**Town of Hardwick**
**Conservation Commission**
via Zoom
**December 15, 2020
APPROVED MINUTES**

**ATTENDANCE:
PRESENT:** Bill Zinni, Chair Becky Bottomley, Vice Chair David Larson Nicholas Paydos
 Peggy Baxter, Clerk
**Also Present:** Steven Pikul, Bertin Engineering Elio Qorri, Bertin Engineering Julie Quink, BoS, Zoom host
**Call to Order:** The meeting was called to order at 6:37 pm by Chairman, Bill Zinni.

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| **TOPIC** | **DISCUSSION** | **Next Action/ Responsible Party** |
| **NOI: HPPA (cont. from previous meeting)** | Becky Bottomley, Vice Chairman, assumed the Chair as Bill Zinni recused himself. She opened the hearing at 6:40 PM. In the absence of Hardwick Pond Preservation Association President, Gary Mascitis, Bill Zinn, HPPA member, gave this update:* Meeting 12/15/20: Representatives from NHESP (Misty Ann Merrold and Jesse Leddick); HPPA Board; SePRO (Jon Gosselin and Erica from Lab) and SOLitude (Dominic) participated in the meeting.
* Limited testing to begin on the Pond in late spring/early summer, 2021
* Protocol for testing being updated. Testing to take place at south end of Pond at outlet on orchids growing near the outlet. This will eliminate any contamination of the rest of the Pond.
* Chris Buelow has been cleared to assist with the testing. Bill Zinni will do data collection with Chris. This will be an intensive process.
* NOI may need to be amended.

Bill requested a continuance to the February 16, 2021 meeting.**Action:**  By unanimous vote, the hearing was adjourned at 6:48 pm**Action:** It was moved, seconded, and agreed upon by the 3 voting members to continue the hearing to Feb. 16, 2021.  |  |
| **J. Harder Solar Projects (cont. from previous meeting)** | 1. Osborne Rd (Ware)/ Off Collins Rd (Hardwick): Bill Zinni resumed the Chair and opened the hearing at 6:50 pm.• There have been no recent updates from the Ware ConCom.• Waiting for Ware to make peer review report available to us• Steve Pikul, Bertin Engineering, gave some background on the Ware  portion of the project. • J. Harder will remove a trailer that remained on the property. • A subdivision plan for the property has been submitted to the Ware  Planning Board, which will review comments from BSC Group in the  peer review report. Mr. Harder wants a subdivision, one lot for a  residence, and 1 lot for the solar project. The subdivision does not cross Town lines.• Bill will ask for site visit with Ware ConCom and to see peer review  report.• Steve Pikul said site visit will take place once the Certificate of  Compliance is settled. He would like to include representative from  |  |
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| **Harder Solar Projects (cont.)** |  Hardwick Police and Fire Departments to review for safety.• Ware suggests a shared access road on the northerly side, but  would be very difficult to access. Preferred access would be from  Hardwick on the southerly side, in order to accommodate safety  vehicles.• Mr. Pikul agreed to a continuance of the hearing.**Action:** By unanimous vote of the ConCom, the hearing was adjourned at 7:02 pm.**Action:**  It was moved, seconded and unanimously agreed upon to continue the hearing to the meeting of January 19, 2921 2. Old Greenwich Plains Road: Hardwick Solar LLC, DEP File # 176- 0154• Bill reported that peer review letter was received yesterday  (1/18/2020). He will email to team to review prior to 1/19/21  meeting.• 1/12/2020 site visit included Harry Comerford and Lucinda Childs,  Hardwick Planning Board; Steve Pikul, Bertin Eng.; J. Garvey,  ; Jeff Walsh, Graves Eng.; BSC Group peer reviewer; Bill Zinni, Becky  Bottomley and Dave Larson, Hardwick ConCom. They saw much of  the site. Need to look at wetlands delineation and blue flagging• Mr. Pikul suggested using logging road to western part of project opposite 1st wetland; or ask for waiver to go along south boundary to get around wetland to 1st set of panels. To be reviewed at Bertin weekly meeting.• Maintenance drive to be taken out of plans.• Some of the solar array will be changed. Junipers to be planted 12’ on center to shield panels from view.• Tree-topping along southern boundary will be reduced.• It will be difficult to schedule another site visit now that winter has set in.**Action:** By unanimous vote, the hearing was adjourned at 7:20 pm.**Action:** Mr. Pikul requested continuance of hearing to 1/19/2021. This was unanimously agreed upon. |  |
| **Public Hearing, NOI: Ware River Park** | The hearing was opened at 7:21 pm. Cynthia Henshaw, EQLT Director, attended to address concerns from DEP and NHESP regarding the NOI submitted. NOTE: abutters were notified and legal ad was placed in *Ware River News.****Background:*** NOI includes work proposed for 10 acres along the Ware river, from the Gazebo, extending east to the old Golf course. It is a joint project of the EQLT and ConCom, with help from DFW and C4R Blue Trail. Project includes opening the area for public access (fishing, hiking, biking, picnicking; wildlife habitat; invasive plant control; widening trails for better access to river; and creating picnic areas. Fitness Trail to be widened to 10’. DEP has not issued a File # yet; more information is required.***NHESP Concerns:*** We need to pay $300 filing fee. The area is creeper habitat (small freshwater mussel). Clarification needed, including revised site map with landings, access points, and what is existing, and proposed improvements to existing features.  | Peggy to prepare voucher for $300, payable to NHESP |

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| **NOI: Ware River Park (cont.)** | ***Grant Application:*** EQLT is applying to Mass Trails Grant Program for various portions of the Ware River Park project. Grant application is due 2/1/2021.Rebekah Zimmerer of NHESP will conference call on Thursday at 10:30 am. Bill, Becky and Cynthia Henshaw will participate in the call. Cynthia Henshaw will participate in the call. There is a natural canoe landing at the Thompson property. Foot traffic will not impact the banking at all.**Next Actions:** Send $300 fee to NHESP; EQLT offered to submit detailed sketches and updated site maps.***DEP Concerns:*** The work is in the riverfront. Mark Stinson feels it is not redevelopment; that it is reforested and regrown in shrubs. ConCom feels that the top of the trail should be considered redevelopment. The Thompson property hasn’t been mowed in approximately 20 years, though it was to have been maintained for public access. We have some leeway, as there was a trail and a landing at the bottom. Invasive species control is acceptable to DEP, but mowing is problematic. ConCom could possibly provide habitat mitigation. Example: The Lucy Stone Park in Warren did 2:1 mitigation with invasive plant control. ***Further Discussion:*** ConCom has been in contact with CHA, engineers for the Rtes. 32 and 32A improvement project. ConCom is looking for cooperation from CHA to ensure people can cross the road safely. Perhaps a flashing light could be installed at the crosswalk, or other safety measure. Cynthia also needs firm budget numbers, for example, from Joe Lubelczyk re: mowing at Thompson property. Cynthia will get the narrative of the grant application to the ConCom prior to the 1/19/2021 meeting. The work proposed in the Grant application is for the 2022 season. **Action:** By unanimous consent, the Hearing was continued at 7:51 pm to 1/19/2021. There is no need to notify abutters again. |  |
| **NOI: Patrill Hollow Rd. Culvert** | The Hearing was opened at 7:52 pm. The hole in the road has been patched, so it is not a safety hazard at present, and will get through the winter. **Action*:*** The hearing was adjourned at 7:53 pm andcontinued to the 1/19/2021 meeting. |  |
| **Request for Waiver of Right of first Refusal** | Pam and Ray Robinson have two, 2-acre lots for sale, with potential buyers for each lot. The Robinsons are asking if the ConCom wishes the Town to purchase these lots. **Action:** There are no conservation lands nearby, so ConCom voted unanimously to waive the Right of First Refusal. Chairman signed the document. | Peggy to submit signed document to Town Administrator |
| **Properties at Clapp and North Roads** | 1. ***Complaints:*** GIS map of the area was displayed on-screen. Work is being done there with no permits. Lisa Prouty spoke with the developer, who left her concerned that he would not take the wetland regulations seriously. There were also an anonymous voice message complaints to the ConCom, DEP and Planning Board regarding this work.
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| **Properties at Clapp and North Roads (cont.)** | The cleared access road on the lower lot is probably 100’ from the wetland. The northern lot appears to include wetland already cleared with an excavator. Discussion: Lucinda Childs, Planning Department clerk, has the contact information for the developer. Action: Following discussion, it was moved, seconded and unanimously agreed upon to issue a strongly worded violation/cease and desist notice, requiring that wetland delineation be done by a wetlands consultant and paperwork filed with the ConCom. If the developer does not respond, the next step would be to issue an Enforcement Order.1. ***Inquiry:*** A potential buyer, Jay Gorrie has inquired about the possibility of putting a driveway across wetlands at property at the intersection of Clapp and North Roads. ConCom will seek advice from Mark Stinson, DEP Circuit Rider on this issue. It may require replication or mitigation. The applicants would have to have a wetlands consultant to delineate the wetlands, and then come to the ConCom with a NOI.
 | Bill will speak with Mark Stinson about this. |
| **Beavers situation along Rte. 32-A** | Nick Paydos, Bill Zinni and Marty Gryszowka, Highway Superintendent have spoken about this issue. The goal is to maintain the scenic beauty and wildlife habitat. The pond level is so high that Marty is concerned about the integrity of the roadway. The Board of Health Agent, Tex Sarabia agreed to issue a 10-day emergency permit. Nick volunteered the use of his permit and license numbers. He suggested to Marty that the water level be lowered 12, taking it down 6” at first and then the next 6” in a second step. Nick was thanked for volunteering his service to the Town for this important project, so that the beavers can maintain their habitat and the road can be protected. |  |
| **Inquiry: Greenwich Road** | Trevor Duplisea had inquired bout putting a driveway across wetland on property on Greenwich Road, close to Gate 44. There is a Certified Vernal Pool present on the property, which has a 100’ buffer zone. We have not heard anything further from Mr. Duplisea. |  |
| **Follow-Up re: Beavers at Wendy Howes’ property** | ConCom will ask Mike Callahan to conduct a site visit for us to see the work done at Old Greenwich Plains and Fiske Roads. Bill asked Nick to be present at this site visit, if possible |  |
| **Culverts in Town** | ConCom should look at developing a “bundled” approach to culvert work in the Town and include Mark Stinson in the discussions. |  |
| **ConCom Membership** | Will Keelips had drafted a letter of interest re: joining the Conservation Commission. Becky will check with him again to see if he is still interested.  |  |
| **Update on Applications** | ConCom members were asked to re-read the update that Theresa Cofske forwarded from Kopelman & Page regarding timeframes for permits resuming as of 12/1/2020. |  |
| **Moratorium on Solar Projects** | Several residents have requested a moratorium on solar projects in the town. Bill suggested that they write their State legislators. Ms. Anne Rylestone wrote a note to Senator Gobi. |  |
| **Return of Check** | RJ McDonald submitted a check for the fees for the RDA he submitted. He has withdrawn his application. The check will be returned to him by Certified Mail. Bill will contact Bill Murray of Places about no longer needing Peer Review.. |  |

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| **TOPIC** | **DISCUSSION** | **NEXT ACTION/ RESPOINSIBLE PARTY** |
| **Review/ Approval of Minutes of Previous Meetings** | The Minutes of the October 20, 2020 meeting and these Minutes of the December 15, 2020 meeting will be reviewed/approved at the January 19, 2021 meeting. Members are encouraged to review these two sets of Minutes prior to the meeting. Upon approval of these Minutes, we will be “caught up” with this task. |  |
| **Adjournment** | By unanimous consent, the meeting was adjourned at 8:45 pm. Julie Quink was thanked for her assistance with setting up the Zoom meeting. |  |
| **Next Meeting** | January 19, 2021, 6:30 pm, via Zoom. A link to the meeting will be posted on the Town website for any interested residents to attend. |  |

Respectfully submitted,

Marguerite L. Baxter, Clerk