

Town of Hardwick
Conservation Commission
via Zoom
April 28, 2021
APPROVED MINUTES

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2021 JUN 11 P 1:58

ATTENDANCE:

PRESENT: Bill Zinni, Chair Becky Bottomley, Vice Chair Nicholas Paydos David Larson
Peggy Baxter, Clerk Julie Quink, BoS, Zoom host

Also Present: HPPA – Gary Mascitis St. Aloysius Catholic School – Fr. Richard Lembo, David Adams, Roberta McQuaid, Heather Comee Bertin Engineering – Steven Pikul DFW – Chris Buelow

TOWN CLERK
HARDWICK, MA

Call to Order: Julie Quink, Zoom meeting host, read the standard statement regarding Zoom meetings during state of emergency and notified all present that the meeting was being recorded. A quorum was declared, and the meeting was called to order by Chairman, Bill Zinni, at 6:37 pm.

TOPIC	DISCUSSION	Next Action/ Responsible Party
NOI: HPPA DEP File # 176-0143	<p>The hearing was reconvened from the previous meeting at 6:40 pm. Bill Zinni recused himself and Becky Bottomley assumed the chair. Gary Mascitis, HPPA President reported that the pilot test on the pond will begin in late May or early June. The ConCom received via email an addendum to the NOI from Dominic Meringolo at SOLitude. This addendum has already been sent to NHESP, and will be sent to DEP tomorrow, 4/29/2021. Research into the ownership of the bottom of the Pond disclosed that the owner is the Commonwealth of Massachusetts. The DEP and DFW need to agree re: the issue of ownership and are in consultation with their attorneys. NHESP is working on documents to send to the ConCom after hearing from their attorney. Gary felt that everything should be ready in time for the May 19th meeting. Becky suggested that the ConCom can schedule a meeting on May 12, if the HPPA is ready to proceed sooner.</p> <p>Action: It was moved, seconded and unanimously agreed upon to provisionally continue the Public Hearing to Wednesday, May 12, 2021 at 6:30 pm. If the HPPA is not ready to meet at that time, the hearing will be continued to the regularly scheduled ConCom meeting of May 19, 2021 at 6:30 pm. Dave Larson will be the Zoom host for the meeting of May 12th. Peggy will post the meeting and a brief agenda.</p> <p>The hearing was adjourned at 6:55 pm. Bill resumed the chair.</p>	Peggy to post Special Meeting. Dave to send Zoom link.
J. Harder Solar Project NOI: Old Greenwich Plains Rd. DEP File # 176-0154	<p>This hearing was reconvened at 6:57 pm from the previous meeting. Plans now show the entrances and a compressed footprint to limit encroachments in the buffer zone. Bill asked that the electronic files be sent via Dropbox. Steve stated the files are very large and that he will send the links. He further stated that Graves Engineering will work on stormwater capture. Small amounts of stormwater from driveways runs into the site on the westerly shoulder. At the southerly line, there will be some substantial grading. Steve stated that he will need to point that out to the ConCom. Action: The hearing was adjourned at 7:15 pm. By unanimous vote, the hearing was continued to the meeting of May 19, 2021 at 6:30 pm.</p>	

TOPIC	DISCUSSION	NEXT ACTION/ RESPONSIBLE PARTY
NOI – DEP File # 176-0153 Off Collins Road	<p>The hearing was reconvened from the previous meeting at 7:16 pm. Steve Pikul reported that changes to the proposal for the Off Collins Rd/Osborne Road project have been completed, with entrances to the property shown on the plans. After these revisions are received, a peer review site visit will be scheduled with BSC.</p> <p>Action: At 7:20 pm, with the consent of Steve Pikul, it was moved, seconded and unanimously agreed upon to continue this hearing to the meeting of May 19, 2021 at 6:30 pm.</p> <p>Discussion: Bill noted that he has kept in contact with the Ware ConCom regarding this joint project. Ware will share their BSC peer review report.</p>	
NOI – St. Aloysius School Playground DEP File # 176-0160	<p>The Public Hearing was opened at 7:21 pm. Heather Comee, Wetland Consultant, presented the project on behalf of St. Aloysius School. Representing the School were Fr. Richard Lembo, Roberta McQuaid, and David Adams. The project was described: at the easterly end of the parking area playscape will be in the riparian zone. At the south of the property, a steep embankment leads down to the BVW of the Ware River. The mean highwater mark is in the 100-year floodplain, but this does not extend onto the site due to the steep embankment. The playscape will be nature-based, with log balance beams, rocks to jump on, a sledding area for winter, a climbing wall, as well as swings and slides. The basketball court will be repaved later. There will be lighting and a drinking fountain installed. The area will be fenced in for safety.</p> <p>This is a redevelopment/improvement project, with gardens to attract butterflies and other pollinators, naturalized or native plants, including native host plants for caterpillars. These plantings will increase the diversity of the sloped area.</p> <p>Mitigation will be accomplished through an educational curriculum regarding streams, wetlands, and amphibians and invertebrates in the streams. One of Mark Stinson's comments was that there is no room for mitigation; the school and the ConCom agree that education is more important than square footage. Bill stated the ConCom's pride in being teammates on such an innovative project. Congratulations were expressed to Heather Comee for such a good strategy: education is a great mitigation. Thanks also go to Mark Stinson for his assistance in finding a regulatory path that is both acceptable to the DEP and supportive of the educational and environmental goals of the school and the ConCom.</p> <p>Mark Stinson also commented that there should be educational signage throughout the site. Roberta McQuaid stated that this is absolutely possible, and Heather Comee agreed. Nick Paydos noted that this is a great use of the area, integrated with the landscape.</p> <p>Action: The hearing was closed at 7:17 pm.</p> <p>Action: It was moved, seconded and unanimously agreed upon to approve the NOI, DEP File # 176-0160, with conditions. Bill will write and forward conditions to Peggy for the electronic submission to DEP on Thursday, April 29, 2021.</p> <p>Bill thanked Dave Adams for his work as liaison between the ConCom and the School. Fr. Lembo was thanked for attending and for</p>	<p>Bill to forward conditions to Peggy tomorrow (4/29/21)</p>

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DEP File # 176-160 (cont.)	supporting the project. Dave Adams thanked the ConCom for its continuing support of the school.	
NOI – Ware River Park DEP File # 176-0159	<p>The ConCom received notification from NHESP that the proposed work will not present a take of any endangered species. Mark Stinson had only three comments as part of the File # issuance. Bill and Becky had Zoom meetings with Mark Stinson, DEP, and Rebecca Zimmerer of NHESP. At these meetings, those present were able to respond to Mark Stinson's concerns. Revised maps show what was existing and what is proposed. Three different sections of the regulations are cited: (1) for invasives treatment; (2) for trail work, and (3) for the boat landing. Appendix A was submitted for a Limited Project, and notice of the NOI was published in the Environmental Monitor. EQLT applied for a grant from the State for the trail work. VCS (Vegetation Control Services) will start in the fall with treatment of Japanese Knotweed. Mowing at the Thompson parcel will begin in March 2022. The next step will be developing the construction sequence. Keith Davies of C4R is working on kiosk information for the canoe launch and maps for the Blue Trail.</p> <p>Bill thanked Chris Buelow for his guidance at site inspections. Chris congratulated the EQLT and ConCom on getting this project moved forward.</p> <p>Mark Stinson's comments have all been answered: (1) Revisit resource area impacts, due to revisions. Bill and Becky felt there are no significant differences; reinterpreted how the impacts were explained regarding regulatory pathways. (2) Wait for NHESP notification and publication in Environmental Monitor: These have both been done. (3) Update plan to clearly show existing and proposed: this has been done. (4) Limited Projects: paperwork has been submitted to explain compliance with standards for each resource area.</p> <p>Many thanks to Mark Stinson for giving his time and guidance.</p> <p>Action: The hearing was closed at 7:43 pm.</p> <p>Action: It was moved, seconded and unanimously agreed upon to approve the NOI and issue an Order of Conditions.</p>	<p>Bill will write conditions and forward to Peggy tomorrow. (4/29/21)</p>
Muddy Brook WMA	<p>Chris Buelow had requested an extension of the Order of Conditions for DEP File # 176-0140. However, Peggy found that the Order is still in effect until May 19, 2022. Chris gave a brief update on the work at the WMA. 400 acres are under active management. Logging is moving into maintenance mode. There will be a meeting on 4/29 to plan this year's fire plan. Chris noted the resilience of species communities. There are a dozen species that weren't detected previously, in just 4 years.</p> <p>Bill asked about the criticism that the Muddy Brook WMA has received from the Forest Society. Chris said that it takes up DFW but that they have solid research they can fall back on. Bill noted that local birder, Claudia Kadra has commented favorably on the return of bird species.</p> <p>Chris recently made a presentation regarding the work at the WMA. He will send that presentation to us for a more complete update on the ongoing work there.</p>	<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">2021 JUN 11 P 1:58</p> <p style="text-align: center;">TOWN CLERK BARDWICK, MA</p>

TOPIC	DISCUSSION	NEXT ACTION/ RESPONSIBLE PARTY
Inquiry	Dakota Harper called the ConCom re property he was interested in purchasing on Prouty Road. Bill called him and discussed that he would have to meet stream crossing standards in order to put in a culvert for a driveway. It would be possible, but very costly.	
Office Report	Peggy reported that she completed her State Ethics Test and submitted the certificate to the Town Clerk. Other members are due to take the test this year: N. Paydos in August; B. Zinni, B. Bottomley, and D. Larson in September.	Peggy to send reminders at beginning of Aug. and Sept.
Other Business	<ol style="list-style-type: none"> 1. Miner Road violation: Violation Notice was sent. ConCom never heard back. 2. Jay Gadoury of Clapp Road said he would submit paperwork, but nothing has been received yet. 3. Sewer Project: Justin Skelly and Jeremy Bourke of DPC Engineering will submit NOI or RDA. Mark Stinson listed exemptions; if all their work is in the roadway, then RDA will be sufficient, according to Mark. But if a pumphouse is proposed on the Common, only 20' from the stream, a NOI will be needed. Becky noted that they drilled test holes at the Common. 4. Bill attended a meeting on behalf of the ConCom at the Mill with the potential new owner. The realtor asked if they could do a test drill for a well. They had staked and flagged 208' from the riverbank. This location was deemed non-jurisdictional, so they do not have to file any applications with the ConCom. 5. Proposed marijuana facility on North Road: Reggie Lang called to inquire whether the applicant had come to any board, such as Planning Board and ConCom. We have received a RDA from Carolyn Blum of Budding Botanicals. She will also need to file for a Special Use Permit with the Planning Board. 6. Inquiry from Daryen Swallow re: proposed garage addition at 2169 Barre Road. Nick and Bill made a site visit at the property. There is beaver drainage and BVW behind the house. Mr. Swallow was advised to stay 100' away from this area, and no filing would be required. 7. In response to an inquiry from R. Keelips, Bill and Becky went to look at RJ McDonald driveway mouth and road culvert Erosion from the driveway was observed partially blocking the culvert and entering Mr. Keelips' hayfield. The McDonalds have since stabilized the driveway, smoothed it out and put in riprap. 	<div style="text-align: center;"> <p>RECEIVED</p> <p>2021 JUN 11 P 1:58</p> <p>TOWN CLERK HARDING, MA</p> </div>
Minutes of March Meeting	Peggy suggested that the review of the minutes of the March 17, 2021 meeting be tabled until the Special Meeting of May 12, 2021. This was unanimously agreed upon.	
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	May 19, 2021 at 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 Marguerite L. Baxter, Clerk