

## **HADLEY CONSERVATION COMMISSION**

### **MEETING MINUTES**

AUGUST 10, 2021

DRAFT 1

Meeting conducted in person at the Hadley Senior Center

In Attendance: Gary Pelissier, Chair; Gordon Smith, Edwin Matuszko, Steve Szymkowicz

Also in attendance: property owner Irene Rule, Don Chapman of EVGo, John Garrett of Maverick Corporation, property owners for 13 South Bridge Drive represented by Keith Sherwin, property owner John [LAST NAME]

#### ***7 PM Gary Pelissier began the meeting***

#### **1. Irene Rule seeks to install a seasonal floating dock along the Connecticut River at 99 Aqua Vitae Rd.**

- Irene was invited to provide updates on the project, providing each commissioner with a copy of the site plan, explaining that the engineer's stamp was now on the plans, page flagged for reference. She has sent the plans to DEP, and mailed out the application to NHESP.

- Gary responded by saying he did not think NHESP would have concern, but the commission should wait for a response from NHESP, and Irene commented that DEP wouldn't approve it if NHESP did not approve it. Irene confirmed that DEP has received and acknowledged all paperwork/forms submitted, and was labelled "in-process," two weeks prior to the meeting date.

- Irene confirmed she paid the NHESP, DEP, and Conservation Commission fees respectively.

- Commissioner Steve Szymkowicz inquired whether there had been a dock in this location previously, which Irene was able to confirm there had not been.

- At this point, Irene divulged details regarding the anchoring of her pontoon boat in the area where the proposed dock would be. She used three 48" helical anchors which were planned to be the anchoring mechanism for the dock itself. A regular anchor was also used. When the water rose, making the pontoon boat unreachable, and Irene went out to check every few days, and told of a large log getting caught in the anchor line on its way downstream and still the boat did not come free. She offered this anecdote as a way to "plead her case" for the security of the proposed dock.

- Steve asked is there was enough water at the site location. Irene pointed them to some photos in the plans to help answer, and explained that the level was not of concern.

- Commissioner Edwin Matuszko inquired about river fluctuations in relation to Northfield Reservoir. Gary answered "no."

- Gary asked how the dock was planned to be installed. Irene said it would just be carried by people down to the shore via a narrow walking path. Steve asked where the docks would be stored, to which Irene replied they would be stored on her property.

- At this point, Gary asked for a motion to be made to close the hearing. Commissioner Gordon Smith made the motion, seconded by Edwin. All voted in favor.

- Gary went on to explain the determination would be considered negative #2, #3; condition being: forward DEP permit to commission before dock is installed. Gary got approval of the board for this determination. Irene will be putting in the dock in 2022.

## **2. Determination of Applicability Meeting Continued for Nexamp *Westgate Center Dr.***

Nobody showed up for this project. Gary asked for a motion to continue to the next meeting, motion made by Gordon and seconded by Edwin, all voted in favor.

## **3. RDA for an Above Ground Pool at 246 BayRd**

Nobody showed up for this project. Gary asked for a motion to continue to the next meeting, motion made by Gordon and seconded by Edwin, all voted in favor.

## **4. RDA – 3 or 4 Vehicle Charging 458 Russell – Stop&Shop Plaza**

John Garrett from Maverick Construction provided plans to board members. Don Chaplin was also present, from EVGo, the company installing the chargers.

Don explained that he went down to the site with the building inspector and fire marshal. Don also visited the site during the rain, to address concern for flooding and to inspect the reach of the puddling and discovered it to be further down than the site location. This was of concern due to the need to dig a ditch for the electrical line.

Don was asked if he knew how far away wetlands were, he said probably about 100 feet. He also answered a question about build time – 3 to 4 weeks start to finish.

Edwin asked if they felt there was enough demand for this project. John and Don said there is a huge demand, and pointed out this would be only EV fast charger in the area, citing the Tesla charging station which is just for Teslas. These chargers will be operational 24/7 with support available 24/7.

Don and John approached the table to look at the plans with Gary who was concerned about the utility pole that is planned to be used, which is inside of the 35' buffer set by town bylaw by about 14". He told them there were two options, change the plans to be outside of the 35' or the board could vote to allow work within the buffer by that amount. If they adjusted the plans to move outside of the 35', Gary told them to resubmit plans to show new path if they choose that route.

Edwin asked John and Don whether there existed an intention to expand in the future, the response was that they would try and increase by 2 spots if demand justified it in the future. Don went on to explain the cost, explaining it is charged by the minute. Gary made sure to ask that the fee had been paid (RDA) and discovered the fee had not been paid, they were not aware of it but said they would be sure to get a check to the commission.

Steve made a motion to allow the work within 14" which was seconded by Gordon and all voted in favor. Gary asked for a motion to close the hearing, moved by Edwin, seconded by Gordon, all voted in favor. Gary said they would do a positive 5 and negative 3 on the DOA and put a note about the variance being allowed. Gary also noted the need for proper erosion control.

John came back during the meeting with the check, gave it to Gary.

### **Other Business**

- Gary asked the board if they'd like to shift meeting time to 6:30 PM rather than 7:00 PM moving forward. The board agreed.

- Potential new members for the commission

  - Ray Mieczkowski: asked to speak, said he was satisfied with the letter he submitted

  - Edwin asked about Ray's career shift from engineer to highway superintendent. Ray answered it was the right move for him at the time.

  - Gary said the board wanted Ray on, and he would draft up something for everyone to sign

- Discussion for recommendation for a second member.

  - Gary's preference: Edward Fedor

  - Edwin's preference: Andrew Gnatek, then Edward Fedor

  - Gordon's preference: Edward Fedor

  - Steve's preference: Undecided

- Gary said he'd put together a list and submit it to the selectboard.

- Who will check messages/email at the office?

  - Not sure

- Complaints from Selectboard for review

  - 6 complaints, all from people with campers/trailers

  - 4 complaints from one person, Mark Britton who is appealing Order of Conditions, DEP

  - Gary said he'd get copies to the board members for the next meeting

Interjection from audience – resident at 13 South Bridge Rd, Keith Sherwin, 8 people who own property received letter requesting attendance at this meeting.

Gary informed Keith this subject would come later.

- Signs for Pollinator Meadow and Dawson Reserve
  - Question from Edwin on obtaining the sign; Edwin volunteered to hang the one for Dawson Reserve on Rocky Hill Rd
  - Moved to next meeting, non-urgent, property owners present tonight
  
- Letter sent to 8 property owners for 13 South Bridge Rd, relating to campers
  - 2 property owners not present
  - Keith explained that all paperwork given to an attorney and is in the process of being
  - Gary asked for documentation prior to 1996, establish basis of land-use
  - All original owners dead except one who is quite old, makes it hard to get certain info
  - Claims property never expanded, but property started eroding in the 80s, was a big to-do, area was filled – only change to the property other than cleaning it up, no work after 1996
  - Campers all the way up to bike path
  - Gary explains they are technically in violation and need to undergo the permitting process due to new change to camper/RV policies and asks for the property owners to attend September 14<sup>th</sup> meeting to continue this
  
- Lawrence Plain Rd complaint
  - Deck/temporary being built within 100' of river
  - John, property owner explains the structure is to be a temporary structure to serve as a ramp for a family member who is terminally ill to access camper
  - John said the camper itself is not within 100' but the temporary structure is. Steve spoke up, suggesting the camper/structure stay for 2 months, be taken down, and they go through the proper approval process next year.
  - Gary asked for a site visit to better understand the scope and asked the board for a motion to continue the complain to next meeting, September 14, 2021. Motion made by Gordon, seconded by Steve, all voted in favor.
  
- Neighbor south of Sportsman's Marina who put in a small dock instead of stairs
  - Gary told the person to apply for a permit and that is in process presently
  - Gary asks for a motion to continue this to the September 14, 2021. Motion made by Gordon,

seconded by Edwin, all voted in favor.

- Dock on 6 River Drive (Gary's father's house)

- Stairs going down to the dock, pre-existing

- More information needed, Gary asks for a motion to continue this to the September 14, 2021 meeting. Made by Gordon, seconded by Edwin, all voted in favor.

- Photo sent to Commission

- Mitch's Marina – cables from trees to docks

- DEP frowns upon trees being used as anchors for docks

- Gary asked them to come to the board

#### Bills & Correspondence

- Janice's pay for July

- Bill for July – 134 hrs, \$20/hr, \$2680 total

- Motion made by Edwin to pay this, seconded by Gordon, all voted in favor

- Bill for clean copy of wetland regs

- \$18.64

- Motion made by Edwin to pay this, seconded by Gordon, all voted in favor

- Bill for NHESP 15<sup>th</sup> edition of Atlas map

- \$25

- Motion made by Edwin to pay this, seconded by Gordon, all voted in favor

#### Minutes

March 9, 2021

- Continued to September 14, 2021

#### Other Topics

- Edwin's role to represent the ConCom, resigning as member at large for CPA, opening that seat. Edwin said he'll bring a letter to be signed at the September 14, 2021 meeting

- Gordon made a motion, seconded by Steve, all voted in favor

#### Adjournment

- Gordon made a motion, seconded by Steve, all voted in favor