

APPROVED

**ADAMS CONSERVATION COMMISSION
MEETING MINUTES
THURSDAY, AUGUST 20, 2020**

MEMBERS PRESENT: Chairman James Fassell, and Commissioner Members Brian Bishop, Tom Robinson, Natasha Bordeaux, David Lipinski and Tammie Shafer

OTHERS PRESENT: Town Administrator, Jay Green; Adams Selectboard, Christine Hoyt; Joseph Nowak; Ecological Consultant, Bill Lattrell; and Becky Ferguson, Town Hall

Zoom Meeting Join by Computer

Join Zoom Meeting

<https://zoom.us/j/99496022992?pwd=MVB5RHg1eXZFeG9FR1BUT2YzTzNXdz09>

Meeting ID: 994 9602 2992

Passcode: 970484

Join by Phone

1 929 436 2866 US (New York)

Meeting ID: 994 9602 2992

Passcode: 970484

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21 JAN 19 PM 2:48
TOWN CLERK
ADAMS HASS.

CALL TO ORDER: Chairman Fassell called the meeting to order at 6:40 P.M.

A motion made by Member Lipinski, seconded by Member Robinson to change the order of the agenda, passed unanimously.

OLD BUSINESS/NEW BUSINESS:

423 West Road new home update

Chairman Fassell stated to the members that the owners had the driveway blacktopped while leaving a portion of the lawn available to attract Monarch butterflies. He continued to note that the remaining area of the lawn had been mowed. Chairman Fassell stated that the owners were close to the completion of their septic system and he concluded by informing them that they had met the conditions that were required in their Request for Determination filed with the Conservation Commission.

380 West Road update-Track activity

Member Lipinski asked for clarification regarding a notification of a homemade track at the property.

Chairman Fassell stated that the homemade track was made by the owner and was located near an intermittent stream. He stated that the forest ranger and MA State Police notified the Conservation Commission of this information. Chairman Fassell stated that the owners were planning to file a Request for Determination with the Conservation Commission. He stated that the noise factor was an issue with the State Police.

Discussion regarding recent activities being conducted at the property located at 4 Burlingame Hill in a wetland area.

Member Lipinski stated that he drove by the property and observed where the owner had dug up an area near the small pond located within the 100' buffer zone with exposed soil.

Chairman Fassell stated they would continue this discussion at their next scheduled meeting.

REVIEW MAIL: National Grid-Utility Maintenance Work

ENFORCEMENT ORDER:

Discussion regarding recent activities being conducted at the property located at East Hoosac Street within a resource area (bank of Miller Brook).

Chairman Fassell addressed Mr. Nowak to ask him if he had performed the job as an individual and he agreed. Mr. Nowak stated that he was told that the area he was working in was town owned property. He further noted that after he looked further into the matter, he discovered that it was owned by Melanie Geleznik.

Mr. Nowak apologized to the Conservation Commission members for performing this work without a permit.

Mr. Lattrell, Ecological Consultant addressed the Commission stating that Member Robinson expressed concern regarding the necessity of stabilizing the site. He stated that he was told by Chairman Fassell that the area was seeded and that the seed mix was growing. Mr. Lattrell addressed Mr. Nowak stating to him that to assure the grass seed mix grows, it should not be mowed, noting that as it grows, it would then stabilize the soil. He told him they would have to continue on with the restoration by planting some wildlife habitat in the area. Mr. Lattrell mentioned that he did not think it was necessary to put the trees back unless the Commission makes the determination. He suggested that 12 to 15 native shrubs be planted and offered to submit a list of shrubs for future reference, adding that the cost could be relatively inexpensive. Mr. Lattrell explained that these measures would create a return to the native habitat without invasive species. Mr. Lattrell suggested that the Japanese Knotweed be controlled until everything had grown well. He further noted that if the Commission does recommend that trees should be planted, he suggested that they grow Cottonwood or Red Maple trees.

Chairman Fassell stated that the idea of fruit bearing bushes would be sufficiently effective in the area.

Mr. Nowak addressed the Commission stating that he was proud of what he did and he was not sorry for the work he performed but apologized for not submitting a permit request.

Mr. Nowak was curious to know if Ms. Geleznik would have to approve of the suggested measures that should be performed at the site. He offered to purchase the vegetation that was necessary to address the area. Mr. Nowak addressed the Commission for their recommendation on the direction protocol that should be taken between himself and the property owner so he could move forward.

Chairman Fassell stated that the work performed in that area would be covered under the Enforcement Order.

Mr. Nowak stated that according to Mr. Lattrell's statement; trees were taken down. Mr. Nowak wanted to clarify that he did not remove any trees but merely for esthetic purposes, adding that he had taken up weight bearing branches. Mr. Nowak emphasized that the Japanese Knotweed in the area was a monostrain continuing to note that once it had the opportunity to grow that it canopies everything. He stated that when he cut the shoots to the vegetation, he discovered bare ground. He stated that this Knotweed had no root system adding that this was a problem as it would not secure the banking's. He stated that he would be happy to follow the recommendations given to him by Conservation Commission.

Chairman Fassell stated that the Commission would like this situation corrected.

Mr. Nowak stated that he did not "destroy anything," but noted that he had fixed an ecological issue that was necessary to perform. Mr. Nowak expressed to the Commission that he worked on this for many hours. He told them that he observed children in that area catching minnows, adding that he felt as though he "improved" the area and had not disturbed a habitat that had any value. He again apologized only for the lack of applying for a permit.

Mr. Lattrell's recommendations:

1. Stabilize the area with grass seed mix
2. Plant shrubs next spring
3. Control the Japanese Knotweed by cutting it

Member Bishop asked what type of seed would be planted. Mr. Nowak stated that he purchased a commercial quick growing seed mix. He let the Commission know that planting bushes would not be enough to address this issue.

Mr. Lattrell stated that stabilizing the area quickly was the goal. He told Mr. Nowak that he would observe the area in the spring and if additional seed mix was required he would offer some native seed mix to him.

Mr. Nowak and Mr. Lattrell had a discussion regarding the plants root system.

Chairman Fassell stated that the Cease and Desist Order had concluded. He noted that Mr. Lattrell had laid out the conditions for Mr. Nowak to follow. Mr. Nowak thanked the Commission for their assistance in this matter.

Member Bishop made a motion, seconded by Member Lipinski to amend the Enforcement Order to read; no work on the bank or the land under the waterway and to accept the recommendations made by Bill Lattrell and remove the Cease and Desist Order, passed unanimously.

Conservation Commission members signed the Enforcement Order for East Hoosac Street. Member Robinson agreed to allow Member Lipinski to sign his name to the Enforcement Order.

Town Administrator Jay Green wanted to inform the Commission members that they were allowed to come to Town Hall on the following business day to sign their name by notifying Administrative Assistant, Pam Gerry when they were arriving at the office.

In closing, Mr. Nowak addressed Mr. Lattrell to ask if he would be allowed to perform some trimming in the area, He agreed that he could perform this job.

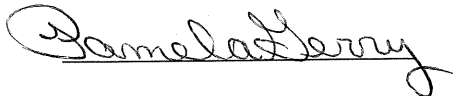
Chairman Fassell thanked Mr. Lattrell for his time.

Town Administrator Jay Green requested that Mr. Lattrell email his recommended conditions that would be included in the Enforcement Order issued by the Conservation Commission so they can forward this information to Mr. Nowak to assist him in any future complaints that may come before the town, as well as the property owner, Ms. Geleznik. Mr. Lattrell agreed to his request.

Chairman Fassell stated that no herbicides are allowed in that area. Mr. Lattrell emphasized that only a licensed person was allowed to apply herbicides on public or private property.

ADJOURN: A motion made by Member Robinson, seconded by Member Lipinski to adjourn the meeting, passed unanimously.

Respectfully Submitted

Handwritten signature of Pamela Gerry in cursive script.

Date

1-19-21