

**APPROVED**

**ADAMS CONSERVATION COMMISSION  
MEETING MINUTES  
THURSDAY, JANUARY 14, 2021  
6:30 P.M.**

**Join Zoom meeting by video**

<https://zoom.us/j/92120929898?pwd=bUo0bVNKOEJjaUpOVzdwT0JkYjFmdz09>

Meeting ID: 921 2092 9898

Passcode: 361263

**Join Zoom meeting by phone**

Dial by your location

1-929-436-2866 US (New York)

Meeting ID: 921 2092 9898

Passcode: 361263

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

**OTHERS PRESENT:** Emily Stockman, Stockman Associates; Ron Chenail; Paula Chenail and Administrative Assistant Pam Gerry

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

**APPROVAL OF MINUTES:** The board members need to approve the minutes of June 25, August 20, September 10 and November 5, 2020.

A motion made by Member Lipinski seconded by Member Bishop to approve the minutes of June 25, 2020 with an amendment to read; “Member” Bishop from “Chairman” Bishop, passed unanimously. A roll call vote was taken 6-0.

A motion made by Member Lipinski seconded by Member Bishop to approve the minutes of August 20, 2020 with an amendment to read; “Member” Bishop from “Chairman” Bishop, passed unanimously. A roll call vote was taken 6-0.

A motion made by Member Lipinski seconded by Member Bishop to approve the minutes of September 10, 2020 with an amendment to read; “Member” Bishop from “Chairman” Bishop, passed unanimously. A roll call vote was taken 6-0.

A motion made by Member Lipinski seconded by Member Bishop to approve the minutes of November 5, 2020 with an amendment to read; "Member" Bishop from "Chairman" Bishop, passed unanimously. A roll call vote was taken 6-0.

**REQUEST FOR DETERMINATION: filed by Ronald Chenail. Applicant is requesting whether the work depicted on plan(s) is subject to the Wetlands Protection Act; whether the area and/or work depicted on plan(s) referenced is subject to the jurisdiction of any municipal wetland's ordinance or bylaw of the Town of Adams to remove debris associated with a cottage recently destroyed by fire.**

Chairman Fassell moved the discussion to the Request for Determination for property at 215 Gould Road. He asked the members to review the eight photos submitted by the applicant which illustrated the debris located on the site noting that it would be cleaned up near the two intermittent streams.

Chairman Fassell invited Emily Stockman from Stockman Associates representing Ron Chenail for property on 215 Gould Road to address the Commission members.

Ms. Stockman stated that she would begin with her presentation. She explained to the Commission that a Request for Determination was filed to seek permission to remove debris from a cottage fire. Ms. Stockman pointed out that the photos showed the majority of the material was on the ground surface and the landscape position was within the buffer zone to the intermittent stream channels. She further noted that the brook had not become perennial until further downstream from the project site. Ms. Stockman stated that the applicant was looking for activity in the buffer zone as a minor exempt activity. She explained that this project would not require a Notice of Intent by the applicant. She further pointed out that a map was drafted for the Commission and a contractor laid out the limit of work to be defined in addition to erosion controls and stream channels which were to be avoided including the location where the stockpiling would occur. Ms. Stockman let the Commission know that the Chenail's had communicated with their contractor noting that the work to be performed could be completed with a long reach excavator, a thirty-yard dumpster and a dump truck. She stated that the staging of the excavator and dump truck would be within a degraded area associated with the cottage. Ms. Stockman noted that the debris had been tested for asbestos and had been cleared of any evidence of this on site. She explained to the members that the applicant would be applying for their demolition permit with Building Commissioner Garner after they seek approval by the Conservation Commission to move the project forward. Ms. Stockman informed the Commission to let them know that once the material was removed from the site, clean topsoil, seed with a conservation mix and mulch with clean straw would be applied. She explained to the members that some debris had fallen in the stream, however the long reach excavator which could remain in the buffer zone had the capability to reach down into the lower terrain and lift materials out of the area. Ms. Stockman further noted that the small amounts of debris would be removed by hand. She explained to members that no equipment would be located in the stream or the wetlands.

Chairman Fassell stated that he had a letter from Ecological Consultant, Bill Lattrell that included his recommendations for a determination which he read aloud.

Chairman Fassell addressed the applicant Ron Chenail and his wife Paula to ask them if they had any comments regarding their proposed project.

Mr. Chenail took a moment to thank the Commissioners as well as, Mr. Lattrell and Ms. Stockman for their efforts in making their project move forward which he stated had been a challenge while they were currently living in the state of Florida noting their difficulty in traveling to Massachusetts during the COVID pandemic. Mr. Chenail stated that he and his wife wanted to maintain and preserve the property they cared for which was very important to them. In closing, Mr. Chenail stated that they would be in total compliance with the Conservation Commissions determination.

Chairman Fassell thanked the applicant and asked the members if they had any further questions in regards to the proposed project.

Member Lipinski thanked the Chenail's for their patience in attempting to move forward with their proposed project that had been subject to some delays.

A motion made by Member Bishop, seconded by Member Robinson to issue a Negative 2 Determination with the following three conditions passed unanimously:

1. No machinery shall work in or enter any wetland resource area protected under the MA Wetlands Protection Act. All work removing debris from the stream channel and bank shall be done by hand.
2. Upon completion a report shall be submitted to the Adams Conservation Commission that all work was done in compliance with the Request for Determination and Determination of Applicability. This report shall be written by a Professional Wetland Scientist or other competent professional.
3. A silt fence shall be in place prior to the commencement of the work.

#### **OLD BUSINESS/NEW BUSINESS:**

Commission member Robinson stated that he would like to discuss issues that have arisen regarding the drainage project on Cross Street.

He began by stating that there was an erosion control problem on Cross Street due to the construction taking place in the area. He explained that at the current time there was a large amount of water running off the property onto the road. He informed the members that a few days prior, there was a few inches of ice on Cross Street. Member Robinson stated that the town's DPW visited the area and placed a barrel and sandbags at the location along with shoveling a trench to divert the water to the edge of the road. He stated that the problem being faced was that this was the only area of the entire project that the Conservation Commission had any input on. He stated that one of the conditions of the project was to put a silt fence and barrier in place which he emphasized had not resolved the problem. Member Robinson suggested that

an independent person assess the site to determine if there was problem in this area. Member Robinson stated that the flow of water onto the road was extensive.

Chairman Fassell stated that on January 19, 2021 he was planning to meet at the site with Donna Cesan, the engineer and Member Robinson to evaluate the situation.

Member Robinson stated that he would like a formal response submitted to the Commission regarding these concerns. He stated that he would be happy to meet on site with Ms. Cesan and the engineer in the days ahead.

Chairman Fassell stated that he would meet with the specialists and return to the Conservation Commission at a future date with the results of the meeting.

**REVIEW MAIL:** Mail was available for the Commission's review.

**ADJOURN:** A motion made by Member Lipinski, seconded by Member Robinson to adjourn the meeting at 7:05 P.M., passed unanimously.

Respectfully Submitted,

---

---

Date

