

## Mon. May 1, 2023 - Leverett Conservation Commission meeting Minutes

### In Attendance:

Seth Heminway, Voting member  
Gail Berrigan, Voting member  
Julia Firl, Voting member  
Jono Neiger, Voting member  
Joan Deely, Voting member  
Hilary and Rich Ferro, NOI applicants  
Ward Smith, engineer for 350 Shutesbury Rd.  
David Henion, LCA president

**Meeting Start Time:** 7:14PM (technical difficulties with Zoom platform)

**Topic 1:** NOI Hearing for 350 Shutesbury Rd (Hilary Wilbur-Ferro & Rich Ferro, landowners)

**Start Time: 7:14**

**End Time: 7:38**

Did not advertise in the local paper (at applicant's expense).

ConCom required to issue its decision or "Order of Conditions" within 21 days (= 5/22/23).

Appeals to "Order of Conditions" (from applicants, abutters, 10+ residents, or MassDEP) due within 10 days of issuance.

Ward Smith: Delineated additional wetlands; changed perennial stream to intermittent per Mark Stinson.

Jono: previous owner did work that was not permitted; Mark Stinson advised not requiring this for new owners; interruption of fish migration is Jono's biggest concern for poorly sized culverts; stream crossing standards not met, but standards are being revised by DEP; written for perennial streams (not intermittent or fish bearing streams); erosion from driveway directly into stream (driveway sand, salt, etc.) Jono asked Ward if any way to mitigate erosion – pavement may be a solution. TRG packs down harder; Hilary open to whatever LCC requires; woods road (now hiking trail) on east of driveway is wide and could cause sedimentation downstream; try installing water bar, Rich committed to planting native shrubs, mountain laurel, etc.; OOC must be provided to National Grid; applicants to start installing erosion barriers this week; LCC does not want to stipulate a certain number of plantings per square foot, but recommends consistency with surrounding density; no planting plan required;

Order of Conditions notes:

- paving or TRG for hardening in certain sections at hairpin turn
- install waterbars or rolling grade dips to keep flow off woods road
- re-vegetate slope under power line with native shrubs consistent w/ surrounding density
- use hay tubes during construction (erosion control barriers @ 3 locations as specified in plan)
- pre-construction site visit after barriers in place

Joan motion to close hearing, Gail 2<sup>nd</sup>, all in favor

Jono & Julia will tackle OC write up; all commissioners will need to sign

**Topic 2:** Landscaping between LCA & Town Hall (Dave Henion, President of LCA Board)

**Start Time: 7:41**

**End Time: 8:09**

Seth did site visit w/ Jono and met with Dave a few days later; changes to shoulder between buildings; remove stumps, boulders, poison ivy; add fill 6-8 feet beyond utility line toward woods; ideally DOT would examine for drainage issues; limited fill and removal of obstructions probably okay to allow for grassy, mowable area; paperwork (NOI) may be needed depending on the amount of fill to be added; some doc was filed previously; 20 yards of topsoil added and seeded w/ grass; covered and area ~ 75 x 50'. David wants gradual swale to be kept mowed and free of poison ivy; how much fill would be needed? DOT has extra fill; small use of town funds for a non-profit (LCA); is there a threshold beyond which permit is required?; what wetland resources are potentially impacted

Look up to see if Request for Determination was previously filed? Allow David to do minimal work to "finish" previous work allowed; anything major will need an actual RDA, project plans, etc. Seth is willing to be the point of contact. Determine if minimal work is okay to proceed or if RDA is needed

Seth says: okay to add no more than 4 feet, no deeper than 12" deep; fill able to be compacted for stability, covered with topsoil, seeded, and stabilized immediately with straw.

David to mark line on ground, invite LCC to visit and determine next steps.

**Topic 3:** 15 Cider Mill Rd. landscaping plan questions (Tanya Cushman, landowner)

**Start Time: 8:09**

**End Time: 8:19**

Assign contact person to help her answer prelim questions. Gail volunteered and will be back in town by May 21. Tanya waiting on final plan for regrading, adding loam, etc. Gail will email Tanya to meet week of May 21-25

**Topic 4:** Funds for trail maintenance (Seth Heminway)

**Start Time: 8:19**

**End Time: 8:25**

Remainder of CPA grant available, ~\$7k for trails. Blueberry fund set up by Dave Powicki. ~ \$100 spent on fertilizer for blueberry patch in past; about \$800 remaining. Seth wants to spend some funds on trail maintenance; all members in favor. Trails committee meeting monthly; decent attendance; work days successful!; working on updating trail maps; Seth taking minutes; Heronemous tract will be primarily managed by KLT, but Trails Committee will collaborate; NLSM trail also an opportunity for trails committee to collaborate; signage at trailheads to be improved – especially at parking lot trail heads

**Topic 5:** Property for sale @ 312 Long Plain Rd. (Julia Firl)

**Start Time: 8:26**

**End Time: 8:32**

Meet w/ realtor, Courtney Jane Brown, to walk site, discuss wetland setbacks. If lot is unbuildable, it may make sense for the town to own it for conservation/recreational purposes.

Julia will look through office files (organized by road & house #) to see if there are more detailed wetland delineation or development plans on file.

Potential idea: Ask Eversource to buy Long Plain parcel as mitigation for ROW veg removal. (once full EIS is complete; Eversource is re-doing EIS).

**Topic 6:** Discuss letter from Keith Morris (Environmental Consultant for New England Central Railroad) that herbicide use is planned on RR rights of way from 6/1/23 → 8/30/23

**Start Time: 8:32**

**End Time: 8:39**

RR required to notify LCC as condition of permit. LCC decides what to do with information. Post full letter in May Minutes and/or on bulletin board to notify public. Contact applicator for specific dates.

**Topic 5:** Administrative tasks

**Start Time: 8:40**

**End Time: 8:47**

Gail motioned to approve March and April Minutes w/ one edit to correct spelling of her name, Joan 2<sup>nd</sup>, all in favor

Update on LCC chair, duties, agent hiring: Gail to reach out to Margie on agent hiring. It's been a couple weeks since Joan has been able to check email (invalid password).

Julia to send email LCC with SOP passwords.

Google Zoom admin user; clearing cache; ask Margie for help.

Gail motion to adjourn, Joan 2<sup>nd</sup>, all in favor.

**Meeting End Time: 8:47**

Minutes recorded by Julia Firl, voting member.