

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Baker at 7:05 p.m.

ATTENDANCE

Present: Baker, Acting Chair, Allen, Gerber, Kaplan (arrived 7:15), Manire-Gatti, Stein
Absent: Robb
Staff: Ziomek, Ciccarello, Johnson-Intern
Others: Chuck Dauchy, Frank Fournier, Carol Gray, Vince O'Connor, Janet (McGowan?)

CONSERVATION COMMISSION'S ACTION

Approve Minutes

VOTED Gerber, Stein voted "Aye", Allen, Baker and Manire-Gatti, abstained, to approve the Conservation Commission minutes of January 9, 2008.

Veridian Village Conservation Restriction Discussion

Dave Ziomek gave the Commission a quick update. He continues to have conversations with the proponents of Veridian Village, but they are not ready for the Conservation Commission to see the draft yet. They may be ready in February for presentation at one of the Conservation Commission meetings. There has been some discussion as to whether it should go thru the regulatory bodies in Boston first or whether it should come to the Conservation Commission first. Dave has recommended that it come to the Conservation Commission first. He thinks that they will make a presentation on February 13 and then will ask the Conservation Commission to take a formal vote on February 27.

There are two pending issues that Mr. Ziomek would like a written response to. The first being, why can't Hampshire College just donate the 12 acres to the Town? Mr. Ziomek feels it would be a much simpler and cleaner process and is waiting to hear from Larry Archey, Project Manager for Hampshire College. If we own it, we control it; the Conservation commission makes the rules and the Conservation Department can enforce the rules. If it is a CR piece of property, it becomes difficult to enforce the rules. The second issue in question is the possibility of requiring an endowment to support the enforcement of this CR into perpetuity. Both Town Counsel and the Town Manager are in support of this proposal. Dave would like to have a response in writing to present to the Conservation Commission at the same time the draft Conservation Restriction is presented to the Conservation Commission.

Mr. Ziomek reminded the Conservation Commission that they are under no obligation to accept this responsibility. He also reminded them that Hampshire College first approached Kestrel Trust. Kestrel Trust declined, as they wanted to see Hampshire College do more permanent land conservation, but Hampshire College indicated that they were not in a position to do that right now.

In response to a question from John Gerber, Mr. Ziomek indicated that Hampshire College is required by Natural Heritage to conserve a large portion of land around Veridian Village because it is priority habitat for the wood turtle and further requires that CR land have a "holder" for watching the land in perpetuity.

VOTED unanimously (6-0), to continue the discussion to February 13, 2008 at 7:05 p.m.

Update on Open Space and Recreation Plan

Alicia Johnson, Conservation Department Intern, gave a detailed presentation of the Open Space and Recreation Plan. The Commission was very appreciative of her updating them on this process

CPAC Recommendations

Dave Ziomek reported that the Community Preservation Act Committee (CPAC) met on January 22nd and reviewed the preliminary proposals they have received and scheduled a follow-up meeting for February 26, 2008. Mr. Ziomek encouraged all to attend.

Dave gave an overview of his preliminary request to CPAC. He has requested \$20,000 for appraisals and surveys and \$70,000 for acquiring the Tietjen property – 38.46 acres abutting the Lawrence Swamp Conservation Area. He further noted that an APR application has been submitted, he has a preliminary vote from the ALPC and anticipated having the final vote, the survey and appraisal done by Spring Town Meeting.

John Gerber asked what criteria are considered for acquisition. Dave responded – the size of the property, what potential funding sources are there, where does it occur geographically, is it in a block of land already surrounded by other preserved land, the cost per acre, the feasibility of the project, the willingness of the seller, the willingness of funding source and APR approval to mention a few.

Liv Baker indicated that the Commission needs to set priorities by February 13, 2008 and that they were not taking a vote this evening, but just gathering information.

Carol Gray presented on behalf of the South Amherst Conservation Association regarding the South East Street land acquisition project. The Association feels it is important for the Town to preserve this parcel of land and argued that the Town should have an appraisal done. Liv Baker and John Gerber asked for the asking price for these 7.4 acres. Ms. Baker explained that having this information gives the Commission a sense of the willingness of the seller and helps them in setting priorities for land acquisition. Ms. Baker indicated that it would not sway the Commissions' decision, but would give them the information they need to make an informed decision. Ms. Gray said that it was between \$950,000 and \$1.5 million.

Dan Kaplan asked Ms. Gray to tell the Commission what the South Amherst Conservation Association wants. Ms. Gray said they are requesting a recommendation from the Commission to CPAC for \$150,000 and that money remaining from last year's appraisals be used (in full or in part) for an appraisal on the property.

PERMITS/CERTIFICATES

Notice of Intent – NOI 07-1102 (Cont'd from 12/12/07) – Cold Spring Environmental Consultants Inc. for Sheila Stevens for construction of a single-family home with proposed crossing of an intermittent stream/drainage swale and Bordering Vegetated Wetland on 49 Overlook Drive (Map 6B, Parcel 49).

- Opened the public hearing at 7:30 p.m.

VOTED unanimously (6-0), to continue the public hearing to February 13, 2008 at 7:40 p.m.

Request for Determination – RFD 08-1103 – Chuck Dauchy for installation of security fence and planting boxes for screen plantings at #24 & #40 Montague Road (Map 5A, Parcels 37 & 39).

- Opened the public hearing at 7:40 p.m.
- Closed the public hearing at 7:52 p.m.

Chuck Dauchy, an environmental consultant, presented for Frank Fournier of Ernie's Towing. ZBA has approved the project and has also requested that planting boxes be placed at the site to provide a screen to improve the esthetics of the eight foot fence.

VOTED unanimously (6-0), to issue a negative determination for the work.

UNTIMED ITEMS

Chapter 61: Henry Street – Cows

VOTED unanimously (6-0), to continue to February 13, 2008.

Chapter 61A: 539 Market Hill Road – Riley/Thornton

VOTED unanimously (6-0), to continue to February 13, 2008.

MISCELLANEOUS

Director's Report

Mr. Ziomek distributed copies of the FY09 budget to the Conservation Commission to review and will ask Stephanie to schedule time on the February 13 agenda for questions and comments.

Dave Ziomek introduced Alicia Johnson, an intern that has been working on a couple of projects for the Department. She is currently working on entering 18+ years of breeding bird census data into a program that will allow statistical analyses of the data. She has also been working with Dave on the Open Space and Recreation Plan (ORSP) 5 year update and will be giving a PowerPoint presentation of the work that has been done to date.

Mr. Ziomek presented a preliminary project list for Community Preservation Act Committee (CPAC) funds and asked the Conservation Commission to deliberate on proposals.

East Leverett Road Land – Acceptance of Deed & Parcel

Brief discussion of the vote taken at the November 5, 2007 Special Town Meeting (Article 7) regarding the acquisition of land on East Leverett Road for the Cushman Brook Project.

VOTED unanimously (6-0), to accept the language of the Acceptance Document presented herein.

Wetland Administrator's Report

Stephanie Ciccarello indicated that there will be a Focus the Nation 2% Solution Challenge event sponsored by the Select Board and the Energy Task Force on January 30, 2008 at 7:00 PM in the Town

Room. She will present an overview of the Climate Action Plan with emphasis on significant efforts made by the Town of Amherst since 1997 to reduce CO2 emission. Jason Burbank will present an overview of the University of Massachusetts' effort since 1997 with emphasis on the CO2 reduction through contract with Johnson Control. From 8:00 to 9:00 PM there will be a screening of the 2% Solution webcast. She asked the Conservation Commission to consider attending this event.

ADJOURNMENT

VOTED unanimously to adjourn the open meeting at 9:53 p.m.