

**TOWN OF SHEFFIELD  
CONSERVATION COMMISSION  
APRIL 14, 2014  
DOWNSTAIRS MEETING ROOM  
7:00 PM**

Board Members Present: Don Ward, Chairman  
Cheryl Blackburn  
Peter Stiglin

Board Members Not Present: James Collingwood, Sr.  
Howard Chezar

Others Present: Jill Hughes, Clerk  
Mark Stinson, MassDEP  
Members of the public (see sign in sheet)

Chairman Don Ward called the meeting to order at 7:09 pm.

**Continuation of Public Hearing: Notice of Intent filed by Stockman Associates, LLC on behalf of The Nature Conservancy, for property on Barnum Street. The proposed project involves the maintenance of an existing hiking trail (including boardwalks and bridges), installation of a small bench with vista pruning and invasive species management at the Drury Preserve.**

Chairman Ward read the public hearing notice. The Commission received a letter dated 3/28/14 from Natural Heritage. Member P. Stiglin conducted a site visit before the meeting and met with Emily Stockman and Angela Sirois-Pitel. He explained that a section of the boardwalk will be replaced because it is in disrepair and there is some vista pruning. The Nature Conservancy would like to relocate placement of the bench due to a steep drop off at the original location. They feel the new location would be a safer place for it. A tentative start date would be May 17, 2014. *P. Stiglin motioned, with a second from C. Blackburn to close the public hearing for the Notice of Intent for The Nature Conservancy. The motion passed 3-0.*

The Commission had a discussion about the proposed work. *P. Stiglin motioned, with a second from C. Blackburn to approve the Notice of Intent for The Nature Conservancy with the following Special Conditions:*

1. *Work must comply with the March 28, 2014 letter from the Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife.*
  2. *Please notify the Sheffield Conservation Commission of the start date and the completion date of the project.*
- The motion passed 3-0.*

Emily Stockman informed the Commission that under the approved plan/Enforcement Order for Parcel 2 Bartholomew Project, The Nature Conservancy will be starting to disassemble a section of stone wall on the property to allow wildlife to get through.

**resource areas. No work is proposed within wetland resource area. Vegetation control will conform to guidelines set forth in the Mass. Rights-of-Way Management Regulations (333 CMR 11.00) and the preface to the Wetlands Protection Regulations (333 CMR 10.00) relative to rights-of-way management.**

Chairman Ward read the public notice. Brendan Amy was present for TEC Associates. Mr. Amy handed out new maps and stated that in 2005 the Commission approved a delineation of wetlands along HRRC's right-of-way to conduct vegetation management and that HRRC has not performed vegetation control activities since June 2010. He informed the Commission that he spent the day adding plates to the tracks to mark areas. He further explained that a truck with a nozzle sprayer rides on the rails, the chemical they use is regulated and the spray is very controlled. Pictures of the truck and of areas that have been sprayed and a discussion ensued. **D. Ward motioned, with a second from P. Stiglin to issue a Positive Determination 2A approving boundaries with the following conditions: this wetland delineation as indicated by map dated 3/10/14 for a Limited Application Waiver to allow HRCC a onetime only application valid only in 2014. The motion passed 3-0.**

**Public Meeting: Request for Determination of Applicability for Adam Phillips for property on Oak Street. The proposed project is to construct a one story home. The applicant is looking for a determination as to whether the area is in an area subject to jurisdiction.**

Chairman Ward read the public notice. Mark and Timothy Formel were present for the applicant. Chairman Ward and Mark Stinson, MassDEP conducted a site visit prior to the meeting. There are wetland jurisdiction issues, a possible intermittent/perennial stream and wetland vegetation in the area. A discussion ensued about the wetland issues and the recommendation that the applicant hire a wetland consultant and file a Notice of Intent. **D. Ward motioned, with a second from P. Stiglin to issue a Positive Determination #1 the area described on the referenced plan is in an area subject to protection under the Act. The motion passed 3-0.**

**Public Meeting: Request for Determination of Applicability for Ken Westlake for property on Route 7. The proposed project is construction of a 100 KW ground mounted solar photovoltaic farm. The applicant is looking for a determination as to whether the area is in an area subject to jurisdiction.**

Chairman Ward read the public notice. Ethan Archundia was present for the applicant. Chairman Ward and Mark Stinson, MassDEP conducted a site visit prior to the meeting. Mr. Archundia gave an overview of the proposed project. A discussion ensued about the river across the street, which the project would need to be 200 feet from and both of the parcels are in the flood plain. Mark Stinson informed Mr. Archundia that to determine whether or not the area is in the flood plain he would have to go by the flood insurance study which has the exact elevation. **D. Ward motioned, with a second from P. Stiglin to issue a Positive Determination #1 the area described on the referenced plan is in an area subject to protection under the Act. The motion passed 3-0.**

**Minutes:**

Chairman Ward tabled approval of the minutes from 3/10/14 and 3/24/14 until the next meeting.

**Rules and Regulations for hiring an outside consultant under MGL Ch.44 Sec 53G:**  
The Commission reviewed and discussed the model rules for hiring outside consultants.  
**D. Ward motioned, with a second from P. Stiglin to adopt the rules and regulations for hiring an outside consultant under MGL Ch.44 Sec 53G. The motion passed 3-0.**

**Upcoming Conferences and Mail:** There was no mail to review.

**Bills Pending:** Outstanding bills were addressed and signed.

**NOI Account:** The Commission reviewed the balance in the NOI account. Mark Stinson explained that these funds can be used by the Commission for administration or enforcement of the Wetlands Protection Act.

**Fawn Lake:** The Commission spoke to Mark Stinson about the NOI for Fawn Lake and a discussion ensued over the need to further review the file.

**Adjournment:** There being no further business before the Commission this evening,  
**C. Blackburn motioned, with a second from P. Stiglin to adjourn the meeting. The motion passed 3-0 and the meeting adjourned at 9:30 pm.**

The following documents were reviewed during the Board's meeting and have been retained as required by the Massachusetts Public Retention Policy: Meeting Agenda; Sign in sheet; NOI application-The Nature Conservancy; RDA-TEC Associates; RDA-Adam Phillips; RDA-Ken Westlake; 3/28/14 letter from Natural Heritage; MGL Ch.44 Sec53G; NOI account balance; draft meeting minutes 3/10/14 and 3/24/14.

Respectively submitted by:

  
Jill Hughes  
Recording Secretary

Sheffield Conservation Commission

Date: April 14, 2014

- |     | Name - PLEASE PRINT          | Street, Town         |
|-----|------------------------------|----------------------|
| 1.  | Emily Stockman               | Plainfield           |
| 2.  | Angela Simos-Pitel           | Hartwood, Lee        |
| 3.  | Timothy Formel               | Sheffield, ma        |
| 4.  | MARK A Formel                | GT. Barru mass       |
| 5.  | WM STUHLBARG                 | Berkshire Lake Assn. |
| 6.  | Brendan Amy - TEC Associates | Housatonic Railroad  |
| 7.  | Ethan Archundia              | R7, Sheffield        |
| 8.  |                              |                      |
| 9.  |                              |                      |
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| 14. |                              |                      |