

Town of Blandford
Conservation Commission Minutes
January 26, 2023 7:00 PM

Commission Members in attendance: Dick Gates, Colleen Doyle, John Piper

Others in Attendance: Christopher Dunne (Blandford Town Administrator, Edna Wilander (Blandford Planning Board, Paul Martin (Blandford Planning Board), Mark Stinson (Mass DEP)

Attending By Telephone Conference Line: Quinn Heath (Attorney for Belle Fleur), Marc LeVasseur (Foresight Land for Belle Fleur)

Meeting opened at 7:02 PM. This special meeting is being held to discuss Belle Fleur's request to remove additional trees from Resource Areas, Adjust the location of spacing between greenhouses and revise the dimensions of a building,

R. Gates provided an overview/ chronology of events/ communications from 12/20/22 to date.

R. Gates stated purpose of tonight's meeting:

1) Determine if Agricultural Exemptions contained in the Wetlands Protection Act (WPA) apply to the Riverfront area or the balance of the Belle Fleur site.

2) If exemptions apply, how to deal with the existing amended Order of Conditions (OOC)

Mark Stinson of Mass DEP provided an overview of the agricultural exemptions and options for a path forward to allow additional tree cutting at the site located within resource areas. For the outer 100 ft. Riparian Area, the Applicant could request an additional Amended OOC as the WPA allows an exemption for New Agriculture for that Area. Alternatively, the Applicant could request a partial Certificate of Compliance for the outer 100 ft. Area, and then submit a Request for Determination. The Commission could then issue Negative Determination for that Area.

Mark noted that although Cannabis is considered an agricultural commodity, the property is not currently in Agricultural use. He also stated that previous activities authorized under the MA Forest Cutting Practices Act would justify an Agricultural Exemption. Also, if the Applicant proposes that Maple Sap collection qualifies as Agricultural use, then details such as how many trees were tapped, where the trees were located and a demonstration that the product was being sold commercially. Mark also reviewed the land owner exemption that allows the cutting of 5,000 board feet of lumber OR 10 cords of firewood for the owner's own use.

R. Gates asked if the Applicant would consider submitting a request to cut the trees and provide mitigation in the way of replanting trees/shrubs. R. Gates also said that it is not likely that Commission would approve the proposed tree cutting as a minor modification to the existing Amended OOC, and that the Applicant should consider some other mechanism. Both Marc LeVasseur and Quinn Heath said that they would review further with the Applicant.

R. Gates made a motion to continue discussions on this subject to the Commissions next meeting on 2/13/23. J. Piper second. Vote unanimous.

Meeting closed at 7:44 PM

Richard W. Gates
Allan Dyer
John L. Piper