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**ADAMS CONSERVATION COMMISSION
MEETING MINUTES
THURSDAY, JUNE 24, 2021**

MEMBERS PRESENT: Chairman James Fassell and Commission Members Tom Robinson, David Lipinski and Steve Melito

MEMBER ABSENT: Member Natasha Bordeaux

OTHERS PRESENT: Joseph Nowak, Adams Selectboard; Daniel Burns; David Wall; Louisa Volpi and Recording Secretary Pam Gerry

CALL TO ORDER: Chairman Fassell called the meeting to order at 6:35 P.M.

NEW BUSINESS:

- Steve Melito; Appointed by the Board of Selectmen to serve on The Adams Conservation Commission.

Chairman Fassell and the Commission members welcomed Mr. Melito to the Conservation Commission.

APPROVAL OF MINUTES: The minutes of May 13, 2021 were tabled to the Conservation Commission's next meeting.

A motion made by Member Robinson, seconded by Member Lipinski to table the minutes of May 13, 2021 to the next meeting of the Conservation Commission, passed unanimously.

A motion made by Member Lipinski, seconded by Member Robinson to change the order of the agenda to hear the Request for a Certificate of Compliance by BART Charter Public School ahead of the Request for Determination by Daniel Burns, passed unanimously.

Request for Certificate of Compliance:

- **BART Charter Public School-1 Commercial Street**

Ms. Volpi, representing BART Charter Public School addressed the Commission members. She stated that she had performed a site visit at the BART Charter Public School a few weeks prior to their meeting. Ms. Volpi informed the Commission that she verified that there was a rain garden in place. She let the members know that the addition to the school building renovations had been completed which included a green space on the property. Ms. Volpi mentioned that a portion of the parking lot was converted to an impervious area to create an improvement to the Riverfront Area while maintaining their green space. Ms. Volpi stated that according to the Order of Conditions issued to BART Charter School on February 27, 2014, the project was complete and in accordance with the approved plans dated February 13, 2014.

Chairman Fassell asked the members if they had any questions.

Member Robinson asked if there were any conditions placed on the project that had not been addressed by the applicant. Chairman Fassell stated that BART Charter Public School had fulfilled their Order of Conditions.

A motion made by Member Lipinski, seconded by Member Robinson to approve the Request for a Certificate of Compliance by BART Charter Public School, passed unanimously.

The Conservation Commission members thanked Ms. Volpi for representing BART Charter Public School.

REQUEST FOR DETERMINATION: filed by Daniel Burns. 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 for a new detached garage and a site stabilization plan.

Chairman Fassell invited the applicant to address the Conservation Commission with their Request for Determination.

Mr. Wall, representing the applicant addressed the Conservation Commission members with the Request for Determination. He stated to the members that a washout had occurred when a drainage pipe located across the road directed toward the applicant's property blew out. Mr. Wall expressed the urgency required in stabilizing the site to avoid further excessive runoff near the drainage way. He stated that they repaired a swail, and performed some excavation. Mr. Wall reviewed the stream stats report with the members showing various points of concern noting the areas near the intermittent stream.

Chairman Fassell stated to Mr. Wall that he had performed a site visit to the property several times.

Mr. Burns stated that the town had given him a one day permit to assist him with his drainage issues. Mr. Burns stated that Bill Lattrell, Ecological Consultant visited the property and suggested to him that he should maintain the swails to rectify any further water problems.

Mr. Wall stated that this situation caused Mr. Burns' basement to become flooded.

Chairman Fassell stated that he would read aloud a portion of the correspondence submitted to the Conservation Commission by Mr. Lattrell.

A motion made by Member Robinson, seconded by Member Lipinski to approve the Request for Determination with a Negative 2 Determination, passed unanimously with the following conditions:

1. A silt fence shall be installed around working area.
2. Applicant shall have the right to maintain existing drainage ditch.
3. The Conservation Commission shall be allowed to perform a site visit to the property with proper notification to the owner.

Chairman Fassell asked if there were any comments from the audience. There were none.

Member Robinson stated that the Conservation Commission would remain cooperative with assisting applicant's in moving forward on their projects.

Commission members signed the Determination of Applicability form.

OLD BUSINESS:

Property updates:

- **Burlingame Hill**

Chairman Fassell stated that property owner, Leo Curtin was disregarding the orders set by the Conservation Commission in the past. Chairman Fassell noted that the property has had past disturbances of the wetland resource areas and this was brought to the attention of the owner.

Member Robinson showed concern that the Commission had turned this violation over to the MA Department of Environmental Protection, emphasizing that they should be addressing this situation.

Member Lipinski was curious to know what responsibility the Commission should uphold regarding this violation. Chairman Fassell recommended that the Commission wait on addressing this issue at the current time.

- **73 East Hoosac Street**

Chairman Fassell moved discussion to the property at 73 East Hoosac Street, owned by Melanie Gelaznik.

Member Lipinski recognized Joseph Nowak from the Adams Selectboard seated in the audience. Mr. Nowak let the Commission members know that he was present as a liaison for the Board of Selectmen and continued to note that he may have some comments regarding the property being discussed.

Member Robinson asked if the area was stabilized. Chairman Fassell stated that it had been stabilized.

Chairman Fassell begin by addressing the knotweed situation in this area. He stated that when mowing was performed the knotweed could spread further. Mr. Nowak addressed the Commission to emphasize that he was aware of this fact when the knotweed removal was taking place months ago, further stating that Ms. Gelaznik had been the one who had mowed in this area. Mr. Nowak stated that he had worked very hard to attempt to restore the area to the way it once was when he was a young boy living there. He stated that he was "very embarrassed" by the way the situation was handled by the Conservation Commission during this time. Mr. Nowak stated that knotweed required a long process of elimination, noting that he was well educated in these matters. Mr. Nowak claimed that his "integrity was infringed on." He stated that various town officials made a site visit to determine the activity being performed. In closing, Mr. Nowak stated that he had worked extremely hard for many hours and weeks to try to rectify the situation while further noting that he now watched his efforts fail. He emphasized to the Commission members that he was an environmentalist for thirty years and was well aware of this ferocious invasive species and how difficult it was to eliminate it.

Member Lipinski recommended that they move the discussion to the next agenda item.

- **128 East Road**

Chairman Fassell stated to the members that Mr. Chris Diesz owner of the property would like to take down an area behind his home and plant grass. He advised him to consult with Emily Stockman, wetlands consultant in regards to his proposed project.

Member Lipinski pointed out that his property was near Miller Brook, pointing out that it was within 200 feet of the riverfront.

REVIEW MAIL:

Chairman Fassell stated that they were informed that Matthew Burdick had been appointed by the Board of Selectmen as a Conservation Commission member.


Chairman Fassell stated that they received notification that Jeff Randall of Hill Engineers was interested in becoming appointed to the Conservation Commission.

Member Robinson reminded the members that he would be resigning on October 1, 2021 from the Conservation Commission now that they had a sufficient number of members.

ADJOURN: A motion made by Member Robinson, seconded by Member Lipinski to adjourn the meeting at 7:15 p.m., passed unanimously.

Respectfully Submitted

Date


Recording Secretary

8-9-21