MEETING MINUTES

November 19, 2014

MEMBERS PRESENT: Anne Rylestone, Randy Noble, Bill Zinni, Linda Leehy

MEMBERS ABSENT: Travis Stolgitis

OTHERS PRESENT: Selectman Harry Comerford

RECORDER: Linda Leehy (in the absence of a commission secretary)

CHAIRED BY: Anne Rylestone

The meeting was called to order at 6:40 p.m. by Anne Rylestone.

**Approval of meeting minutes:** Minutes from previous meeting read, motion by Linda Leehy to accept meeting minutes as written with minor edits. Bill Zinni seconded, approved by unanimous vote.

**Announcements:**

Mark Stinson is conducting workshops for updates of regulatory changes at several locations.

Two dates and locations under consideration for the Hardwick ConsCom members are: Thursday, December 4 at the Hadley Senior Center, and Tuesday, December 9 at the Warren Town Hall. Bill Zinni will check his travel schedule as to the best time for members to go together.

**Public Inquiries,Comments:**

=>Shelby Braese from the East Quabbin Land Trust spoke in regards to the new fitness trail on the Plouffe property concerning wet areas on the rail trail bed. There are two primary areas of concern. She suggested putting in a boardwalk at the culvert leading to the first fitness station rather than repairing the culvert itself, and diverting water and placing stones in a wet, muddy patch between the first and second fitness stations. Randy asked if this was within the 200 foot riverfront area. Linda replied that yes it was, on the preexisting railroad bed. Randy said if it is within 200 feet of the river, it is still riverfront. Bill felt this was preexisting work related to the fitness trail. This is town property, so there would be no fee if an NOI is in order. Anne asked Shelby to come back with more specific details. ConsCom members planned a site visit for November 22 at 1:00pm.

=>Patrill Hollow Tract, Muddy Brook Wildlife Management Area(Rebecca DiGirolomo) concerning permanent stream crossing: Natural Heritage and Endangered Species sent a letter stating there are no adverse effects on habitat in the resource area for culvert replacement.

=>Lane Property-Possible Violation: Mr. Lane is dumping soil on the backside of his property. This abuts the Van Arsdell property uphill of where Van Arsdell filed an NOI to put in an access road next to the Pine Island wetland area. The property line is questionable in regards to whether the stone wall is the actual boundary. Boulders have been dumped over the banking, and landed against the stone wall. The Hardwick Police Chief spoke to Howard Lane in regards to this. He stated to the chief that he didn’t dump anything.

Regardless of whether this is a trespass, dumped soil is in the buffer zone according to the accepted maps from the Van Arsdell NOI. Although the slope does not seem stable, there is no violation unless the soil washes into the riverfront area. There is also a question as to whether the portion of the bank directly in the riverfront had any fill dumped on it. Howard Lane called Anne Rylestone asking what to do. Anne will get back to Howard Lane about this issue.

=>Lind Property and New Agriculture: New agriculture needs are to show products are being produced on the land in question, and there are reasonable goals to generate profit on those products. There are no exemptions for new agriculture. An NOI has to be filed. Land in agriculture: Farming can occur within the outer 100 feet of the riverfront if it is shown there are no other alternatives. No farming can occur in the closest 100 feet to the river. Mr. Lind will be advised to attend a ConsCom meeting to discuss the above.

=>Will Van Arsdell filed for a Certificate of Compliance: After a motion to issue a Certificate of Compliance to Will and Anne Van Arsdell by Bill Zinni, seconded by Anne Rylestone was approved by all with Randy Noble abstaining, Bill Zinni and Anne Rylestone filled out the form and Linda Leehy mailed it on November 19, 2104.

=>Maple Hill Farm site visit: Bill Zinni and Linda Leehy performed a site visit with Dr. Liland concerning a state funded management plan. He was not in accordance with the plan at that time, as he cleared the entire area rather than only treating the invasives. At the time of violation, a site visit was performed. The first conclusion to the violation was to replant the area. Matt Hickler, a botanist, reported some unique rare plant communities in the area of concern. The conclusion then changed to giving the area a few years’ time to see if these communities would develop on their own. This area is considered a fen. Bill Zinni, with his Conscom hat and wetland scientist hat on at the same time, recorded some wetland plants at the site visit. He recommended to Dr. Liland that he contact Matt Hickler to resurvey the area and do a follow-up report. In addition, a Harvard entomologist specializing in ants found rare Fen Ants in the wetland. Bill asked Dr. Liland to get a report from him. There was also a recommendation to check with the DEP to see if they wrote an administrative consent order to Maple Hill Farm. Randy Noble will call Mark Stinson to confirm.

**Conscom Business:**

=>Posting Meeting Minutes: Paula Roberts showed Anne Rylestone the procedure for putting the meeting minutes on the my town government website. She gave Anne the password to access the site.

=>Travis Stolgitis has not sent his letter of resignation to the Hardwick Selectman as of November 19th. Anne expressed the need to retrieve keys and MACC manuals from both Travis and Frost.

=>Anne Rylestone recycled the old monitor and printer. The computer itself is awaiting retrieval of documents off the hard drive.

=>Clerk Salary paid: Melanie Rich requested 2 weeks’ pay for the end of October. Anne Rylestone signed off on the request. Linda Leehy stated that according to the financial report, Melanie had already been paid. Linda Leehy will check with the accountant.

=>Finance Report: Linda Leehy gave a finance report update. A question came up as to whether the gray shelving ordered from Quill came in. Linda Leehy to ask Sherry Patch if the order came in.

=>Fees: RDA fees. Usually a town bylaw has to be passed to change fee amount. In addition, the applicant pays the fee for posting in the local paper in order to comply with the open meeting law. Randy Noble stated that we were charging $25 all along, and Harry Comerford , in attendance at the meeting, stated that we could continue to charge the $25 RDA fee.

Other fees are according to the specific form filed and the work to be done.

Condit Letter: Bill Zinni hand delivered the certified letter returned form with the order of conditions for the negative2 RDA determination to the Condit’s.

Member recruitment: Bill Zinni asked Becky Bottomly and Kirby Lecey if they would be interested in the commission member openings. Becky expressed some concerns and she had some personal issues keeping her from applying at the time, but she would consider it. Kirby Lecey said she would consider it, but she had some personal issues to resolve as well.

Anne handed out a “to do” list for office reorganization: Some sign-ups for certain tasks took place. She would also like to see an office manual put in place.

Job Applications for Clerk: Four applications have been received so far. The salary is as yet unknown. Anne will inquire as to the salary. Sherry needs to find out from treasurer.

Discussion on Contractor bids: We are not ready to submit the bids to the selectmen as of yet. An NOI needs to be filed for the work to be done as it is all in the riverfront area. Bill has volunteered to work on writing an NOI for the Thompson property and the Gazebo. The commission agreed that we need to let contractors know sooner than later, as they are waiting for an answer as to whether they will get the bid. Mr. Lebelczyk has asked Bill Zinni on several occasions about the Thompson property work.

**Violations as reported by Randy Noble:**

=>No sign displaying the DEP file number at the site of the culvert being put in at the Patrill Hollow site. This is a Town of Hardwick project and Randy Noble will contact Mike Howe.

=>Bulldozed area within 100 feet of a perennial stream with a storage container on private property at a site to the back of the winery immediately on the right in the vicinity of Patrill Hollow Road. Committee members will do a drive by to better acquaint themselves with the situation.

Motion by Bill Zinni to adjourn meeting at 9:30. Linda Leehy seconded, approved by unanimous vote .