

Monday January 9th, 2023 - Leverett Conservation Commission meeting FINAL minutes

In Attendance:

Jono Neiger, Chair

Joan Deely, Vice-Chair

Gail Berrigan, Voting member

Seth Heminway, Voting member

Julia Firl, Voting member

Adam Kohl, Conservation Agent

Mitch Mulholland and Tom Hankison, Friends of Leverett Pond representatives

Bridget Likely, Kestrel Land Trust

Christopher Stoddard, Engineer for 15 Chestnut Hill Rd

Hank Ross, Real Estate Agent for 15 Chestnut Hill Rd

Carol Heim, Citizen of Leverett

Gordon Green, Citizen of Leverett

Meeting started: Jono started the meeting at 7:03pm

1) Review and approval of November and December meeting minutes

Minutes:

Nov. 28th: Jono motions to accept the minutes as written, Seth seconds. All in favor

Dec. 17th: Jono motions to accept the minutes as written, Seth seconds. All in favor except Gail and Julia abstain as they were not in attendance.

2) RDA hearing for septic replacement at 15 Chestnut Hill Rd

Hank Ross, spoke on the proposed replacement of the septic system which includes digging up the tank and distribution box and replacing those items. The Board of Health has approved the work, and all appropriate erosion controls are in place in the plan set provided by Stoddard Engineering. Adam suggested issuing a negative 3 determination saying the work is in a jurisdictional area but won't alter the area. Jono made a motion to issue a negative three determination, Gail seconded, All in favor.

3) Updates on Heronemus land conservation project

Bridget gave updates on the project of conserving a 90 acre parcel on Depot Rd (known as Heronemus Land) in which Kestrel Land Trust is planning to purchase in fee with the Conservation Commission holding the Conservation Restriction (CR). A state grant has been

received for \$81,000 and the CPC application has been received favorably thus far. Bridget will give a presentation on the project on March 1st and hopes that a Commission member can attend and show support for the project. Kestrel is happy to draft an initial CR and have the Con Com review it. Seth recommended keeping the CR's similar between different town conservation areas to make things more consistent. Bridget mentioned Kestrel is considering divesting the shared driveway that is currently shared with the abutter. Seth mentioned that there may need to be an agreement with the abutter to use the driveway in case machinery is required to enter the property. The Commission requested to see a draft CR ahead of the next meeting and Bridget said she can provide this.

4) Review of FOLP annual submittals DEP#200-0196

Mitch walked the Commission through the annual report submittals. He noted that the Eco Harvester was not able to be permitted due to time constraints but the ProcellaCor was able to be applied. SWCA (a third party) was hired to survey the pond before and after treatment. FOLP also did their own survey and compared it to the SWCA survey. The application of herbicide was focused on the areas with highest concentration of invasive milfoil. Mitch mentioned 3 gallons of ProcellaCor was used over 8 acres. One area was found with a small amount of milfoil after the application. 3 or 4 benthic barriers are currently in place to obstruct milfoil regrowth, Jono asked for documentation on where the benthic barriers are located. A proposal for 2023 work will be given to the Commission that Mitch hoped will have a plan for mechanical removal of milfoil. Seth asked a question about dissolved oxygen improving after the herbicide application and Jono suggested it might be an issue of the timing of sampling of dissolved oxygen. Jono asked for information about the "floating islands of vegetation" that are noted in the August surveys. Mitch disagrees that the floating islands are caused by the herbicide which is something Jono had proposed in his comments from the 2022 review. Very few floating islands came up in 2022 as opposed to the many that came up in 2018 noted Mitch. Mitch estimated that there was a 40 percent decrease in floating islands from previous years. Jono noted that in the EPA document for ProcellaCor under 'resistant management' the document says the herbicide should not be used 2 years in a row. Jono requests that FOLP come up with a long term vegetation management plan. Jono showed concern that the phrase 'targeted milfoil treatment' is misleading as there are other species that are affected by the application. Jono also noted that there should be communication with the community about the long term goals and methodology around Leverett Pond. Tom noted that as soon as the mechanical removal methodology is approved FOLP would prefer that, but would still reserve

the right to use herbicide if needed. It is written in the Annual Report supplied by FOLP that a native aquatic species (*Potamogeton amplifolius*, large-leaf pondweed) is defined as a nuisance, and is suggested to be removed mechanically. Adam said that if native plants are to be deemed as a nuisance there should be sound reasoning presented backing up that claim before making an effort to remove them.

5) Hiring a new Conservation Agent

Seth updated the Commission on the progress of finding an Agent to replace Adam. Miriam DeFant the Chair of the Shutesbury Con Com was in attendance for this agenda item as there could be an opportunity for collaboration between towns in hiring an Agent. Miriam noted that the Shutesbury Commission will likely be losing a Land-use Clerk by March, and the Commission would perhaps prefer to find an Agent to replace them. The Land-use Clerk works 19 hours a week but is shared with the Shutesbury ZBA, so it is noted that possibly 10 of those 19 hours are devoted to the Shutesbury Con Com. A Full-time Agent could possibly be hired by Wendell, Leverett, and Shutesbury, all of which presume to need an Agent by mid-March 2023. The advantages of the three towns working together are noted as the ability to offer more hours, possible benefits, and more consistent work, hopefully translating to a position that would have less turnover.

6) Budget FY24

Gail motions the Commission increase the budget by 5% for both line items, Seth seconds, All in favor.

7) Boundary marking for Conservation Commission land

Seth has been involved in property monitoring with Rattlesnake Gutter Trust, and suggested the Commission take on proper boundary marking for all Conservation Commission properties. It is noted that David Powicki, former Chair, may have a stash of boundary marking signs.

8) Sharing Conservation Commission phone numbers

Commission members trade phone numbers so they can keep in touch.

Next regularly scheduled meeting will be Feb. 6th, at 7pm via Zoom

Motion to close the meeting: Joan made a motion to adjourn, Gail seconded. All in favor.

Meeting adjourned: 9:02pm - Meeting minutes taken by Adam Kohl - Conservation Agent

Minutes approved at the Feb. 2023 meeting of the Conservation Commission.