

**HADLEY CONSERVATION COMMISSION
MEETING MINUTES**

February 9, 2021

DRAFT 2

Meeting was conducted remotely using Zoom.

PRESENT: Paulette Kuzdeba, Chair; Gary Pelissier; Edwin Matuszko; Steve Szymkowicz; Jim Hafner; Toni Lyn Morelli; and Janice Stone, Conservation Staff. **Excused:** Gordon Smith.

Also present: Wayne & Theresa Gilbert, Wendy Desforges, Jerrold Trehey, Rob Baranowski, Mark Britton, Lionel Desforges, Kevin O'Brien, Anne Bihler.

1. 7:00 PM Request for Determination of Applicability Public Meeting. W. Gilbert seeks to replace deck in Riverfront Area & 100-year floodplain at 47 Aqua Vitae Rd. Mr. Gilbert explained this is an old bungalow on Aqua Vitae Rd. He and Janice measured it as about 100' from the water's edge. Paulette told the Commission that the work that is being proposed has actually already been done, and this is a filing after the fact. Mr. Gilbert explained that he started with just repairing the deck, but it needed a lot of work and he ended up just rebuilding it. It is in the exact same footprint, and there is no change in the flood storage with the rebuilt deck. He did, however, add two pickup loads of sand, to improve the access around the deck. He explained that there was a sudden drop-off on either side of the area next to the house and deck, making it difficult to walk there, so he added the sand. He is also interested in improving his driveway access in front of the house, which is presently just lawn. He would like to put some gravel in two lines to match where the tires would go. He is not suggesting paving, or putting gravel across the whole access width. It would be two strips of gravel with lawn in between. The Commission discussed the situation with the new sand, which would be considered fill in the 100-year floodplain (this area is actually floodway). The Gilberts must remove the sand, or remove an equivalent amount of material in the same elevation on the property, to continue to provide the same compensatory storage for floodwaters. The sand is about 2 to 2.5 cubic yards worth of material, was moved with shovels, raised the ground near the house about 1.5', and was then graded out to the present lawn. Paulette explained the choices. Remove the recent fill, or find an area in the same flood elevation and remove the same amount of material as there is new sand there. Or he could remove the sand from the present location, dig out an equal amount of material at the same elevation, and replace it with the sand. Mr. Gilbert said he would like to be able to leave the sand where it is (to maintain the safer access around the house), and remove an equivalent amount of material from elsewhere on the property.

Gary expressed a concern about worrying about such a small amount of fill, compared to what the river moves each year. Paulette explained that the Building Inspector is concerned about floodplain management because of the federal insurance, and DEP has expressed concern about the new fill in the floodplain without compensatory storage. She is trying to find a way for the Gilberts to go forward without having to file a Notice of Intent, or creating a legal problem for them. Commission and Gilberts discussed removing the two pickup truck loads worth of fill and the compensatory storage volume for the new gravel from the proposed driveway area, and then putting the gravel down on the two tire tracks. They should stake out the area, contact the Commission to come take a look, then document before and after with a few photos (to submit to the Commission). The Gilberts agreed with the suggestion. Gary made the motion, seconded by

Edwin, to issue a negative determination #2 (with conditions as described above), and #6 (no further review required under the bylaw). The Gilberts will stake out the area for the driveway in front where the material will be removed, have Janice come take a look, do the digging of equivalent amount of dirt as sand brought in, remove the dirt from the property, remove the amount of volume equal to the amount of gravel to be placed in the two lines in front for the driveway, and then place the gravel in part of the driveway. They will provide some before and after photos to the Commission. No other discussion. All voted in favor. Janice will gather signatures from Commissioners, which will take a little while.

2. 7:40 PM Other Business. Ratification of Emergency Certification for 6 French St house demolition. Janice explained that the Building Inspector and Fire Chief considered it a serious hazard and that the house should come down right away. Janice discussed with Paulette, and she agreed to sign the Emergency Certification, but only for the demolition of the house, all other work has to wait for the Notice of Intent and Order of Conditions. The Boisverts have hired a wetland consultant to help with the filing, and Janice spoke with Randy Izer about getting the footprint location of the house and all other degraded or developed (pavement, structures) documented to go onto a survey before the snow came and the house came down. Mr. Izer said he was doing that. The house is now gone. The Commission still needs to ratify the Emergency Certification. Edwin made the motion, seconded by Gary. All voted in favor. Janice will gather signatures from Commissioners.

Sign new CR paperwork for Bay & Chmura Rds, Kestrel Land Trust name change to add Inc. Janice explained this is the same paperwork the Commission agreed to and signed a year or more ago, but Kestrel Land Trust is being incorporated, and the name change requires revising this paperwork. Toni Lyn made the motion to approve Paulette signing this revised document. Edwin seconded, and all voted in favor. Paulette will sign in front of a notary and get the papers to Kestrel.

Town committee about Connecticut River issues. The Selectboard is putting this committee together and will be appointing people soon. Paulette and Steve will be on the committee.

Upcoming permit applications. Janice briefly listed four projects that should be coming in to the Commission soon, including the Rt 9 work, the Food Bank ditching, and 49 River Dr. Rao's building has been demolished.

Eversource project at UMass Farm. Janice and Paulette explained the situation. Eversource contacted the Commission asking to do a replacement of 1000' of underground electrical conduit at the farm. They said it was needed right away, and if not done in time, the farm could lose all power and have to go on generators. This type of work is considered a minor exempt activity under the Wetlands Protection Act, but not under the wetlands bylaw. Eversource asked permission to do the work without filing with the Commission first. They sent plans, explained they would be working in the roadway or shoulder, not in any wetlands, just replacing the existing conduit. Paulette agreed to let them go ahead with this limited amount of work in existing roadway area. Janice should contact them for info on when they will start and for contact #s during work.

Small grant application for outreach to farmers. Janice explained about a new small grant program called the Neighborhood Outreach Project. It is aimed at protecting farm or forest land.

We would look at doing a mailing to owners of unprotected farmland, providing them with some information and contact info for Land For Good (farm transition plans) and Kestrel Trust, to try to keep farmland in farming. First round of awards is next week. All work has to be done by the beginning of May. With COVID-19, there does not seem to be any other way for outreach than a mailing for now. Suggestion was made to check with Paul Catanzaro (UMass) about adding a little info on forest land. Letter should include phone numbers, not just websites. Can also give the Conservation Commission's phone number & email, if they want to contact us for more info.

FEMA CT River Levee Analysis & Mapping Procedure (LAMP). The town has been contacted that this work will start soon. From some studies that have been done so far, it appears there will be some repair work needed. The Rail Trail may be considered part of the levee system for a part of the town, and that area would need work for leakage as well as tree removal.

3. Bills & Correspondence. Bills for Janice's hours in January 2021. Paulette will sign. Payment of bill from Staples for color copies of two Conservation Commission CPC applications. Paulette will sign. Paulette told the Commission the CPC (Community Preservation Committee) voted to support both APR projects (Gralinski and Handrich Trust) for CPC funding at Annual Town Meeting. She encouraged Commissioners to attend Town Meeting. Last fall Town Meeting had to adjourn without voting on a number of articles, including some CPC projects, because of loss of quorum.

4. Minutes for December 8, 2020 & January 12, 2021. Toni Lyn made a motion to approve the minutes for December 8, 2020. Edwin seconded, and all voted in favor. Toni Lyn made a motion to approve the minutes for January 12, 2021. Edwin seconded, and all voted in favor.

5. Other topics. Paulette asked the listening audience if they had any questions. None.

6. 8:09 PM Adjournment. Edwin made the motion, seconded by Jim, to adjourn the meeting. All voted in favor.

Respectfully submitted by
Janice Stone