

# Leverett Conservation Commission

## Meeting Minutes: Monday, March 4, 2024

Start Time: 7:01 PM

### In Attendance

Jono Neiger, Chair

Joan Deely, Vice Chair

Julia Firl, voting member

Seth Heminway, voting member

Miriam DeFant

Macaylla Silver

Mitch Mulholland, FOLP

Jenny Daniell

Samuel Black, FONLS

Tom Hankinson

Phillip (Joan) Crafts

Amy Robb, 51 Camp Road

David Powicki

T.A. (asked to give name, but did not respond)

Rocky Adriance

1. Approval of Minutes from 2/5/24 delayed until next month.
2. Continuation of Public Hearing for RDA @ 51 Camp Road. Commissioners recommend adding additional straw wattle along bank of pond; notification required of when work will start (option for landowners to send email w/ photos showing wattles installed, etc.) & ability to inspect when done; wattles should stay in place for 1 year; Owen (planner) no longer able to do the actual landscaping work; Commission recommends DEP Form 2, RDA #3 Negative Determination w/ Conditions; Seth made motion to close hearing; Jono 2<sup>nd</sup>, all in favor.
3. FONLS NOI hearing – DEP has not assigned a case number yet, so hearing must be delayed until April meeting; will need advice from Mark Stinson DEP if another newspaper ad will be required, another abutter notice, etc.; Commissioners okay with a stay until April, no need to republish ad.
4. Updates on Gordon King ROW / 101 Shutesbury Rd – Jono coordinating affidavits from neighbors documenting use; Seth requested public works to install 2 No Parking signs on either side of gate (will be installed within next 3 weeks); Leverett legal counsel advised no large group discussion; David Powicki recommends written instruction to remove log;

Jenny lives across from Evans' for 33 years & has observed foot and vehicular traffic on easement for years; is not in favor of installing No Parking signs – people have always parked there; Dave (or someone local?) needs to remove the log immediately; Seth will be in touch with Matt from Public Works to remove log; Joan Crafts asked if she can walk on the easement still or if that would be trespassing; David says parking on Shutesbury Rd only became problematic in the last 3 months because the Evans' moved the gate much closer to the road; general reminder that easement use is contentious to all those who use the property; Seth & Jono coordinating with counsel & select board – will hold executive session soon; Jono recommended Tom Hankinson recuse himself from select board discussions since he “represented” the Evans' at January LCC meeting.

5. Review of 2024 aquatic weed management plan for Leverett Pond. FOLP has DEP & dredging permit already; revisit use of EcoHarvester for 2024 season or HydroRake; contractor was unable to launch EcoHarvester in 2023 due to equipment logistics and water level; FOLP asking Commission to re-approve the same plan as last year; contractor has installed a roller system on the trailer so they can actually launch the EcoHarvester this year; Mitch has asked contractor to come in June; contractor complained about dead branches and vegetation debris in immediate launch area (first ~ 15 feet where it would enter the water) and have asked permission to clear this debris (no living vegetation) by hand; FOLP asking to NOT repeat veg survey since no work was done last year for comparison; reminder that EcoHarvester has hopper to collect weeds, will dump onto a trailer, and deposit them on Cider Mill & Camp Road; then let weed piles sit and distribute for compost.  
Jono wants to review map again; large-leaf pond weed has taken over starting ~ 2018, milfoil loves it and it has increased algae growth.  
About 4 acres of cattail blocking picnic/boat ramp area; FOLP asking to remove about 200 sq. ft. by hand; Jono recalls the permit is NOT for recreation/views/etc. ; Town does not use the inflow for hydrant purposes anymore; Mitch will request a site visit w/ commissioners to show “ecological need” for cattail removal in April/May; Commissioners asked Mitch to send us an email in mid-April to arrange a site visit  
Seth made motion to approve FOLP 2023 weed management plan for use in 2024, Joan seconds, all in favor
6. Vote on Cert. of Compliance for NSTAR/Eversource; Joan & Julia visited 3 of 17 work sites with Joe Rogers of GZA on 3/3/24; fill form and send to DEP and Joe @ GZA; Seth made motion to approve Certificate of Compliance, Julia 2<sup>nd</sup>, all in favor.
7. Administrative Matters
  - Signatures needed on Heronemus Conservation Restriction. Seth made motion to approve; Julia 2<sup>nd</sup>, all in favor
  - Annual Report due 3/15; Seth will send a few trails updates to Joan; Joan will finalize

- Updates on email storage, website updates, document templates, etc.; Joan & Miriam met; Joan met w/ Margie who suggested we transition back to town email system and purge non-records and/or print attachments & file at Town Hall to free up space in Gmail

#### 8. Other items not anticipated

- 160 Long Plain Rd – Joan & Seth did site visit; maps did not seem to align with MassMapper; did not seem to be perennial streams; Long Plain Brook is a perennial stream; could be BVWs; looks more like hayfield than wetland veg; could be ag exemption if used for ag for at least 5 years. Ask landowner to provide evidence of active, commercial ag use for at least 5 years, as this would be an exemption. Neighbor reported that there was earth work going on (grading ditches, scraping, and cutting brush.) Typically, the Conservation Agent would send a letter to landowner or visit w/ landowner to gather more info and determine what (if anything) needs to be done next; look at deeds to see how long property owner has owned it.
- Need to re-issue Emergency Cert to control water level for public safety by slow dam removal and installation of pond leveler (when weather permits) @ Montague Rd & Rattlesnake Gutter Rd and at Sarah Todd's property. Who is in charge of work if beaver activity is affecting town resources (road) but actual problem (beaver dam) is on private property? Miriam recommends getting something in writing between the Town and the landowner (MOU? Easement?) if Town wants to install a leveler on private property to allow for maintenance, access, etc. in case relationship or ownership changes; Dept of Public Works should be responsible for work; Matt B. or MACC may have ideas on how to structure agreement with Sarah Todd; some of land also under easement w/ DCR; Conditions: very slow dismantling of dam over 2+ days, notify LCC of any un-expected breaches. Julia makes motion to approve reissuance of Emergency Cert, Seth 2<sup>nd</sup>, all in favor.
- Miriam offered to provide feedback on NOIs, etc. before next meeting if Commissioners share documents via email.

Joan makes motion to adjourn, Seth 2<sup>nd</sup>. All in favor.

Meeting adjourned at 8:42 PM.

Minutes taken by Julia Firl.