Town of SHELBURNE

Conservation Commission

MINUTES

Regular Meeting ~ August 13, 2024

Present: Norm Davenport, John Harrington, John Richardson, Susan Berger

Absent: Steve McCormick

Administrative Assistant: Faye Whitney

Guests: Mark Stinson, Laura Mitchell, Rob Mitchell, Jeff Johnston, Geoff Stack

Chair Norm Davenport opened the meeting at 7:02 p.m. A quorum was present. The meeting was held via Zoom.

**Minutes**

A motion was made by John R, seconded by John H, to approve the minutes of June 25. Roll call vote: Norm – yes; Susan – yes; John R – yes; John H – yes. Motion passed 4-0-0.

**Mail**

The Commission agreed to pay the annual dues to MACC. The amount is $215 and includes all members as well as Faye.

A cutting plan submitted by Apex Orchard was received.

An anonymous complaint had been received about cutting trees on an Old Greenfield Road property. A cutting plan for the property had been approved. Faye will contact Allison Wright, the DCR Service Forester, and ask her to check it out.

Geoff Stack of 55 Water Street said he had inherited a situation where, during rain storms, overflow from the street is missing the storm drain and is instead flowing over and eroding the river bank. Highway Superintendent Jeff Johnston said he would look at the situation. Geoff said the river bank was being held in place by knotweed and a pile of brush. Susan suggested hand pulling the knotweed. Mark Stinson said anything done on a river bank requires Con Com permission an suggested that an RDA be filed.

Susan left the meeting.

**7:15 p.m. – RDA Meeting for Laura Mitchell – 94 Patten Road**

Laura and Rob Mitchell explained that they wanted to rebuild an existing farm road in order to reach an old orchard and remove the invasives that have taken over the area, then replant the area as a hay field. They said they planned to put down gravel in spots. They would continue to make use of an old stone culvert. There would be no work done in the brook. John H asked for a more detailed description of the proposed plan. The Mitchells said that the land is conserved with Franklin Land Trust, which has approved the project. The orchard was last in production 25 to 30 years ago. Mark said that meant the ag exemption was no longer in effect. For new agriculture the riverfront area is 100 feet and any work within that 100 feet would require and NOI. An NOI would need to show where the road is, where the stream crossing is, and the 100-foot buffer zone would be shown. The description of the work would need to describe the resource area, the limit of work, and what work was to be done. For new agriculture the NOI fee would be $165. The Mitchells asked to withdraw their application without prejudice. A motion was made by John H, seconded by John R, to accept the withdrawal of the RDA application, submitted by Laura Mitchell, without prejudice. Roll call vote: Norm – yes; John R – yes; John H – yes. Motion passed 3-0-0.

**New Business**

**Old Greenfield Road**

The Highway Department had done some work on the shoulder of Old Greenfield Road for stabilization. The fill that was used contained knotweed and some of it is on property belonging to Connie Clarke. Connie wants the knotweed removed and she does not want herbicides to be used. Jeff Johnston thought the only option was to remove the fill, dispose of it, and replace it with clean fill. A stream at the bottom of the slope may be involved so perhaps the fill needs to be removed by hand. Mark Stinson said hand work on a stream bank would require an RDA. But he added that herbicides were the way to go. A licensed herbicide applicator would need to do the work. Herbicides can’t be used without the permission of the landowner. Mark said the cut and paint method of herbicide use could also be used. Jeff will see if there are funds for a licensed applicator and come back with an RDA.

**Patten Road Culvert**

A culvert on Patten Road has failed on the outlet end. Water breached the road. It has temporarily been fixed, but the culvert needs to be a larger size. Norm said that historically when the upstream beaver dam has failed the water over topped the road but the road did not wash out. Mark said he would be willing to look at the site. Norm suggested that this might be the time to install a dry hydrant in the area. Jeff wanted to work on the culvert before winter.

**Old Business**

**Bundled NOI**

Faye reported no progress on the bundled NOI. John H asked why the Con Com was doing it instead of the Highway Department. The Con Com has money for it in the budget.

John R left the meeting.

The next meeting will be September 10.

 At 8:11 p.m. with only two members still present the meeting was ended.

Respectfully submitted,

Faye Whitney, Administrative Assistant