

**MINUTES**

**CALL TO ORDER**

Meeting called to order by Mr. Gerber at 7:07 p.m.

**ATTENDANCE**

**PRESENT:** Allen, Gerber, Kaplan (left at 8:34 p.m.), Manire-Gatti, Stein

**ABSENT:** Robb, Baker,

**STAFF:** Ziomek, Ciccarello

**OTHERS:** Alice & Seymour Epstein, Carol Gray, John Fitz-Gibbon, Rob Quinn

**CONSERVATION COMMISSION'S ACTION**

**Approve Minutes**

No action – minutes of April 23, 2008 moved to May 28, 2008.

**Discussion regarding research proposal – Sandy Gillespie**

Ms. Gillespie gave an update on her research.

**PERMITS/CERTIFICATES**

**Request for Determination** – Seymour & Alice Epstein for Determination of the status of two streams at 1194 West Street, Amherst, MA (Map 25B, Parcel 29).

- Opened the public hearing at 7:30 p.m.
- Closed the public hearing at 8:23 p.m.

**VOTED** (4-1) Gerber, Kaplan, Manire-Gatti and Stein voted “Aye,” Allen abstained, to close the public hearing and to issue a positive determination for the two streams in question as perennial under the Town of Amherst Wetlands Protection Bylaw and in accordance with the Remand Order issued by Superior Court Judge Carhart on April 25, 2008, which shall be included as part of the Determination.

**Request for Determination** – Frederick & Elizabeth Trobaugh for two additions to an existing house in the buffer zone of bordering vegetated wetlands located at 134 Maplewood Circle (Map 12A, Parcel 48).

- Opened the public hearing at 8:25 p.m.
- Closed the public hearing at 8:33 p.m.

Mr. Trobaugh and Rich Karsten presented.

**VOTED** unanimously (5-0), Allen, Gerber, Kaplan, Manire-Gatti, Stein voted “Aye,” to close the public hearing and to issue a negative determination for the work with special conditions as follows:

- 1) Strawbales or silt sock be used in place of haybales.
- 2) Erosion control shall be moved as close to the work area as possible.
- 3) The Wetlands Administrator shall approve the location of the erosion control upon installation and prior to work.
- 4) The Wetlands Administrator shall be notified a minimum of 48 hours prior to work.

**Request for Determination** – The Department of Conservation and Recreation – for pavement repair of the Norwottuck Rail Trail located in the buffer zone of bordering vegetated wetlands.

- Opened the public hearing at 8:34 p.m.
- Closed the public hearing at 8:43 p.m.

Rich Brazeau of DCR presented.

**VOTED** unanimously (4-0), Allen, Gerber, Manire-Gatti, Stein voted “Aye,” to close the public hearing and to issue a negative determination for the work.

**Notice of Intent** – Paul Brunelle for construction of a single family house in the buffer zone of bordering vegetated wetlands located on Potwine Lane (Map 23A, Parcel 5).

- Opened the public hearing at 8:45 p.m.
- Closed the public hearing at 8:50 p.m.

Paul Brunelle and Chuck Dauchy presented.

**VOTED** unanimously (4-0), Allen, Gerber, Manire-Gatti, Stein voted “Aye,” to close the public hearing and to issue an Order of Conditions.

**MISCELLANEOUS UNTIMED ITEMS:**

**ARTICLE 26. Zoning Amendment - 500-502 Sunderland Road**

Otto Stein noted that he felt the Planning Board should have spoken with the Commission. John Gerber reiterated that the Commission does not support Article 26.

**ARTICLE 24. Community Preservation Act Ballot Question for November, 2008 State Election**

Carol Gray sought support from the Commission for Article 24 which would increase the CPA surcharge to 3%.

**VOTED** unanimously (4-0), Allen, Gerber, Manire-Gatti, Stein voted “Aye,” to support Warrant Article #24.

**ADJOURNMENT**

**VOTED** unanimously to adjourn the open meeting at 9:10 p.m.