

# Leverett Conservation Commission

Minutes: Monday, August 19, 2024

Meeting Start Time: 7:07 PM

In Attendance:

Julia Firl, voting member

Joan Deely, Vice Chair

Seth Heminway, voting member

David Powicki, voting member

Eva Gibavic

Paul Gibavic

Peter Stuberovskis

Erik Stuberovskis

Phil Ciccarelli (attorney for Stuberovskis)

John Ward

Michael & Laura Macsuga

Barbara Carulli

Pat Duffy (virtual)

1. Review & Approval of Minutes – delay until next month

2. Public Hearing/Public Meeting

- RDA – Gibavic, Beaver dam removal

Gibavics seeking approval to remove beaver dams. Most of usable vegetation is gone – not much available for beavers to rebuild if they come back. Joan filed RDA on behalf of Town, as recommended by Mark Stinson. Gibavics also filed an RDA for the other side of the stream.

Q: How will work be done? Matt offered to load debris into dump truck and haul away.

Q: Can conservation seed mix be added after woody veg is removed? Consensus is that it won't be necessary as the land will naturally revegetate.

Major concerns are flooding of hayfield and damage/flooding to road would block access to 7 residences.

Dave made motion to approve the Gibavic RDA. Seth 2<sup>nd</sup>. All in favor. Seth will notify Matt that it's approved, after 10-day appeal period.

Julia made motion to approve Town RDA. Joan 2<sup>nd</sup>. All in favor.

- RDA - Leverett Library – no representative present at meeting

- Potential Conservation Restriction on Jacksonville Rd (Jim Hicks & Anna Botta) no representative present at meeting
- Septic issue @ 112 Shutesbury Rd – Peter Stuberovskis and attorney Phil Ciccarelli provided summary of issue. Tank replaced a few years ago. Jono and David had reviewed previous plan and wetland delineation from 2021 engineering plan.

Chris Stoddard working on a new engineering plan. New plan will conform with Wetlands Protection Act, in regard to location of leach field. Previous draft plan had included an above-ground tank that conflicts with the future proposed location of the barn. Shallow well is only 75 feet from leach field. Pump system is cost prohibitive. Mound system could be gravity-fed but depends on location relative to the house. Current system is 60-year-old gravity system. Replacing tank would require digging up tank. Owners willing to give up/move driveway and/or garage.

Box will be dug up and rotated and new leach field will be designed. Engineer, Chris Stoddard, wants to know what the Commission thinks about the draft plan. Commission recommended any plan mark out where erosion control will be installed.

What are the WPA constraints for replacing the septic system leach field? Commission's focus is on nature of construction, distance from wetlands, and potential impacts to wetlands. Commission will wait for new engineering plan to be submitted, and then we can make determination.

How many days will the construction take? Usually 1 day to dig; may be able to get same-day or next-day delivery of stone filter, otherwise 1 day to place stone.

Pete (landowner) will plan to attend September meeting with the new plan; will also need to file a new Notice of Intent based on new plan. Commission will ask for expertise from DEP circuit rider, Mark Stinson, at next meeting.

- Discuss need for RDA @ 226 North Leverett Rd for solar installation. John Ward from Green Solar; Laura Macsuga and Michael Macsuga, owners of 226 N. Leverett Road. Plan for small ground-mounted solar installation. John provided draft RDA and shared copy at meeting. Lawn space east of barn, 188 feet from bank of Sawmill River, and not within buffer. Array will be 398 sq ft., fixed. No excavation or concrete required for the footings. Do not expect adverse effects to buffer zone, very minimal ground disturbance overall. Impervious solar panels will direct run-off onto lawn. Trenching construction (for electric) will depend on how fast digging can be done. David recommends silt fencing/hay tubes downhill from trench work. Trench will be shortest path possible over existing driveway. Small hydraulic track machine will dig trench and can go through ledge rock if necessary (no need to reroute path). Commission determined that resource area will not be impacted and that an RDA is not necessary.

- Chair of Affordable Housing Committee, Barbara Carulli. Looking for parcels owned by the Town of Leverett and/or Conservation Commission for potential buildable lots for affordable housing. For example, are 2 Conservation Commission parcels at 0 Shutesbury Road buildable? No – these are the Gordon King Conservation Restriction. The 0 address means that a parcel is restricted from development. Commission advised that it depends on the specific parcel, but typically lands owned by the Town or Conservation Commission are protected from development.

### 3. Administrative Matters

- Re-publish advertisement for Agent position
- Recruitment of new Commission members not discussed
- Schedule date for September meeting. Will try for Sept. 9<sup>th</sup> if we can reach quorum

### 4. Other items not anticipated - None

5. Executive Session to prepare public statement from Conservation Commission regarding the access easement across 101 Shutesbury Road (Evans-Marlowe) to the Gordon King Life Estate property (Leverett Conservation Commission)

*Purpose of Executive Session: (3) Exception to the Open Meeting Law (MGL Chapter 30A, Section 21(a)): To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.*

*The Commission will not return to Open Meeting after the Executive Session.*

Adjourn

End Time: 8:32

Minutes prepared by Julia Firl.