**APPROVED**

**ADAMS CONSERVATION COMMISSION**

**MEETING MINUTES**

**THURSDAY, FEBRUARY 7, 2019**

**MEMBERS PRESENT**: Chairman James Fassell, Vice-Chairman Corey Bishop and Commission members, Brian Bishop, Tom Robinson, David Lipinski and Tammie Shafer

**OTHERS PRESENT**: Jonathan Spicer, OYA Solar MA, LLC; Bill Lattrell, Ecological Consultant; Jack Guerino, iBerkshires and Recording Secretary Pam Gerry

**CALL TO ORDER:** Chairman Fassell called the meeting to order at 6:30 P.M.

**APPROVAL OF MINUTES:** A motion made by Member Lipinski, seconded by Member Robinson to accept the minutes of January 17, 2019, as submitted. Vice-Chairman Bishop abstained from voting.

**CONTINUANCE OF NOTICE OF INTENT: filed by OYA Solar MA, L.P. for property located at 0 Lime Street, owned by David Krutiak. Proposed construction of a ground-mounted solar energy facility.**

Mr. Lattrell addressed the members stating to them that during the Conservation Commission’s last meeting held on January 17, 2019, OYA Solar was asked to remove the existing culvert on their proposed site. He stated that the property owner brought to their attention that when the solar field construction commenced that access to the site would be “cutoff if the culvert was not there.” Mr. Lattrell explained to the members that the request was made due to the fact that the permit could not be located pertaining to the culvert that was created years ago. He stated that discussion was generated to determine alternatives that could be made to address this situation. Mr. Lattrell stated that they created other avenues of mitigation suggesting wildlife plantings involving shrubs. Mr. Spicer stated to Mr. Lattrell that the applicant told him that they would “put all the mitigation on the Hoosic River side and plant it as a meadow.” Mr. Lattrell told them that the meadow would have equal amounts of habitat value as shrub scrub areas. He told them that it would be beneficial in capturing sediment. He stated that in addition, the applicant would be placing steel bollards at 50’ intervals, as well along the edge of this area which would be permanently marked. He added that the applicant did not intend to mow the area but if necessary it should not be mowed more than once every two years. In closing, he told the members that all parties worked well together to “come up with the best solution for the site.”

Jonathan Spicer from Stantec Consulting, representing OYA Solar addressed the Commission members with his photo display of the Lime Street property. Mr. Spicer stated to them that he would begin the discussion by pointing out various aspects of the revisions that were made to their previously submitted plans. Mr. Spicer stated that he relocated a row of solar panels to a degraded area to “accommodate a wider patch of mitigation area along the Hoosic River.”

Mr. Spicer told the members that he would refer to this location as a “conservation and wildlife area.” Mr. Lattrell stated to the members that this mitigation was important to MA DEP’s standards.

Member Lipinski addressed Mr. Spicer to ask him why the solar panels were not moved further away from the Hoosic River. He explained to him that they were required to conform to the town’s bylaws for zoning setbacks in that area.

Member Robinson stated to Mr. Spicer that he was curious to know what would be done with the existing culvert. Mr. Spicer answered by letting him know that they did not intend to touch the culvert.

Mr. Lattrell wanted the members to be aware that the applicant would be required to file a yearly report with the Conservation Commission regarding the status of the proposed project.

A motion made by Member Robinson, seconded by Member Bishop to close the hearing and move the article. Vice-Chairman Bishop abstained from the vote.

A motion made by Member Lipinski, seconded by Member Robinson to approve the submission of the Notice of Intent by OYA Solar MA, L.P. for property located at 0 Lime Street, owned by David Krutiak with the general conditions under MA Wetlands Protection Act and the recommended conditions included in Mr. Lattrell’s letter to the Conservation Commission. Chairman James Fassell and Commission members Tom Robinson, David Lipinski, Brian Bishop and Tammie Shafer voted (5) five in favor. Vice-Chairman Corey Bishop abstained from voting.

* **Alternative mitigation requires shifting the solar field slightly to the west.**
* **Area will not be mowed more than once every two years.**
* **Steel bollards to be placed at 50’ intervals.**
* **Follow-up inspections required to determine the health and success of the area twice a year for a minimum of three years.**

**OLD BUSINESS/NEW BUSINESS:** **Status of work being performed on property at 120 West Road within 200’ of the buffer zone.**

Chairman Fassell stated to the Commission members that a letter was sent to Mr. Gary Bellows, owner of the property which he continued to note included an invitation to attend their meeting to discuss this issue, however he was not present.

Vice-Chairman Bishop stated to the members that the owner should hire an engineer “to make things right” on his property.

Member Robinson stated that a Cease and Desist Order should be issued to Mr. Bellows regarding the work being performed on West Road.

Member Lipinski suggested that Chairman Fassell personally speak to Mr. Bellows to discuss the measures he should take to rectify this situation.

Member Bishop stated that the property was for sale and the owner remains responsible in addressing this matter as soon as possible.

A motion made by Member Robinson, seconded by Vice-Chairman Bishop to send an additional letter to Mr. Bellows inviting him to their next Conservation Commission meeting being held on February 28, 2019 at 6:30 P.M., passed unanimously.

**REVIEW MAIL:**

Rail Trail Maintenance Report

**ADJOURN:** A motion made by Vice-Chairman Bishop, seconded by Member Robinson to adjourn the meeting at 7:15 P.M., passed unanimously.

Respectfully Submitted,

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Pamela Gerry Date