

**TOWN OF SHEFFIELD
CONSERVATION COMMISSION
JUNE 26, 2023
TOWN HALL FIRST FLOOR MEETING ROOM
7:00 PM
MEETING MINUTES**

Commissioners present: Don Ward, Chairman
Ted Pitman, Vice Chair
Rene Wood
Anya Rosoff
Don Roeder

Others Present: Josh Risen, Board Administrator
Shawn McCarthy, Solitude Lake Management
Martin Mitsoff

Discussion/Possible Action Regarding NOI filed by Wesley McCain (DEP File # 281-0275).

Chairman Ward called the meeting to order and opened the Public Hearing at 7:00 PM. The Commissioners conducted a site visit at 400 East Road at 5:00 PM on June 26, 2023 to view the above referenced project.

Chairman Ward offered S. McCarthy the opportunity to present the new NOI and indicated that the table of contents could be used as a guide for the upcoming discussions. R. Wood stated that she appreciated that the NOI was more focused and that it was her intent to use a Peer Reviewer in this matter due to the complexity of the project. A discussion of what further water tests should be done by the McCain's ensued. Some of the issues that the Commission wants to consult with a Peer Reviewer on are:

- a) Is this a Limited Ecological Restoration Project;
- b) What sampling is required;
- c) What are the annual reporting requirements going to be;
- d) What is the duration of the project;
- e) What methods are being used to manage the project.

S. McCarthy asked who the Peer Reviewer would be in this situation. Chairman Ward stated that the Commission would likely be reaching out to David Cameron to assist in this matter as the Commission wants to establish a process to deal with future pond management projects. R. Wood stated that she wants this NOI to operate as a "cookie cutter" framework for all pond and lake management projects.

Chairman Ward asked S. McCarthy about the status of this NOI as an ecologically limited project designed to correct human caused damage, in light of the fact that the Commission found no damage during the site visit. S. McCarthy agreed that the Lake is currently in good condition, but that he is primarily concerned with how the lake will become if it is not monitored and treated in the coming months. D. Roeder stated that there was no algae or invasive plants to be concerned with at this time, but commended S. McCarthy on his foresight for addressing potential future issues. A. Rosoff pointed out that the McCains are only doing limited treatment of the pond and inquired if a previous NOI (Fawn Lake) was a limited ecological restoration project. The Commissioners did not recall if the NOI for Fawn Lake was a limited ecological restoration project.

S. McCarthy informed the Commission that he would be taking a medical leave of absence from his work in the next couple of days and a new representative would be taking over primary responsibility for this NOI.

D. Roeder asked what the pH level of the Pond was, and what chemicals and compounds the water tests will be looking for. D. Roeder requested that testing be conducted for Nitrates and Ammonia.

R. Wood made a motion to utilize David Cameron as a Peer Reviewer for the McCain NOI, seconded by T. Pitman. The motion passed unanimously.

A discussion about scheduling David Cameron's attendance to assist in the NOI ensued.

R. Wood made a motion to continue the Public Hearing to July 24, 2023, seconded by D. Roeder. The motion passed unanimously.

Discussion/Possible Action Regarding Scenic Mountain Act Draft Legislation.

R. Wood and M. Martin presented the eighth edition of the SMA and asked the Commissioners if they had any comments on it. D. Roeder responded that he did not yet have the opportunity to review it and would like to hold off discussions until later. The Commission decided to review the eighth edition and to send their comments to J. Risen prior to the next meeting, so progress on the SMA can continue without delay. A discussion of how the SMA is to be codified ensued.

Discussion/ Possible Action Regarding Notification of Path Creation for Lime Kiln Bridge Survey Work.

The Commission received a request from Micah Morrison, of the Build Support Connect Group, for permission to cut paths a foot or two wide to conduct surveys at the Lime Kiln Road Hubbard Brook project. The Commission had no concerns with this request and decided that R. Wood will write a letter to Rhonda LaBombard, the Town Administrator stating such.

R. Wood made a motion to approve the request to cut paths at the Lime Kiln Road over Hubbard Brook project, seconded by T. Pitman. The motion passed unanimously.

Approval of Minutes.

The Commission reviewed minutes from June 12, 2023. A. Rosoff requested that the Sheffield Times be identified as the entity requesting to interview the Commissioners. R. Wood requested the deletion of the word "alleged."

R. Wood made a motion to approve the minutes of June 12, 2023 as amended, seconded by D. Roeder. The motion passed unanimously.

Discussion/Possible Action Regarding Complaint – 142 Main Street.

T. Pitman stated that he thought it made sense to issue a Notice of Violation letter to the property owner at 142 Main Street detailing what is required to be corrected and to list a date for when the corrections must be completed. T. Pitman stated that based on the picture of the wood chips, specifically its size, it looks like a permanent storage area and is beyond the scope of the Commission's authority to permit. R. Wood responded that they need more pictures of the area to make a proper determination, and that using David Cameron to consult on this matter would be wise. A discussion about the topography of the land in question and Steep bank run off ensued. T. Pitman stated that the Commission should assume it is a violation until the property owners prove it is not.

R. Wood made a motion to work with David Cameron on drafting a Notice of Violation letter to issue for 142 Main Street, seconded by D. Roeder. The motion passed unanimously.

Commission Member Items.

A discussion about reorganizing the Commission ensued. R. Wood stated that she would be willing to be Chair for the Commission for the next six months.

R. Wood made a motion to adjourn the meeting, seconded by T. Pitman. The motion passed unanimously.

The meeting adjourned at 8:45 PM.

Respectfully Submitted by,

A handwritten signature in dark ink, appearing to read "Josh Risen", with a long, sweeping horizontal stroke extending to the right.

Josh Risen, Board Administrator

Documents reviewed at this meeting:

- Draft minutes of the 6/12/2023 Conservation Commission meeting.
- NOI filed by McCain, DEP File # 281-0275.
- Scenic Mountain Act version 8.

Sheffield Conservation Commission

Date: June 26, 2023

PLEASE PRINT: Your Name

Street, Town

1. Shawn McCarthy
2. Martin Mitsoff Sheffield
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