

MINUTES

CALL TO ORDER

Meeting called to order by Mr. Gerber, Chair at 7:03 p.m.

ATTENDANCE

PRESENT: Gerber, Kaplan (arrived at 7:07 p.m.), Allen, Angus, Stein

STAFF: Ziomek, Skeels,

OTHERS: Bruce Griffin, Richard Hanks, Pat Wagner, James Scott, Gloria McPherson, Carol Grey, Layne Floyd, Doug Fuller, Richard Evans

CONSERVATION COMMISSION'S ACTION

Approve Minutes

VOTED unanimously (5-0), to approve the Conservation Commission minutes of December 10, 2008.

PERMITS/CERTIFICATES

Notice of Intent (cont'd from 12/10/08) – Amherst Department of Public Works for the replacement of 2,513 feet of existing sewer pipe and 250 feet of existing drain pipe within sewer easement between Rolling Ridge Road and Harlow Drive (Map 5D, Parcel 145 and 152).

- Opened the public hearing at 7:32 p.m.
- Closed the public hearing at 7:40 p.m.

John Gerber noted again for the record that he is an abutter, but he has no financial interest in the project. Jason Skeels, Town Engineer, answered questions for the Commission.

VOTED unanimously (5-0), to close the public hearing and to issue an Order of Conditions with the usual boiler plate conditions and a further condition requiring semi-annual seasonal reports for two years.

Notice of Intent (cont'd from 3/26/08) – Andrews & LaVerdiere for construction of an office building on Meadow Street, Amherst (Map 4D, Parcel 3).

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

Bruce Griffin presented to the Commission.

VOTED unanimously (5-0), to continue the public hearing to February 11, 2009 at 7:30 p.m. at the request of the applicant.

Request for Determination – Richard Hanks for an agricultural exemption for parcel of land on North East Street (Map12A, Parcel 8).

- Opened the public meeting at 8:06 p.m.
- Closed the public meeting at 8:09 p.m.

Harvey Allen and David Ziomek recused themselves from the deliberations and left the room. Richard Evans, attorney for Valley Land Fund, presented for the applicants. An affidavit from the farmer who most recently farmed the land was presented to the Commission

VOTED (4-1-0) Gerber, Kaplan, Angus, and Stein voted “Aye,” and Allen abstained to close the public meeting and to issue a negative determination for the work under the agricultural exemption for maintenance and improvement of land in agricultural use.

Request for Determination (cont'd from 12/10/08) – Sandra Weisman for relocation of a driveway and parking area and construction of a slab for an existing garage at 195/197 College Street (Map 14B, Parcel 170 & 171)

- Opened the public meeting at 8:10 p.m.
- Closed the public meeting at 8:17 p.m.

Bob Stover presented and answered questions on behalf of the applicant, Sandra Weisman.

VOTED unanimously (5-0), to close the public meeting and to issue a negative determination for the work with the usual boiler plate conditions and the following additional conditions: 1) work shall be a minimum of 20 feet from any jurisdictional wetlands (isolated or bordering); 2) erosion control shall include silt fence and straw bales; and 3) wetland administrator shall inspect erosion control prior to the work.

Request for Determination – James Scott for removal of an in-ground swimming pool in the buffer zone of a bordering vegetated wetland located at 7 South Mt. Holyoke Drive (Map 20A, Parcel 137)

- Opened the public meeting at 8:18 p.m.
- Closed the public meeting at 8:23 p.m.

James Scott presented, explaining the process that will be used to remove the pool.

VOTED unanimously (4-0) Gerber, Angus and Allen, Stein voted “Aye,” Kaplan not present to close the public meeting and to issue a negative determination for the work with the usual boiler plate conditions with the following additional conditions:

- 1) erosion control shall include silt fence and straw bales as proposed;
- 2) wetlands administrator shall inspect erosion control prior to work and
- 3) work be done on the lawn side of the project away from the wetlands.

Notice of Intent – Tofino Associates for construction of a single-family house in the buffer zone of a bordering vegetated wetland located on Lot 3 Belchertown Road (Map 21B, Parcel 72)

- Opened the public hearing at 8:24 p.m.
- Closed the public hearing at 8:34 p.m.

Gloria McPherson presented for Tofino Associates.

VOTED (3-1), Gerber, Angus and Allen voted “Aye” and Stein voted “No,” Kaplan not present to close the public hearing and to issue an Order of Conditions with the usual boiler plate conditions and following special conditions:

- 1) existing erosion control shall be taken up and removed off-site;
- 2) silt fence and straw bales shall be re-installed as erosion control;
- 3) a \$500 performance deposit shall be submitted for the lot with the steep embankment;

- 4) erosion control shall be installed five feet back from the top of the slope on the lot with the steep embankment; and
- 5) the wetlands administrator shall be notified upon installation of the erosion control prior to work.

Notice of Intent – Tofino Associates for construction of a single-family house in the buffer zone of a bordering vegetated wetland located on Lot 4 Belchertown Road (Map 21B, Parcel 67)

- Opened the public hearing at 8:35 p.m.

VOTED (2-2), Gerber and Angus voted “Aye,” Allen and Stein voted “No,” Kaplan not present to close the public hearing and to issue an Order of Conditions with the five special conditions recommended by the wetlands administrator.

Mr. Gerber noted for the record that he did not think it was appropriate to vote no without having a regulatory authority to vote no.

Notice of Intent – Layne Floyd for construction of a single family home and driveway and relocation of existing drain at 460 Pine Street, (Map 6A, Parcel 20).

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

Layne Floyd presented his plan to move the house up closer to the road to the Commission.

VOTED unanimously (5-0), to continue the public hearing to January 28, 2009.

MISCELLANEOUS UNTIMED ITEMS:

CPA projects

Dave Ziomek gave a brief presentation of his recommendations for CPA funds.

FY 10 Budget Update

The Town Manager’s budget for FY10 is due on Friday, January 16, 2009. Dave noted that all departments have been asked to reduce their budgets. Dave feels that we have honored our commitment to the Town Manager and to the Town to reduce, consolidate, to be efficient and he feels that will be represented in our FY10 budget. FY09 we face continued challenges and are concerned about what will come out of the Governor’s budget, but remain hopeful!

Land Manager Position Update

Dave Ziomek noted that we have lost our land manager. Doug Hutcheson has taken a position with the Department of Conservation and Recreation. He did terrific work and will be sorely missed. Not only was he responsible for management projects on conservation land and trails, but also in the watershed forest. This is a shared position – 75% Conservation, 25% Water Fund. He worked cooperatively with Guilford Mooring and Bob Pariseau to manage the projects in the watershed. Dave Ziomek, Guilford Mooring and Bob Pariseau have had discussions with the Town Manager regarding the position and they feel that he understands the essential nature of this position. Dave pointed out to the Town Manager that this is exactly the kind of position we need in the Town, where we share resources across town

Departments to provide services very efficiently. We have approx 5,000 acres that Town owns (not including school land or recreation land) that needs to be managed by someone with an ecological and forestry background. In addition to these responsibilities, the land manager is also in charge of contracting for timber harvest in the watershed. Much of the salary for that position is generated through sustainable timber harvesting in the watershed. Dave noted that this position generates revenue for the Town, so despite the very difficult financial times we are experiencing, he is hopeful that we will be able to fill this crucial position.

Snowmobiles

The Conservation Department is dealing with complaints about snowmobiles riding on conservation land and trails. Dave Ziomek reminded the Commission that motorized vehicles are prohibited on Conservation land and on watershed lands. Right now the hot spot is from Atkins Flats up through Plum Springs right through residential neighborhoods. We are posting hot spots and contacting people directly in an effort to control this behavior.

Joint Meeting with Agricultural Commission & Conservation Commission

Meeting scheduled for January 22nd has been cancelled. Libby will contact you for a new date.\

Ridge Walkers

Harvey Allen noted that he spoke with birders about resurrecting the Ridge Walkers volunteer group. Dave indicated that was great, but that the Town Manager envisions a much larger group of volunteers. He asked Harvey to have these people contact him, so he can begin to organize a group.

ADJOURNMENT

VOTED unanimously to adjourn the open meeting at 10:04 p.m.