Town of SHELBURNE

Conservation Commission

MINUTES

Regular Meeting ~ November 13, 2014

Present: Norman Davenport, Tom Miner, Allan Smith

Administrative Assistant: Faye Whitney

Applicant: Siona Pastisteas, representing New England Power

Public: John Richardson and Todd Blake

Chairman Norm Davenport convened the meeting at 7:35 p.m. A quorum was present.

**Approval of Minutes**

A motion was made by Tom, seconded by Allan, to approve the minutes of October 7.

Voting to approve: Norm, Tom, Allan

Opposed: None

Abstaining: None

**Mail/Announcements**

Tom had received an email regarding new WPA regulations that took effect October 24. Mark Stinson, DEP Wetlands Circuit Rider, will hold a series of pubic forums regarding the changes. The closest forum will be in Hawley, at 6:30 p.m., on December 17. Tom suggested getting a hard copy of the new WPA regulations.

Emails have been exchanged between Tom and the owners of the former Rainville property, regarding the closure of the former farm dump. A Phase II site assessment found no toxic materials. The large pieces from the dump will be removed and the rest will probably be left on site.

**Building Permits/BOH Reports/Forest Cutting Plans**

No forest cutting plans, ZBA or BOH notices, or building permits have been received since the last meeting.

**RDA Public Meeting**

A public meeting to review an RDA submitted by the New England Power (NEP) for access road maintenance at 241 Jim Barnard Road was convened at 7:45 p.m. Siona Pastisteas described the work to be done. NEP uses a private driveway as a right of way for transmission line maintenance. NEP can get through on the driveway, but the landowner cannot at times due to drainage problems. NEP plans to repair the gravel drive and improve the existing drainage channels to prevent the continued freezing and erosion of the road. The proposed work falls within the 100-foot buffer zone of a wetland and the banks of an intermittent stream channel, which crosses the driveway through an existing culvert. No work is proposed within the delineated wetland resource areas or to the existing culvert. The stream channel is full of invasive vegetation, which blocks the drainage. NEP will remove the vegetation to open the drainage. Repairs will include regrading existing surfaces and the placement of additional gravel. Drainage upgrades include subsurface piping to direct pooled water away from the driveway and an additional drainage ditch. No impervious paved surfaces are proposed as part of this project. Tom recommended approving a Negative 3 Determination, citing the exception of 310 CMR 10.02 (2)(b)(2)(q) The repair or replacement of an existing and lawfully located driveway servicing not more than two dwelling units, with the following conditions: 1) The applicant shall install an erosion/sediment barrier to ensure against runoff of sediment into the stream and BVW: 2) Areas where vegetation has been removed shall be covered with straw or biodegradable geo-cloth upon completion of the work to avoid sediment-laden runoff into resource areas in the spring; and 3) The applicant shall inspect the work area in the spring with members of the Commission to determine the effectiveness of erosion and runoff control. The applicant shall carry out remedial measures deemed necessary by the Commission to protect adjoining resource areas.

A motion was made by Tom, seconded by Allan, to approve a Negative 3 Determination, with the above three conditions.

Voting to approve: Norm, Tom, Allan

Opposed: None

Abstaining: None

The public meeting was closed at 8:08 p.m.

**Associate Members**

Tom recalled that the Commission had discussed an associate members policy and had created a draft of such a policy, but it is unclear whether there was a vote on it. A motion was made by Tom, seconded by Allan, to confirm the draft policy on associate members.

Voting to approve: Norm, Tom, Allan

Opposed: None

Abstaining: None

Both John Richardson and Todd Blake have expressed interest in the open seat on the Commission. On reflection, John said he would prefer to be an associate member to avoid potential conflicts of interest. A motion was made by Allan, seconded by Tom, to request the Selectmen appoint Todd Blake to the open seat on the Conservation Commission, for a three-year term.

Voting to approve: Norm, Tom, Allan

Opposed: None

Abstaining: None

A motion was made by Allan, seconded by Tom, to appoint John Richardson as an associate member of the Conservation Commission.

Voting to approve: Norm, Tom, Allan

Opposed: None

Abstaining: None

**Other Business**

Tennessee Natural Gas Pipeline. Previously scheduled open house meetings concerning the pipeline have been postponed. Steve and Allan are continuing to work on a position for the Commission to adopt regarding the pipeline.

Next meeting. Tom suggested that the December meeting could be skipped. The next meeting would be on January 6.

A motion was made by Allan, seconded by Tom, to skip the regular December meeting.

Voting to approve: Norm, Tom, Allan

Opposed: None

Abstaining: None

At 8:35 p.m. a motion was made by Allan, seconded by Tom, to adjourn the meeting. The vote in favor was unanimous.

Respectfully submitted,

Faye Whitney

Administrative Assistant

**Document List**

Minutes of October 7, 2014

Associate member policy