

**MINUTES**

**CALL TO ORDER**

Meeting called to order by Ms. Angus, Chair at 7:01 p.m.

**ATTENDANCE**

PRESENT: Angus (C), Kaplan (VC), Allen, Gerber, Hamin, Stein, Walker  
STAFF: Ziomek, Ciccarello

**CONSERVATION COMMISSION'S ACTION**

**Approve Minutes**

**Kaplan moved and Stein seconded. Commission VOTED 4-0-3** to approve the Conservation Commission minutes of October 28, 2009 (Hamin, Gerber and Allen abstained).

**PERMITS/CERTIFICATES**

**7:30 PM- Notice of Intent (Cont'd from 5/27/09)– Amherst Department of Public Works** for roadway reconstruction and drainage improvements partially in, and in the buffer zone of, bordering vegetated wetlands and bank resource areas (Route 116 - Atkins Corner adjacent to Map 25B, Parcel 5).

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

Guilford Mooring distributed handouts to the Commission with revised resource area impact numbers based on the DEP 401 Water Quality site visit. Mooring requested that the Commission continue the hearing to December 9<sup>th</sup>.

**Hamin moved and Stein seconded. Commission VOTED unanimously (7-0)** to continue the public hearing to December 9, 2009 at 7:30 PM.

**7:40 PM – Request for Determination – Harvey Allen** for sewer line tie-in in the buffer zone of an intermittent stream located at 34 Baker Road (Map 13D, Parcel 46).

- Opened the public meeting at 7:40 p.m.
- Closed the public meeting at 7:48 p.m.

Harvey Allen presented. Mr. Joy (abutter) inquired as to where the sewer tie in was to occur.

**Gerber moved and Hamin seconded. Commission VOTED (6-0-1 Allen recused himself)** to close the public meeting and to issue a Negative Determination for the work.

**7:50 PM - Notice of Intent – University of Massachusetts** for sediment control within Bank and Land Under Water resource areas of the campus pond located off North Pleasant Street and Massachusetts Avenue (Map 8C, Parcel Lots 13A & B).

- Opened the public hearing at 7:49 p.m.
- Closed the public hearing at 8:34 p.m.

Mickey Marcus presented. Mr. Marcus stated that the application before the Commission comes as a second step in improvements to the campus pond and has three phases:

- 1) Install a more formalized sediment trap
- 2) Removal of a sediment delta which inhibits water movement through the pond
- 3) Hydrorake the pond to remove sticks, leaves and other debris

Mr. Marcus noted that the total sediment removal would total @ 96 cubic yards (93 cubic yards for removal of the delta and 3 cubic yards for removal of sediment from where Tan Brook enters a pipe upgradient of Mass Ave). He said that although mentioned in the Notice of Intent, the pond flow would not be diverted.

**Gerber moved and Allen seconded. Commission VOTED** unanimously (7-0), to close the public hearing and to issue an Order of Conditions with the following special conditions:

- a) The commission expressly prohibits the installation of a board or other device to serve as a sediment trap within the channel of Tan Brook.**
- b) No more than 100 cubic yards of material shall be removed from Land Under a Water Body.**
- c) A turbidity curtain shall be installed across the outlet structure prior to, and shall remain during, work so as to inhibit the downstream migration of sediment.**
- d) A revised operation and maintenance plan shall be submitted prior to work with more frequent inspections of the location where Tan Brook enters a culvert up-gradient of Mass Ave.**

**MISCELLANEOUS UNTIMED ITEMS:**

**Commission voted to issue an Enforcement Order for work conducted to date on Leverett Road (formerly owned by Gordon Fletcher Howell).** The Enforcement Order shall require that the responsible party submit a Notice of Intent for the work by November 25, 2009. **(Kaplan moved, Stein seconded – passed unanimously (7-0)).**

**Director's Report – Dave Ziomek gave an update on various projects**

**ADJOURNMENT**

**VOTED** unanimously to adjourn the open meeting at 9:05 p.m.