

# LONGMEADOW CONSERVATION COMMISSION MEETING MINUTES OCTOBER 11<sup>TH</sup>, 2023

**Members Present:** John Bresnahan; Chair, David Dumais, Kimberly Barton, Patrick Carnahan, Andrea Chasen

**Members Absent:** Kiernan Mulcahy

**Staff Present:** Leah Grigorov; Tree Warden/Conservation Agent

This meeting was held virtually and in-person, pursuant to H58 Chapter 2 of the Acts of 2023, Suspending Certain Provisions of the Open Meeting Law.

Chairman Bresnahan called the meeting to order at 7:05 P.M.

## **ADMINISTRATIVE BUSINESS**

**SHARED GOOGLE DRIVE TUTORIAL:** Agent Grigorov shared her screen with the Commission and walked them through the process of how to access the Google Drive account, which she hopes will become the online repository for all digital upcoming meeting documents.

**MINUTES OF PRIOR MEETING:** Member Dumais requested that the September 13th minutes be amended to add that he also had requested hard copies of new filings be mailed to him under “Agent’s Report”. *Member Dumais made a motion to accept the minutes as amended for the September 13th meeting. Member Barton seconded the motion and it passed with a 4-0 roll call vote.*

**TREASURER’S REPORT:** Member Dumais did not have updates on the Conservation Accounts. Chairman Bresnahan stated that the accounts the Commission has are the maintenance account, the land acquisition account, the wetlands transmittal account, and the education accounts. Agent Grigorov stated that she has seen a document written by MACC which explains how the wetlands transmittal funds are allowed to be used. She will source this document and circulate it.

**AGENT’S REPORT:** Agent Grigorov shared images of the Community Garden’s fencing. She explained that a resident has brought it to her attention that many of the wood rails are failing and rotting, and are due to be replaced. After speaking with the DPW, they have offered to help transport materials if the rails are delivered to their facility. She asked the Commission if this is something they would like to fix under their \$5,000 maintenance budget. Chairman Bresnahan was in favor of using the funds for this, and wants to check and make sure there are no extra rails at the DPW from a previous order. He shared that he will go to the site and get an idea of how many rails are needed, and if any of the posts look like they need to be removed and replaced. The Commission was in agreement with the spending of funds to replace the broken rails. Agent Grigorov also shared that one of the trees in front of the fencing has been requested for removal. As Tree Warden, she inspected the tree and felt it should be added to the next tree hearing and be scheduled for removal. The Commission was curious on if the tree was owned by the Town or by the Commission. Agent Grigorov stated she would investigate this.

Agent Grigorov asked the Commission what the main priorities are for Conservation projects. The Commission agreed that the fence rails need to be addressed. They expressed interest in purchasing the Munsell Soil Color book. Chairman Bresnahan included the trail concerns by the Meadow and the fence installation that Member Chasen has been working on. The Commission expressed interest in having somebody show them proper delineation techniques. Dave Dumais added that there has been a tree that fell over the trail at Riverfront Conservation Area, and was hoping to ask the DPW to see if they could break it up and move it. Agent Grigorov explained to the Commission that she can look into finding somebody to teach a class of how to delineate a wetland, and that the training would not certify the Commission to conduct delineations, but allow them to verify delineations. She added that a hand auger would also be a tool the Commission should consider buying with the soil book, and these items can be purchased using the Wetlands Revolving Account as it will aid in the enforcement of the WPA. She will circulate an article from MACC which explains how the funds can be used. Chairman Bresnahan thought that the Commission needed permission from the Select Board to spend money from this account. Agent Grigorov will look into this. *Member Barton made a motion to purchase the Munsell book and an auger from the*

***Wetlands Transmittal account. Member Dumais seconded the motion and it passed with a 4-0 roll call vote.***

Agent Grigorov shared that the Town received an MVP grant for further design of work on Cooley Brook in Bliss and Laurel Parks. The Town has contracted with Fuss & O'Neil, and within the next two years they will be conducting multiple different community engagement activities, including presenting to the Conservation Commission. Agent Grigorov will be canvassing the streets that abut Cooley Brook with both the DPW Superintendent and the Assistant Town Manager.

**COMMISSION UPDATES:** Chairman Bresnahan shared with the Commission that the Community Preservation Committee will be meeting in November, and funding requests are due by November 5th. Member Dumais shared that he is requesting basically a copy and paste of what he requested last year.

Member Dumais updated that he has been working further on the Riverfront Conservation Area redevelopment project and has been soliciting quotes for different components of the project. He will be getting an assessment of the trees and a quote from Northern Tree Company. He met with representatives from an ecological firm today and discussed the concerns regarding the invasive species and problematic vegetation. An assessment on this will be forthcoming. He continued that Eversource has agreed to move their utility pole for free, and he has been in discussions with Mark Stinson from DEP who has concerns about the delineation that the Commission has been using, as well as concerns with Natural Heritage land.

Member Chasen left the meeting.

**OTHER BUSINESS:** Member Barton expressed interest in having Rooney Brook delineated. She explained that MACC is asking for delineations and this would be a good way to have the area delineated for them as well as for future projects. Chairman Bresnahan explained that the Commission should not be spending from their budget on something that an applicant should be paying for. Agent Grigorov added that the Wetlands Protection Act explains that the applicant has the burden of proof, and that delineations are only valid for three years, and typically are done as a response to a project proposal. Member Barton expressed concern regarding the drainage in the Rooney Brook area.

## **PUBLIC HEARINGS**

Member Carnahan joined the meeting.

**Certificate of Compliance: DEP File #205-237 - 82 Dunn Road:** Agent Grigorov explained that a Full Certificate of Compliance made more sense than issuing an Invalid Certificate due to the way the language is written on the permit. Chairman Bresnahan asked if there was a way the Applicant could validate that the work was completed in accordance with the approved plan since the approved work can no longer be confirmed. Agent Grigorov suggested that the Commission request a letter from the Professional Engineer who worked on the project submit a signed and stamped letter stating that the work was completed satisfactorily. The Commission agreed that they would like to see this before issuing a Certificate of Compliance. ***Member Barton made a motion to continue the Certificate of Compliance request to the November 8, 2023 meeting. Member Carnahan seconded the motion and it passed with a 4-0 vote.***

**Review & Ratify: Emergency Certification - 146 Wheel Meadow Road:** Agent Grigorov presented a picture of a tree at 146 Wheel Meadow Road which was requested to come down by the resident. She explained that the tree could be a risk to people using the yard as well as the pool/house structures. She issued an Emergency Certificate to the resident with conditions. She mentioned that going forward, DEP would like to see other government entities (like the Board of Health) making the judgment call on what is considered an emergency. ***Member Carnahan made a motion to ratify the Emergency Certificate for 146 Wheel Meadow Road. Member Barton seconded the motion and it passed with a 4-0 vote.***

**Review & Vote: Hazard Tree Removal Policy for Landowners:** Agent Grigorov presented the final draft of the Hazard Tree Removal Policy to the Commission. She pointed out that the policy gives permission to the Chair and the Commission's Agent to make a judgment call for a tree removal in the buffer zone, but outside of the resource area. She explained that the Commission is authorized to adopt

policies that do not need to go before Town Meeting and this would be a way to streamline hazard tree removals. She also explained that the result of an approval would be an administrative letter from the Conservation Department that included conditions. She offered to share these letters with the Commission as they come up. Member Carnahan suggested that Agent Grigorov look into becoming Tree Risk Assessment Qualified, and that he suggest the Commission assist in any letter of support she may need to petition the ISA eligibility requirements. The Commission agreed with this. ***Member Carnahan made a motion to adopt the Hazard Tree Removal Policy for Landowners. Member Barton seconded the motion and it passed with a 4-0 vote.***

**Potential Notice of Violation - 99 Silver Birch Road:** Chairman Bresnahan gave background information to the Commission about previous violations associated with 99 Silver Birch Road from earlier this year. He shared that he met with the resident in spring of 2023 and felt that they had rectified the violation of concern. Recently the Conservation Agent received an online Request for Wetlands Control Enforcement from an abutter who explained that the resident at 99 Silver Birch Road is still removing trees from the resource area as well as dumping yard debris, which is causing flooding in their basement. He explained that he called the resident after the issuance of a Potential Notice of Violation letter was mailed out and talked through this complaint. Agent Grigorov visited the wetland area behind the abutters house and noticed a significant amount of yard debris dumping by multiple people who back up to this wetland system. She explained that this is likely the cause of the flooding, and drafted a letter to send to all of the abutters to the system which educates residents on why adding yard waste to the resource area can cause flooding and is in violation of the Wetlands Protection Act. She will be sending the letters out tomorrow morning.

Meeting adjourned at 9:07 PM.

Respectfully submitted,

Leah Grigorov