

01/23/24 Meeting Minutes

In Attendance:

- Con Com Members:
 - Dan Harris, April LeSage, and Cosmo LaViola
 - Absent: None
- Others: Richard Luczynski, Kathy Luczynski, Emily Stockman, Joe Burke, Mark Stinson

Meeting Called to Order at 6:05pm.

Discussion of Current Conservation Applications and Issues

1. 410 Main Road (property owned by Richard and Kathy Luczynski)
 - Overview
 - There is an access road for the well/spring that has been there since the Luczynskis purchased the property. This road and access is mentioned in the deed.
 - In order to ensure access to the well/water for the residence road improvements/maintenance have been done over the years, including the addition of stone and the reconstruction of culverts that were washed out during heavy rain events.
 - Pete Grima (local service forester) performed a visit to the property to review the proposed forest cutting plan and saw that there were wetland protection act violations.
 - Savoy Con Com visited the site on Sunday, January 14.
 - The Con Com recommended that the Luczynskis contact a wetland scientist.
 - The owners stated that they will be foregoing the forest cutting plan.
 - The property is in the process of being sold.
 - Emily Stockman Comments:
 - The deed does mention the access to the water source.
 - There is overlap with MESA and WPA.
 - Ale Echandi of Natural Heritage sent an official letter to the Luczynskis. Emily reached out to Ale regarding the fact that now is not a good time to do a site assessment due to snow, etc. April is the time Emily hopes to do an assessment.
 - May 15 is the new deadline for completing the assessment and paperwork and submitting a report to Mass. Natural Heritage. It is anticipated that the assessment will only encompass the front of the property (the impacted area) and likely won't get into the rear of the property unless needed.
 - Discussion:
 - April LeSage: Since the property is for sale, what's the plan for that access road in transferring the property?

- Kathy Luczynski: Joe [Burke] is still interested in the property. He will need access to the well for water. We want to make it right and not have Joe inherit the situation when he assumes ownership of the property. The sale of the property has been suspended for the time being.
 - Mark Stinson: No wetlands assessment has been done yet, correct?
 - Emily Stockman: Not yet. We need to assess if things would have been permissible if the work was permitted and if so, we can do some back permitting to correct the situation. Otherwise, we will need to do some restoration work.
 - Mark Stinson: If additional work needs to be done, file an RDA, go through the proper paperwork, etc. The simplest way to get the site into compliance is to do so via enforcement. An analysis needs to be done. Then an enforcement order would take place in the event that restoration would need to happen. The commission has to put an enforcement order together before any restoration work can be done. Emily will be putting together an analysis of the impacts and will be responding to Natural Heritage.
 - Emily Stockman: The goal is to get MEPA and WPA assessment completed at the same time.
 - Mark Stinson: When will the Con Com be meeting in May?
 - Dan Harris: We're expected to meet on May 21.
 - Mark Stinson: It'd probably be best if by May 20, the property owner's representative (Emily Stockman) provides a written report to the Con Com. showing a delineation of the wetlands and an assessment of the unpermitted impacts.
 - Emily Stockman: I will have completed the assessment by then. I will keep the commission informed.
 - April LeSage: Made a motion for the Con Com to **write an official letter to the Luczynskis regarding the WPA violations and next steps.**
***At some point a Form 9 will need to be completed.**
 - Dan Harris seconded the motion.
 - Unanimous – the motion passed.

2. BSC Utility Project:

- There needs to be a public hearing regarding the project.
 - The public hearing needs to take place within 21 days of the issuance of a file number from Mark Stinson. Mark will generate that number in late January/early February.
 - Once that number is generated, Dan will submit a letter to Christopher LaRose of BSC Group asking them to post the legal notice for the public hearing and will CC the Con Com members.
 - Anticipated public hearing date will be Monday, February 26 at 7:00pm.

Old Business:

- Overview of process for conservation commission applications

- Tabled.
- MACC update
 - It may be worthwhile for some or all members of the Con Com to attend the conference.
- Town maintenance for roads
 - Tabled.
- Document organization
 - Tabled.

New Business:

- Budgets for each committee/board need to be submitted to the town.
- Con Com will request to be level funded at \$750.00 for the upcoming fiscal year.

Selection of Next Meeting Dates:

- February 26 at 7:00pm (anticipated BSC public hearing)
- March 11 at 7:00pm (anticipated order of conditions for the BSC project)
- April 22 at 7:00pm
- May 21 at 6:00pm

Public Comment:

- None.

Meeting Adjourned at 7:35pm