

# Town of Conway

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## Conservation Commission

### Minutes

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**Date:** June 8, 2021

**Time:** 7:00pm

**Facilitator:** Grace Larson

**Location:** Town Hall, 5 Academy Hill Rd

### In Attendance

Members: Bob Armstrong, Bob Nowak, Bruton Strange

Administrative Assistant: Lara De Lucca

Others in Attendance:

Kimberly McPhee, FRCOG

David Askew, Eversource (via phone)

Matthew Kelly, Epsilon Associates (overseeing Eversource project) (via phone)

Dean Scudder, 124 Matthews Rd

Kevin Comb, 353 Newhall Rd

Francis Parisi, esq. (for Vertex)

Thomas Johnson, Proterra Design Group (Vertex project)

Tom Liddy, Lucas Environmental (Vertex project)

### Meeting Called to order by Grace Larson at 7:03 pm

#### Minutes from 5/25/2021:

- Motion to approve minutes by Grace, seconded by Bob N., approved 4-0-0.

#### Financial Matters –

- Checks Received: Vertex Tower Assets: \$537.50; Lucas Environmental: \$212.50;
- Scudder: \$57.50

Motion to accept checks by Bob A, seconded by Bruton, approved 4-0-0.

- Invoice – Recorder: Current Balance - \$137.50

Grace moves to approve for payment, seconded by Bruton, approved 4-0-0.

## BOH/Building Permits/Site Reviews

- **3299 Shelburne Falls Rd - Building shed – signed off**

Per submitted diagram, proposed shed in wide open space.

- **26 Cemetery Hill Rd – Garage foundation – need location on property**

Grace will ask for location, it is a small property.

## Forest Cutting Plans

- None

## Mail/Announcements

- None

## Misc. Matters

- **Solar Farm Issues – update**

Remaining issues are: fencing, planting that needs to be completed, the generator hum which will continue until the installation is hooked up.

- **Mass DEP free PFAS testing of wells**

DEP is asking that we to put out the word about the free water test, in order to get people to sign up. There is a notice in Nextdoor Conway and it will be in Conway Currents.

- **Native Plant Trust – permission to survey Three Birds Orchid**

On Graves Rd, Bob A. sent out note, no concerns. Selectboard approved pending ConCom approval. Grace will send note to Ross that ConCom approves.

- **69 Main Street – Appeal paperwork received**

Russ Evans put through to DEP. DEP will make decision or request more information from ConCom. Bruton sent in a letter with our determination to explain the situation.

## Public Hearings and Meetings

- **7:10 FRCOG – Kimberly MacPhee – River Mapping/Flood Resiliency**

Presented handout on River Corridor Planning – also given at Town Meeting

Several years ago consultant did river corridor mapping for Conway. A river corridor shows where the river will move and change over time, how river will respond to climate change, erosion. The river corridor can be different or bigger than the riverfront area

and the 100 year flood plain. ConCom regulatory authority when it comes to flood plain. Could be another tool to help applicants think about potential flood hazards, erosion hazards, potential for damage and associated costs.

Kimberly working with working group from Planning Board on Corridor Overlay District Bylaw. Conway is at very beginning of this process. Grant ends soon, but hopes new grant will enable work to continue. Planning Board is in early learning stage, public outreach stage. Learning the options such as zoning changes, bylaw changes.

MA is requiring town to update floodplain bylaws based on FEMA map updates. These updates are not new in terms of responding to climate change. That is up to local community.

Kim will work with Lee from assessor's office to provide the files to have the river corridor data layer added on Conway's GIS assessor's map.

- **7:30 Eversource – Replacement Structures line 312 – Continuation**

Attended by David Askew and Matthew Kelly via phone

Hearing opened 7:35

Received determination letter from Natural Heritage. Allows ConCom to issue Order of Conditions now, and Eversource to continue to work through the process with Natural Heritage before starting work. ConCom received copy of determination. Can't break ground until MESA gives final approval.

ConCom will issue an Order of Conditions with the understand that a new vote and amendment or add-on may be needed, depending on MESA review.

Grace will work on Order of Conditions. At June 22 meeting will review Order of Conditions and vote on it.

Grace moves to close hearing, Bob N. seconds. Approved 4-0-0.

Hearing closed 7:40

- **7:40 RDA - 124 Matthews Rd – Septic System Replacement**

Dean Scudder

Hearing opened 7:45

Total excavation will take 4-5 days, will likely need silt fencing and hay bales.

Dean requests continuation until he gets official diagram from engineer.

Grace moves to continue at next meeting (June 22), Bob N. seconds. Approved 4-0-0.

Hearing closed 7:47

- **7:50 RDA - 353 Newhall Rd – Shed Construction**

Kevin Comb

Hearing opened 7:49

Site visit yesterday. Construction is in buffer zone of intermittent stream, but resolved because subject to exemption 10.02(2)(b)2.e. – Conversion of lawn to uses accessory to residential structures.

Grace moves to approve RDA with a negative 5, meets exemption and no NOI necessary. Bob N. seconds. Approved 4-0-0.

Hearing closed 7:59

- **8:10 NOI – 1384 S Deerfield Rd – Cell Tower Construction/Access Rd**

Francis Parisi, Thomas Johnson, Tom Liddy

Hearing opened 8:01

Site visit today.

Vertex experiencing a variety of delays, special permit from PB and ZBA variance will not need extensions due to automatic extension from governor's state of emergency.

A cell tower has to be in a certain spot, really hard spot to cover, have to get really high, so have to deal with tricky ground to get there, and cross the stream.

Crossing will be a repurposed rail car, will use swamp mats for temporary crossing during construction, some decisions will depend on high flow of stream, depending on time of year, may need to cover and culvert stream with sand bags. Like to get input from contractor at the time too.

Erosion control plan – open ground on high side, haybales, silt fence, details in plan. Stockpile soil where doing work. Inspections required after rain events, other times.

No rare species, no flood plain, no vernal pools, don't have to file with Natural Heritage.

Issues raised by letter from Mark Stinson, DEP, still to be discussed:

-Outstanding Order of Conditions related to driveway of property owners (Eric and Krista Plasse)

-expectations for retaining pond at bottom of hill versus dry retention basin for storm water issues

-Is it appropriate to be submitted as a limited project (no permanent loss to wetlands)

-possible offset or mitigation after work completed

Bruton moved to continue at the June 22<sup>nd</sup> meeting, Grace seconded. Approved 4-0-0.

Hearing closed 9:03

**Motion to adjourn by Bruton, seconded by Bob A., approved 4-0-0. Meeting adjourned 9:05**

**Next Regular Meeting June 22, 2021, 7:00 Town Hall, 5 Academy Hill Rd**