

Whately Conservation Commission
Wednesday, May 20, 2020
Via Zoom

Commissioners present: Andrew Ostrowski, Ann Barker, Montserrat Archbald, Scott Jackson (chair), and George Owens

Commissioners absent:

Others present: Keith Bardwell

Meeting convened at 7:00 p.m.

1. Continuation of the Public Hearing for Julie Beauchemin Notice of Intent for construction of a 1.9 MW large ground-mounted solar facility at 164 Chestnut Plain Road. The public hearing was reconvened at 7:00 pm. The Chair informed that other commission members that the applicant had withdrawn her Notice of Intent and indicated that they no longer wished to pursue the project. The Commission then voted unanimously (5-0) to close the hearing.
2. Whately Highway Department Request for a Determination of Applicability for paving and installation of catch basins on the gravel portion of Poplar Hill Road. A site visit for this project took place on May 17. After a very brief discussion, the Commission voted unanimously (5-0) to issue a negative Determination of Applicability with two conditions.
 - That rock or some other type of energy dissipater be installed at the outfall of the drainage pipe.
 - That erosion control be installed and maintained during construction to prevent sedimentation of wetlands and the stream down gradient of the discharge pipe.
3. Request for a Determination of Applicability submitted by Keith Bardwell for repair of a sugarhouse foundation on Haydenville Road. A site visit for this project took place on May 17. After a very brief discussion, the Commission voted unanimously (5-0) to issue a negative Determination of Applicability with one condition.
 - That erosion control be installed and maintained during construction to prevent sedimentation of the West Brook.
4. After a couple of spelling corrections, the Commission voted unanimously (5-0) to accept minutes from the February 19th and March 3rd meetings.
5. Updates and other business
 - There was discussion about work being done on the east side of Chestnut Plain Road, just opposite Westbrook Road. It is unclear whether the work involves more than just tree removal along the edge of the road. Although it is likely that there are wetlands in the lowland east of Chestnut Plain Road, it is not clear whether the work being done is within 100 feet of wetlands. The Chair (Jackson) indicated that he had previously spoken with people cutting trees along the road and said that he would look for an opportunity to discuss the situation further with them.
 - Chairman Jackson described an email message from Rod Reed asking about whether it would be permissible for him to cut down a large leaning tree on the bank of the Mill River. Jackson reported that he asked Pat Devine to investigate and report back with her assessment and recommendations. Pat described a large (~24-inch diameter) tree on the bank of the Mill River at a point in the river that is exposed to erosive forces. Some undercutting of the bank under the tree was observed and there is some risk that it could fall into the river during a high-water event and take a big chunk of bank along with it. However, Pat said that the tree had large hardy roots that

were probably doing a good job of anchoring the tree, and that she didn't think that failure was imminent. Possible options included: 1) do nothing, 2) have an arborist trim branches from the tree to reduce the risk of its falling into the river, 3) plant additional trees to help anchor the bank, and 4) cut and remove the tree and leave the stump. Jackson indicated that he would pass information from Pat on to Mr. Reed and inform him that cutting the tree would require filing a Request for a Determination of Applicability.

Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Scott Jackson