

HADLEY CONSERVATION COMMISSION
MEETING MINUTES
March 12, 2013

Approved at the 6/11/13meeting

PRESENT: Paul Alexanderson, Chair; Paulette Kuzdeba; Edwin Matuzsko; Jim Hafner; Steve Szymkowicz; and Janice Stone, Conservation Staff.

1. 7:00 PM Notice of Intent #170-217 filed by D. Ramsay for construction of an addition to his house in the Riverfront Area and 100-year floodplain at *101 Honey Pot Road*. Mr. Ramsay was present to discuss work with Commission. He explained that he wanted to construct a 14'x18' addition on the east side of his house. The addition will be on piers/sono tubes. He will not be using heavy equipment, will do the work by hand. He said the Building Inspector was okay with his project. He sent his material to NHESP and DEP. There is no reply from NHESP yet, and DEP issued a file number with no comments. Janice asked Mr. Ramsay about some kind of Riverfront Area improvement on the property, perhaps some native shrubs planted. Mr. Ramsay also needs to estimate the cubic feet of compensatory storage he will be using for the sono tubes. All work is in the inner 100' Riverfront Area, as is the whole parcel. Paulette made a motion, seconded by Ed, to continue to April 9, 2013 at 7:30 PM. All in favor.

2. 7:12 PM Request for Determination, continued for R. Bercume to construct a single-family house in the buffer zone at *lot 7 Indian Pipe Drive*. Mr. Bercume's consultant Charles Dauchy was present at the meeting. Information on the Commission's concerns expressed at the last meeting had been forwarded to him, and he came ready with a response. He showed a revised map, with a proposed deed restriction for a 35' buffer zone, and a 50' no-build zone from the wetland in the back. The material included an exhibit map ready for the Registry of Deeds and the restriction language. Rebar with plastic caps shall identify the 35' buffer. The plan shows permanent measurements of distances from specific points, such as the corner of the house. The rebar pins will be put out before the start of construction. The applicant or his agent will flag the 35' buffer before any tree clearing begins. An as-built plan of the foundation will be provided before the issuance of a Certificate of Occupancy, showing the distances from the corners of the house to the wetland's 35' buffer. They will record the restriction and exhibit plan at the Registry of Deeds before the transfer of the property. Steve made the motion to accept the revised plan and restriction materials as stated, and a negative determination 3B. Ed seconded, and all voted in favor.

3. 7:30 PM Request for Determination filed by The Hartsbrook School, to construct an Early Childhood Development Building with associated utilities and storm water management in the buffer zone at *193 Bay Road*. T. Reynolds, consulting engineer for the applicant, was present to discuss the plan and stormwater management. He showed a revised plan from what had been submitted with the Request. The new building is outside the buffer zone, but part of the detention basin is within it. He sized the detention basin larger to include additional expansion of the building to the east in the future if needed. There is no increase in runoff. The basin will hold water for no more than 20 hours, with an outlet flow of no more than a garden hose.

Maintenance will require annual mowing and removal of litter. Maintenance is described in the stormwater report. There will be no equipment past the limit of work line. They will do the driveway first, then the construction fence, then the pond (basin). It is a mostly sandy soil on top of the construction site. He will submit the revised plan to the Planning Board as well. They will incorporate grass pavers. The revised plan is dated 3/7/13. Paulette made a motion to accept the project per the revised plans and reference to the Operation and Maintenance Plan for the basin, with a negative determination #3. Steve seconded, and all voted in favor.

4. Other Business. Minutes for January and February 2013. Paul made the motion, seconded by Edwin, to approve the minutes. All voted in favor. Updates. APR for S&J (Montgomery Rose property on Rt 47 just below Sunderland) is to be completed by this June.

5. 8:00 PM Discussion with Kestrel Land Trust about *Lake Warner Dam*. Ben Wright present from Kestrel to present information. Ben gave a brief history of the Kestrel's involvement with the Lake Warner Dam, which it "inherited" with the merger with Valley Land Fund. In December 2012 they received a letter from the MA Office of Dam Safety stating that the dam was inspected and considered in fair to poor condition. It therefore requires an inspection every 6 months, and that it had to be removed or repaired by the summer of 2014. Kestrel asked for and received a 6-month extension. There are cracks in the dam, and a hole on one side. Kestrel is trying to determine which way to go with the dam work. It does create Lake Warner, a public recreational resource, the dam has historical value, but Kestrel does not have the funds nor is it part of their charter to repair and operate a dam. They are asking for input from the town, and would like a vote on the matter on Fall Town Meeting. The vote would be for the Town to take ownership of the dam and use CPA and other funds to repair the dam. Kestrel has not spoken with the Historical Commission yet, but there are other groups such as the Friends of Lake Warner who might be able to help with fundraising. Kestrel is also pursuing the option of taking the dam out, and funding from the state might be available to help with that. If the dam is taken out the area will probably return to a stream flowing through a large wetland. Repair of the dam would not be the only expense needed to restore Lake Warner to its former condition. The lake is filling in, and will need dredging, another expensive procedure. Kestrel will be holding a public forum in April to discuss the two options, repair (under town ownership) and removal. Root Engineering is doing a Phase 2 inspection of the dam now. Funds may be available from NOAA and the MA Division of Ecological Restoration for dam removal. State and Federal Fish & Wildlife would also support removal of the dam. Kestrel has spent \$25,000 for the studies so far. After the deadline there could be a \$500/day fines from the Office of Dam Safety. Commission discussed with Ben concerns such as impacts on the Mill River from the removal of the dam. Would this lower the water level in the River that is now impounded by the dam, and how would this affect farmers who use the River for irrigation in dry times? Commission discussed adding a question about Lake Warner dam on the Open Space & Recreation Plan Survey.

6. Other Business. Lawrence Plain Road complaints. T. Mieczkowski came in to speak to the Commission again about a ravine behind Cedar Reach Horse Farm *off Lawrence Plain Road*. He said he would submit a Request for Determination next week for the April meeting. He showed photos of muddy flow from the farm going down the ravine, which he said comes into the Riverfront Area and 100-year floodplain below. Mr. Mieczkowski is considering adding

a barrier in the ravine of haybales and massive rocks. He would eventually like to pipe the water directly down the ravine to keep the slopes from eroding. Commission questioned who owned the land work is to be done on. Mr. Mieczkowski says he does, Town says it is "Owner Unknown". **Notice of Intent for Forget/Rule on Bay Road**, require engineered plans for compensatory storage? Yes. Janice will let them know so they can be prepared. **Open Space Survey**. Commission reviewed draft survey and provided comments for revisions and additions. **Mount Holyoke Range Management Plan Draft**- comments due March 24th.

7. **8:40 PM ADJOURNMENT**. Ed made the motion to adjourn. Steve seconded, all voted in favor.

Respectfully submitted by

Janice Stone

Materials used in review and deliberation of agenda items will be found in corresponding project folder in Conservation Commission office. Handouts to Commissioners at start of meeting included two letters from Ted Mieczkowski about snow plowing/driveway access on Indian Meadow Rd (31-33 Lawrence Plain Rd), and Cedar Reach Livery water pollution. Janice also distributed a copy of the draft Open Space Survey.