

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Angus, Acting Chair at 7:10 p.m.

ATTENDANCE

PRESENT: Allen, Angus, Hamin, Scott,

ABSENT: Gerber, Kaplan, Stein

STAFF: Ciccarello

OTHERS: Chuck Dauchy, Layne Floyd, Mickey Marcus, Pam Monn, John & Margaret Nunnely,
Tanya Cushman

CONSERVATION COMMISSION'S ACTION

Approve Minutes

VOTED unanimously, to approve the Conservation Commission minutes of February 11, 2009.

PERMITS/CERTIFICATES

Request for Determination – Conservation Department (RFD09-1146) for replacement of 300' of bog bridging along the Cider Mill Trail in the Cider Mill Pond Conservation Area located at 93 High Point Drive (Map 6B, Parcel 66).

- Opened the public meeting at 7:20 p.m.
- Closed the public meeting at 7:23 p.m.

VOTED unanimously (4-0), to close the public meeting and to issue a negative determination for the work.

Request for Determination – Conservation Department (RFD09-1147) for replacement of a bridge that crosses an intermittent stream located in a hay field on South Pleasant Street (Map 17A, Parcel 57).

- Opened the public meeting at 7:25 p.m.

VOTED unanimously (4-0), to continue the public meeting to March 11, 2009 at 7:20 p.m.

Notice of Intent – Layne Floyd (cont'd from 1/14/09) for construction of a single family home and driveway and relocation of existing drain located at 460 Pine Street, (Map 6A, Parcel 20).

- Opened the public hearing at 7:30 p.m.
- Closed the public hearing at 7:49 p.m.

Chuck Dauchy and Floyd Layne presented to the Commission and responded to questions put forth by the Commission.

VOTED unanimously (4-0), to close the public hearing and to issue an Order of Conditions with following special conditions:

Order of Conditions - Special Conditions – NOI08-1142

Issued to: Layne Floyd

For: construction of a single-family house and drainage replacement in the buffer zone 460 Pine St.

Date of Issuance: March 9, 2009

This Order of Conditions pertains to construction of a single-family house lot located at 460 Pine Street. An Order of Conditions had previously been issued for this lot (NOI08-1108) for construction of a house on the slope adjacent to the wetland. This Order of Conditions additionally addresses the re-configuration and re-construction of an existing drain pipe.

4. Before any work begins on the site, a performance deposit of \$500.00 shall be submitted to the Commission. The deposit will be returned with any accumulated interest upon completion of the project to the satisfaction of the Commission, together with the issuance of a Certificate of Compliance.

7. Work shall conform to plans and information submitted to the Commission in the Notice of Intent, and to these special conditions:

- a. Erosion control shall be installed prior to work.**
- b. The Wetlands Administrator shall be notified upon installation of the erosion control a minimum of 48 hours prior to work**
- c. No work shall begin until the Wetlands Administrator has inspected the erosion control.**
- d. At no point during the work shall untreated stormwater be directed to the wetland**
- e. The applicant shall strictly adhere to the stormwater management report**

Notice of Intent – University of Massachusetts for nuisance vegetation control and management of the Campus Pond located on North Pleasant Street (Map 8C, Parcel 13B).

- Opened the public hearing at 7:50 p.m.

Mickey Marcus, of New England Environmental, Inc. and Pam Monn, of the University of Massachusetts, presented.

VOTED unanimously (4-0), to continue the public hearing to March 11, 2009 at 7:50 p.m.

Administrative Hearing – for creation of a pond in both bank and bordering vegetated wetland resource areas at 657 South Pleasant Street.

John and Margaret Nunnally were present and spoke to the Commission about the situation and indicated that they intend to work with the Commission to rectify the situation and have hired an environmental consultant.

VOTED unanimously (4-0), to issue a finding of “responsible” for the violation.

VOTED unanimously (4-0), to issue an additional Enforcement Order, as approved by the Commission, to conduct an assessment of resource area impacts that resulted from the creation of the pond. A letter from the consultant to the Commission should include the following:

1. Identify the impacted resource areas.
2. Provide an estimate as to the amount of impact to each resource area(s) (i.e. bordering vegetative wetlands – total number of square feet).
3. The methodology used to calculate impacts.
4. This assessment must be presented to the Commission at the April 8, 2009 meeting.

MISCELLANEOUS UNTIMED ITEMS:

Appraisal Request – Meadow Street

Tanya Cushman spoke to the Commission about the importance of preserving the 20 acre parcel of land on Meadow Street. Ms Cushman presented a packet of information to the Commission that she had prepared for the Community Preservation Act Committee requesting funding to appraise the property. Ms. Cushman noted that Dave Ziomek has come forward indicating that there is funding available for the appraisal.

ADJOURNMENT

VOTED unanimously to adjourn the open meeting at 9:11 p.m.