

Plainfield Conservation Commission

May 29, 2024 Meeting Minutes

Present were commissioners: Erik Burcroff, Judy Ferber, Jack Nelson, and Judy Williams and guests, Jacob Mueller, applicant, Nicholas Santangelo, Beals and Thomas, Inc. (phone in), Mark Stinson, DEP Circuit Rider, and Kurt Thibault, farmer applicant.

The Meeting was called to order at 6:32 PM.

1. Minutes of the April 24, 2024 meeting:

A motion was made, and the minutes were unanimously approved, with the following corrections:

- a. The Eversource request for a Certificate of Compliance was incorrectly referred to Lines 1231 and 1242, instead of Line 312.
- b. The resignation of Alice Schertle was accepted with sadness and gratitude for her many years of service on the Commission.

2. Continuation of the NexAmp public hearing on the Abbreviated Order Resource Area Delineation (ANRAD) submitted Jan. 16, 2024 and updated with corrections based upon the Levesque Associates peer review dated April 18, 2024 and recorded on a site plan dated April 25, 2024 and acknowledged by B & T in a letter dated May 10, 2024:

The Commission voted unanimously to close the hearing. The Commission determined that the delineation of the Bordering Vegetated Wetlands was accurate and entered it as such in the Order of Resource Area Delineation (ORAD).

3. Continuation of the Eversource request for a Certificate of Compliance for Eversource Line 312 Structure Replacement:

The Commission visited several sites off of North Union St. with Joshua Surette, Epsilon Assoc., on May 8, 2024, to check on the successful establishment of vegetation in BVW's after removal of the wetland matting. The Commission voted to approve the COC.

4. Meeting with Kurt Thibault, owner of Wolf Tree Farm, regarding an irrigation project for the old farm pond/fire pond opposite the Highway Dept.:

There was some discussion regarding the definition of "Land in Agricultural Use" as far as the 5 year cut off for WPA agricultural exemptions. Mark pointed out that there is no evidence of continuous use of the pond for agricultural use and that there are pond and river related resources areas affected that could qualify for the exemption with a permit. Mr. Thibault agreed to submit an RDA in order to gain the exemption. He also will include, in the RDA, the pond which is on the north side of East Main St. also slated for an irrigation project.

5. Request for the need for the submission of an RDA and request for a signature on a building permit for the lot at 57 Summit St. by potential owner, Jacob Mueller:

The stream that runs through the property is categorized as intermittent, because it doesn't appear on the 2021 USGS map. The wetlands boundaries had previously been flagged, and a buffer zone of 100' from the boundaries has been marked out. Mr. Mueller indicated that he would not disturb the vegetation beyond the buffer zone. Mark said the plan would be acceptable without a wetland permit, providing that Judy add a caveat regarding the 100' buffer and the provision of a site visit once the building envelope was staked out.

6. Other Business:

7 Bow St.: Hampshire County Superior Court proceedings on May 28, 2024:

Present were plaintiffs, Judy Williams, representing the Commission, Ellen DuPont representing the Board of Health, and Charlene Baiardi, former Plainfield Building Inspector, and Michael Di'Ortenzio, KP Law. The Judge issued an eviction order requiring the Millers to vacate within 7 days from May 29. The plaintiffs and the Millers signed agreements to vacate up to 14 days, to rent a portapotty while the Millers remain, to install smoke detectors, to hire a consultant by 21 days (June 18) to develop a plan for the restoration of disturbances in the River Front Area as described in the Enforcement Order signed Jan. 31, 2024, to complete the remediation by 45 days (July 12) and to hire a realtor to oversee the sale of the property.

The meeting was adjourned at 8:22 PM.

Respectively submitted,

Jack Nelson