, Manager of Structural Engineering, both from BSC Group. A site visit had been held earlier at 5:30pm at which four commissioners were present. The presentation, numerous references to project maps, followed the NOI documents previously submitted, which are on file in the Town Clerk's office for public review and the Conservation Commission's office. I

The Towns' agents stressed this is classified as a limited project due to the replacement of an existing bridge, in place around 1960. They cited other agencies involved, including Mass Wildlife and the Army Corps of Engineers. The Commission has a response from Mass Wildlife, which was a negative determination and the conditions they require for the project. An ENF has been filed with MEMA because the project is in the Schenob Brook ACEC. The project conforms to Mass Stream Crossing standards and stormwater standards.

Other points of interest, the replacement bridge will increase the water flow by a factor of four; the new bridge is about 1.5 feet higher than the current culvert setup; it will have a slightly larger footprint; and the cement box bridge top will be covered with 3" of asphalt pavement to protect the structure. No re-seeding will take place to avoid ecological disruptions. Dewatering structures will be set up as well as erosion controls. No anticipated impacts on abutters other than normal construction activities and the

road will be closed during construction, which is anticipated to begin in September 2022 and run through June 2023. The dry hydrant in place will stay as is and if needs to be moved, both Town Administrator's and Volunteer Fire Department Chief will need to approve in advance. Turtle fencing and timing of its installation were discussed. Utility lines will need to be relocated. Conditions were discussed with the Town's agents noting an Order of Conditions may also include conditions placed on the contractor hired by the Town to do the work. These are in addition to the conditions that have already or may be put on the project from involved state and federal agencies.

**A motion made by D. Ward, seconded by R. Wood, to close the public hearing was approved by a 4-0 vote.**

During deliberations, the Commission developed its Order of Conditions and while not in its OOC, the Commission will advise the Town's Administrator that work hours between 7am – 5pm, M-F, with no holiday work, is preferred but the Commission understands scheduling flexibility is required.

**A motion was made by R. Wood, and seconded by T. Pitman, to issue an Order of Conditions (WPA Form 5) with the following conditions:**

1. **The utilities will be relocated, as needed;**
2. **Natural Heritage and other state or federal agencies / departments conditions are incorporated;**
3. **The dry hydrant will not be moved or impacted without prior approval of the Sheffield Volunteer Fire Department Chief and Town Administrator;**
4. **The project's contractor will meet with the Conservation Commission prior to the start of work to review the project's Order of Conditions and Commission site visits will occur when erosion controls are in place and before the start of work;**
5. **The Conservation Commission will schedule site visits during normal working hours during construction;**
6. **No re-seeding will occur;** and
7. **Pre-Approval of the storage location for equipment and materials will be secured from the Conservation Commission.**

**The motion passed 4-0.**

**3. Public Inquires.** Mahlon Parsons, of the Sheffield Cemetery Commission, discussed the situation with the crumbling front wall at the cemetery on South Plain Road and the need to cut down a number of trees on an adjacent parcel, for which the Cemetery Commission has permission. M. Parson was seeking information on what documents he needed to file with the Conservation Commission. A Request for Determination (RDA) with to scale measurements was requested by the Commission. R. Wood volunteered to work with him on the forms.

**4. Continuation of Public Hearing on Notice of Intent (NOI) for 854 and 864 South Undermountain Road for Existing and Proposed Riverfront Area Restoration and Related Site work.**

Chairman Ward provided a status update. E. Stockman has finished her peer review and forwarded this information to C. Rothstein and his lawyer. The commissioners will receive it shortly; she noted 15 points of interest. E. Goodman Esq. is reviewing it for her client. T. Pitman wanted to make sure they file an ENF with MEMA, as while it is not under the Commission's jurisdiction, the land is in the ACEC. E. Stockman is also coordinating her findings with Foresight Engineering. R. Wood wanted to make sure

the applicant is charged for any fees beyond what have been paid to date, if E. Stockman is out of funding. Chair Ward will discuss this with her and take appropriate action. All parties are expected to be in person at the 4/25/22 meeting.

**A motion made by D. Ward, seconded by R. Wood, to continue the Public Hearing on the NOI for 854 and 864 South Undermountain Road to April 25, 2022 at 7:00pm was approved by a 3-0-1 vote. T. Pitman abstained.**

#### **5. Discussion/possible action regarding Enforcement Order for 1448 South Undermount Road.**

Chairman Ward updated members on the status of this Enforcement Order, which included no additional information at this time.

#### **6. WPA Emergency Certification Form.**

Town Administrator R. LaBombard had forwarded a WPA Emergency Certification Form for a culvert failure near 1475 Barnum Street and requested the Conservation Commission sign the form.

**A motion made by R. Wood, seconded by T. Pitman, to sign the WPA Emergency Certification Form, as requested, was approved by a 4-0 vote.**

#### **7. Commission Member Items.**

T. Pitman will be away for the 4/24 meeting; R. Wood will be away for the 5/10 meeting.

The Commission requested their packets be available for pickup the Friday before the meeting as several commissioners did not have an opportunity to read their packets in advance.

R. Wood reviewed the carpenter ant and beetle situation at the Covered Bridge brought to the Select Board's attention by P. Greene, Building Commissioner. It was determined the Town will need to file an RDA before the work is done, including notation of the contractor and license number and information on the product to be used.


Chair Ward noted he had received a call from someone from the UFO Park Project, which is on L. Argi's land near the Covered Bridge. They will be filing an RDA to remove dirt infested with Japanese knotweed. The work will be within a wetland resource area. R. Wood expressed her concern regarding potential disposal plans due to the nature of Japanese knotweed.

Next meeting set for 4/12/22 at 7pm; the first meeting in May will be May 10<sup>th</sup>, due to the May 9<sup>th</sup> Town election. May 23<sup>rd</sup> will be the second meeting in May.

#### **8. Adjournment.**

**R. Wood made a motion to adjourn the meeting, which was seconded by T. Pitman, and approved by a 4-0 vote.** The meeting adjourned at 8:40pm

Respectfully Submitted,

  
Rene Wood, Commissioner

**Documents reviewed at this meeting:**

- 4/11/22 Sign in sheet
- 4/11/22 Meeting Agenda
- Draft Minutes from 3/14/22
- NOI Application and supporting documents: Kelsey Road over Dry Brook Replacement Bridge Project
- ENF on Kelsey Road over Dry Brook Replacement Bridge Project
- Division of Fisheries & Wildlife letter dated 4/6/22 Re: Kelsey Road over Dry Brook Replacement Bridge Project, with determination and conditions
- Disclosure 23(b)(3) forms on Kelsey Road project from Anya Rosoff
- WPA Emergency Certification Form on culvert failure near 1475 Barnum Street
- Email from M. Mitsoff, re culvert failure, dated 4/11/22 at 9:43am
- Email from R. LaBombard to D. Ward & R. Wood re: culvert failure, dated 4/11/22 at 12:12pm
- Email from E. Goodman, Esq. to D. Ward re: Race Brook Lodge NOI; dated 4/11/22 at 12:52am