

**Town of Sheffield**  
**CONSERVATION COMMISSION**  
**July 11, 2022**  
**7:00 PM**

Commission Members Present: Don Ward, Chairman  
Ted Pitman  
Donald Roeder  
Anya Rosoff; 7:15pm  
Rene Wood

Others Present: Robert J. Kilmer Jr.; see sign in sheet

Chair Ward called the meeting to order at 7:05pm; He addressed all meeting agenda items in a different order than listed on the agenda.

**1. Continuation of Public Hearing: Notice of Intent application for 854 & 864 South Undermountain Road for existing and proposed riverfront area restoration and related site work.** After opening the public hearing, Chair Ward reviewed the emails from Jackson Alberti, Foresight Land Services, and Attorney E. Goodman, the later of whom requested on behalf of her client, Casey Rothstein-Fitzpatrick, to have the public hearing continued to 7-25-22 at 7pm to allow her to review the new documents from Foresight Land Services. *A motion was made by R. Wood, and seconded by T. Pitman, to continue the Public Hearing for the Notice of Intent application for 854 & 864 South Undermountain Road for existing and proposed riverfront area restoration and related site work until July 25th 2022 at 7:00pm, per the request of the applicant's agent. The motion was approved by a 5-0 vote.* Attorney E. Goodman and Jackson Alberti will be notified of the public hearing continuance date and time.

**2. Update on Dry Hydrants.**

R. Kilmer, Jr. was present from the Sheffield Volunteer Fire Department. Chair Ward and R. Wood reviewed the history of this NOI and that the approved NOI (10/12/21) had not been signed by the three commissioners who approved it. The NHESP letter had been received. Discussion ensued on the attached condition, as detailed in the dry hydrant NOI approval, that the Conservation Commission be informed of specific construction activities before they take place. This may be done on an ongoing basis as different dry hydrants are addressed based on scheduling and funds being available. R. Kilmer, Jr. will bring a written description of such construction activities to the 7/25/22 meeting for the first 4 dry hydrants to be addressed. *A motion was made by R. Wood, and seconded by Chair Ward, to complete the action taken at its 10/12/21 meeting re: the approval of the Notice of Intent application for Sheffield Volunteer Fire Department dry hydrants. The motion was approved by a 5-0 vote.* Chair Ward wanted to make sure the members who approved the NOI signed it in a timely manner and copies were mailed as required.

**3. Discussion/Possible Action re: Enforcement Order for 1448 South Undermountain Road.** Chair Ward reported that he had spoken with Emily Stockman; she will follow up with Oxbow Associates on progress re: this Enforcement Order.

**4. Approval of Minutes of 6/27/22.** After the minutes were reviewed and several corrections, were pointed out, **a motion made by R Wood, seconded by T. Pitman, to accept the minutes of 6/27/22, as amended, was approved by a 5-0 vote.**

**5. Discussion/Possible action regarding annual dues to the MA Association of Conservation Commissions.** Commissioners were in favor of their MACC membership being renewed for FY23; information on the roster sheet was reviewed and corrected. Commissioners elected to have E-Handbook subscriptions for each commissioner and Town Hall, as this is tied to a specific name and email address. **A motion made by Chair Ward, seconded by T. Pitman, to approve annual dues to the MA Association of Conservation Commissions of \$146. and to get E-Handbook subscriptions for each commissioner and Town Hall at an additional \$90, was approved by a 5-0 vote.**

**6. Commission Member Items.**

As a follow up to his discussion at the last meeting, T. Pitman noted his draft letter to DCR re: the results of the unavailability of a resource in the Western part of the state to address ACEC issues, which makes suggestions how to remedy, will be taken up at the 7/25 meeting. Later Chair Ward went over the mail which included 4 Forest Cutting Plans. These were reviewed and he noted there needs to be a better way to make them accessible to the public when requested. He will discuss with J. Hughes or R. LaBombard. He took a copy of the J. Kelly plan to discuss with the applicant.

He also brought up the reviews he had just completed due to the Building Commissioner's inquiries as to whether certain permits required Conservation Commission attention. R. Wood reviewed her discussion with J. Hughes regarding view only access to Permit Eyes to allow him to review all maps, plot plans, and other visual documents attached to a permit. Chair Ward will discuss further with J. Hughes. R. Wood noted that the Conservation Commission's layer on the Assessors' maps should be available soon. The commission also discussed National Grid's response to the inquiry re: pole work along areas of possible wetland buffers in Town. National Grid cited the exemption at 310 CMR 10.02(2)(a)2, which the commission felt was appropriate.

**7. Continuation of Public Hearing on the Request for Certificate of Compliance for Order of Conditions #281-0166, Perlman Pond at 689 Home Road, Sheffield.** Chair Ward opened the public hearing and noted the email request from Shaun McCarthy, Solitude Lake Management, requesting rescheduling this Continuance to 8/8/22. R. Wood reported she has been unable to find the original OOC issued in 2017 and she suggested signing the COC and focusing on the OOC for the current application on this matter. Chair Ward disagreed and wanted the OOC provided by Mr. McCarthy. **A motion was made by R. Wood, and seconded by T. Pitman, to continue the Public Hearing for a Request for Certificate of Compliance for an**

Order of Conditions #281-0166, Perlman Pond at 689 Home Road, Sheffield until August 8, 2022 at 7:00pm, per the request of the applicant's agent. The motion was approved by a 5-0 vote.

**8. Continuation of Public Hearing on the Request for Certificate of Compliance for Order of Conditions #281-0216, Fawn Lake, Berkshire School Road, Sheffield.** After opening the public hearing, Chair Ward noted the email request from Shaun Mccarthy, Solitude Lake Management, requesting rescheduling this Continuance to 8/8/22. Chair Ward want these OOC provided by Mr. Mccarthy. **A motion was made by R. Wood, and seconded by T. Pitman, to continue the Public Hearing for a Request for Certificate of Compliance for an Order of Conditions #281-0216, Fawn Lake, Berkshire School Road, Sheffield until August 8, 2022 at 7:00pm, per the request of the applicant's agent. The motion was approved by a 5-0 vote.**

**9. Continuation of Public Hearing for the Notice of Intent Application, filed by James McNamara for property at 1085 Berkshire School Road, in Sheffield, in accordance with the provisions of MGL C. 131, §40 for the proposed project of an Aquatic Management Program for Fawn Lake.**

Following the opening of the public hearing, Chair Ward noted Mr. Mccarthy correspondence with the commission and his request to continue this matter until 8/8/22 to allow him time to address issues raised in the NHESP letter on this application. **A motion was made by Chair Ward, and seconded by R. Wood, to continue the Public Hearing for the Notice of Intent Application, filed by James McNamara for property at 1085 Berkshire School Road, Sheffield until August 8, 2022 at 7:00pm, per the request of the applicant's agent. The motion was approved by a 5-0 vote.** A site visit will be requested and set up for 5:00pm on 8-8-22.

**10. Continuation of Public Hearing for the Notice of Intent Application, filed by Lee Perlman for property on 689 Home Road in accordance with the provisions of MGL C. 131, §40 for the proposed project of an Aquatic Management Program for Perlman Lake.**

After opening the public hearing, Chair Ward noted Mr. Mccarthy correspondence with the commission and his request to continue this matter until 8/8/22 to allow him time to address issues associated with this application. R. Wood noted that J. Hughes had told her she is not in receipt of a NHESP letter on this NOI. Several members differed and will see if they have a copy of this letter from NHESP.

**A motion was made by Chair Ward, and seconded by R. Wood, to continue the Public Hearing for the Notice of Intent Application, filed by Lee Perlman for property at 689 Home Road, Sheffield until August 8, 2022 at 7:00pm, per the request of the applicant's agent. The motion was approved by a 5-0 vote.** A site visit will be requested and set up for 5:45pm on 8-8-22

**11. Public Inquires.** None, as no public was present.

**12. Adjournment.**

**R. Wood made a motion to adjourn the meeting, which was seconded by T. Pitman and approved by a 5-0 vote.** The meeting adjourned at 8:35pm.

Respectfully Submitted,

  
Rene Wood, Commissioner

**Documents reviewed at this meeting:**

- 7/11/22 Sign in sheet
- 7/11/22 Meeting Agenda.
- Invoice for MACC Annual Dues FY23, dated 7/1/22
- Email dated 7/7/22 from J. Alberti, Foresight Land Services; PDF copy of NOI revised site plan dated 6/23/2022 to Town Hall
- Email dated 7/7/22 from E. Goodman, Cain Hibbard & Meyers, to Town Hall requesting continuance of public hearing for Race Brook Lodge to 7/25/22.
- Email from R. Wood to Don Ward, R. LaBombard and J. Hughes, dated 7/6/22 on NOI and dry hydrant matter.
- Email from S. McCarthy, Solitude Lake Mgmt., dated 7/8/22, to Town Hall requesting continuation of Perlman Lake and Fawn Lake matters to July 25, 2022.
- 12-13-21 Annual Report on Fawn Lake from Solitude Lake Mgmt.
- 12-13-21 Annual Report on Perlman Pond from Solitude Lake Mgmt.
- Email of 6/29/22 from National Grid Electric Distribution Maintenance re: pole installation and maintenance in Town
- Draft letter by T. Pitman re: DCR's ACEC coverage

