

Approved as amended 10-28-20

**Plainfield Conservation Commission
Minutes of Meeting Held September 30, 2020**

Pursuant to Governor Baker's order in response to the Covid-19 pandemic, suspending certain provisions of the Open Meeting Law and imposing limitations on the number of people that may gather in one place, this meeting was held by remote participation with steps taken to provide public access to the proceedings. This Google meet was initiated by Jack Nelson.

Members present: Erik Burcroff, Jack Nelson, Alice Schertle, Judith Williams (chair).

Also present: Plainfield resident Judy Ferber; present for discussion of River Road wetland replacement: Joe Rogers, GZO Environmental; Sally Silberberg, Plainfield resident

Call to Order. Judy Williams, 6:35 p.m. Permission to record granted by those present.

Minutes of 8-26-20 were discussed and amended. Erik moved, Jack seconded that the minutes be approved as amended. Unanimous.

Update on Wetland Replacement Plan for River Road, Lot 27-25

There was an extensive discussion of restoration work being done in response to an Enforcement Order issued to Kyle Dempsey by the Conservation Commission.

Judy Williams reported that she observed the site today and that many truckloads of large stones have been deposited for erosion control. She took pictures of the restoration work being done.

Joe Rogers reported on the work including the retaining wall being built. He was on site yesterday to accept wetland plants and straw wattle. He said work progress is good. Half the plants are in, including highbush blueberry, witch hazel, American hazelnut, serviceberry, bayberry and sweet pepper bush. Two truckloads of loam were brought in. Some of the straw wattle erosion control has been installed along the driveway. At Jack's request Joe will check to see the effect of the recent rainstorm on the installation. Judy W. said it appeared to hold up well even after a 2 ½ inch rainfall.

Sally Silberberg expressed her concern over how this situation could occur in spite of restrictions meant to protect an environmentally fragile area. She asked about procedures when land is sold close to a river. Joe said in his experience no relevant information comes through the sale process. Often the purchaser's first knowledge of the Wetlands Protection Act comes through an Enforcement Order. Jack pointed out that an application for a building permit has to be passed through the Conservation Commission. Judy W. said newcomers to town get a welcome packet that includes WPA information. The vigilance of town residents often provides the ConCom with their first awareness of a violation. In this River Road case the town assessor first observed the work and reported it to the ConCom chair.

Sally asked if the Board of Health is aware of the situation. Judy W. said she did inform the Board. Sally said the Building Inspector was aware of the situation a year ago. Erik pointed out that there is no Certificate of Occupancy for the River Road property. Judy Ferber said there are many small properties along the river and asked if we could raise our concerns with the Building Inspector. Sally asked about another camp on the other side of the river. Joe said that camp is not

part of the Kyle Dempsey River Road property. Judy Ferber asked about the coarse stone left in the road from Kyle Dempsey's driveway; Erik said it is used in road work to fill pot holes. Sally said she will keep us informed as she observes work being done. She felt when people get away with projects done in violation of restrictions it sets a precedent others will follow. Judy W. said the Enforcement Order has had a big impact. Joe pointed out that enforcement is 2-3 times more expensive than permitting properly. Jack suggested we send information to Plainfielders who live along River Road.

Joe said they hope to finish the work in the next couple of weeks. Erik suggested another inspection of the property which Judy said would take place the week before our next meeting. Sally Silberberg and Joe Rogers left the meeting at 7:16 p.m.

Emergency Certification Form, Bow Street, Department of Public Works

Site visit: On 9/15/20, Judy, Jack, Erik and Alice met Select Board Chair Howard Bronstein, Highway Department Superintendent Mert Taylor, Jr., and DEP Circuit Rider Mark Stinson on Bow Street at the site of a culvert replacement project. Mert described the project as one requiring immediate attention to prevent road collapse.

Mert had not informed the Conservation Commission of the project. When equipment for the culvert replacement was observed by Mark Stinson, Mark requested the ConCom site visit. Because grant funding for the project would expire Sept. 30, Mark suggested the ConCom. issue an Emergency Certification to enable work to go forward. A Notice of Intent (NOI) would still have to be filed by the Highway Superintendent.

Judy read sections from the Emergency Certification. The work is a limited project under the regulations. Judy will leave the Emergency Certification on her door for signing by ConCom members.

Public Hearing for a Notice of Intent filed by Mert Taylor, Jr., Highway Superintendent, for Replacement of an Ineffective Culvert on Bow Street

The work involves replacing a culvert to prevent road collapse. The resource area impacted by the project is about 80 linear feet of Bank. It is a limited project under the regulations. Abutters have been notified and have 10 days to appeal.

The ConCom will issue an Order of Conditions.

Judy will leave the Order of Conditions on her door for signing by ConCom members

Jack will inspect the site to see how it has done in the recent rain storm.

Culvert Study

Jack reported that he has obtained from Howard a study of the culverts in Plainfield. Jack will email the study to ConCom members.

Site visit, 27 S. Union

Judy reported on a site visit to the property of Elaine Sidney and Laurie Israel. The 14 acre property has wetlands, 2 streams, culverts in need of replacement, and drainage issues. They had hoped to have the Conway School of Landscape Design construct a circular driveway but

because of the extensive wetlands the project was not possible. Elaine gave Judy a folder with descriptions of projects they hope to accomplish. Judy gave Elaine a Notice of Intent form. Much information would have to be included on the form because of the number of projects and the many conditions present on the property.

Forest Cutting

Erik reported that the Forest Cutting Plan for Thomas Kusek on North Union has not been approved by Service Forester Alison Wright-Hunter. Erik will contact Alison to inquire about the status of the plan. No actual work is being done yet. Judy Ferber said she will be able to observe any activity.

Another member soon

Judy Ferber said the Select Board will approve her appointment to the Conservation Commission at their next meeting. She will be very welcome!

Next meeting: Wednesday, Oct. 28, 6:30 p.m.

Adjourned, 7:50 p.m.

Respectfully submitted,

Alice Schertle