

SOUTHAMPTON CONSERVATION COMMISSION

March 8, 1993

Members present: Berniche, Young, Moore, Gentile, Kingsley, and Whittemore.

Meeting called to order at 7:22 p.m.
Secretary's report for February 22, 1993 accepted as read.
Treasurer reported \$219.29 in the general fund. Conant fund \$93,354.77.

Correspondence: Post Office: return receipt from Davis, Jr.
CLF: membership renewal request
gift request for restoration of N.E. fisheries.
MACC: Newsletter, Late Winter 1993.
DHG: bill for Davis, Jr. legal ad
NE Outdoors: March edition (to Gentile)
DEP: 2 copies "Certificate of Partial Compliance"
Low-Level Radioactive Waste Mgmt: news release in re follow-up meeting.
New England Environmental: Request for Determination for Steven Breyer.
National Parks: magazine for Mar/April 1993
MAS: "Sanctuary" magazine for Mar/April 1993.
NE Utilities: Right of Way Touch Up Herbicide Application.

Old Business: Kingsley did get in touch with Mintzer. She said she would try to find correspondence from Wilkinson and Searle in re transferring monies to Conant fund.

Young reported that Ouimette was not available to follow up Mikuski. Young will contact him later and will also ask him about perc tests for Davis, Jr.

New Business: Breyer hearing will be held March 22, 1993. Secretary will place legal ad with newspaper for publication on March 15, 1993.

Whittemore raised question about Wilderness Society membership renewal request. We gave a one-time-donation of \$15. This agency gives nothing to Town, therefore, we cannot give it financial support on a regular basis.

Unanimous vote to renew membership with CLF in the amount of \$30.00. In re request for gift to restore fisheries, unanimous negative vote.

Young presented copy of "National Geographic" for October 1992. Terrific article on Our Disappearing Wetlands. Secretary to write for permission to copy for non-profit distribution.

It was reported that there is a company in Connecticut which is burning tires for electricity. This might be a good place for disposal of Fowles' tires. A thought which could be presented at an appropriate time.

Moore reported that he was benefitted by attending MACC annual meeting. He attended three workshops. It was a good meeting.

Meeting adjourned at 8:07 p.m.

Respectfully submitted,

Nancy A. Whittemore

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SOUTHAMPTON CONSERVATION COMMISSION

March 22, 1993

Regular meeting called to order at 7:17 p.m. ^{File} Members present: Young, Moore, Berniche, Kingsley, and Whittemore. Secretary's report for March 8, 1993 accepted as read. Treasurer reported: \$193.48 in general expenses account. Kingsley should see town accountant in re discrepancy in account totals. Treasurer's report accepted.

Correspondence: DEP: Workshops - Wetlands Education Program (Clearwater Estates project) May 8 at Berkshire Community College: Wetlands wildlife habitat assessment on June 12 in Lenox.

P.O.: return receipt for Breyer's legal ad notice.

Green, Bipton, White & Fitz-Gibbon: attorney for Combs - WMECO wants to install new poles along section of Manhan Road. Public hearing on April 6 at Town Hall.

Kopelman & Paige: techniques to be used for an enforcement.

Secretary read annual report as submitted to selectmen.

Mass. Historical Comm: Winter 1993 newsletter

Allard Bros. Lumber: cutting plan for property owned by Geryk on Strong Road. (This is not a copy signed by forester).

Div. Forests & Parks: cutting plan for Steven Bashista land - approved by Angeloni

Nature Conservancy: membership renewal request

Wilderness Society: membership renewal request

(secretary reported that we had never joined but had instead made a single donation

Mearit Map Supply: US Geodetic Survey maps available.

Hampshire Conservation District: need "few good persons" to serve on the District Board.

~~1993-1994 For Southampton Conservation Commission~~

7:29 regular meeting put on hold and hearing for Breyer's Request for Determination called to order. Guests present: Steven Breyer and Marcus from New England Environmental. Young advised that since this is an election day (Town caucus) it is illegal to take any formal votes. Therefore, we will discuss the Request today and take a legal vote at our next meeting, April 5, 1993. Breyer collects cuttings from native plants for propagation. Some of this work is done in wetlands on his property. There are no erosion problems caused by his work. In some instances he removes whole plants and replants. He does handle some threatened plants but does not handle endangered species. He sells plants to be used for wetland replications.

Old Business: Davis's property was perc tested last year. They do have to do an updated septic system ^{design}

Whittemore did not write to National Geographic in re their wetland article. Will do before next meeting.

New Business: WMECO hearing April 6 at 8 p.m. Young will advise Fitz-Gibbon that Manhan Road is a scenic road and Rules governing such roads must be followed by WMECO.

It is time to start thinking about topic for school essay contest. Come to next meeting with ideas.

Unanimous vote for treasurer to order a set of geodetic maps for our files. ^{Want to be signed next meeting \$22.50}

Meeting adjourned at 8:27 p.m.

Next meeting April 5, 1993.

Nancy L. Whittemore

Respectfully submitted,

SOUTHAMPTON CONSERVATION COMMISSION

April 5, 1993

Meeting called to order at 7:22 p.m. Members present: Young, Moore, Berniche, Gentile, Kingsley, and Whittamore

Secretary's report for March 22, 1993 accepted as corrected.
Treasurer reported no changes. He did not get in touch with accountant.
Young will check what money was voted for Commission at Town Meeting.

Correspondence: DEM: Closure Certification for Southampton Sanitary Engineering.

Nat'l Museum of the Amer. Indian membership solicitation.
Heritage Survey: Notice of Intent for Truehart,
Pomeroy Meadow Road with check \$137.80.

N.P. & C.A.: cards for sale

membership renewal request/video

Trustees of Reservations: membership request

EIM: thanks for membership renewal

S 894 The River Protection Act - what it is

EOEA: (2) brochures for the Coastal Program

MAS: membership renewal request

Coastal Zone: newsletter, Arch/Apr 1993

Commission's letter to National Geographic

Mass. Asso. Cons. Districts: Forest Stewardship Program

April 22nd, Greenfield Comm. College

Wilderness magazine, Spring 1993

Div. F & P: Geryk cutting plan, approved

Old Business: Steve Breyer's Request for Determination (held over from last meeting). Unanimous vote: Negative #2 - will not alter the wetlands.

WMECO resetting poles along Manhan Road: this is a scenic road. Utility now has right of way on Brown's property. Mrs. Brown wants to sell property. Utility wants to remove an excessive number of trees. The stone wall along road is also protected. Why not put utility line underground? This, too, would disturb root system of trees.

New Business: Truehart's Notice of Intent: Next meeting April 19th is a legal holiday and therefore no vote can be taken. Therefore, we will meet April 26th. Secretary put notice in newspaper on 20th.

We will elect new officers on May 3rd.

School essay contest subject: Rabies, How Can I Protect Myself and My Pets? Secretary to contact school.

Meeting adjourned at 8:37 p.m.

Respectfully submitted,

Nancy L. Whittamore
Nancy L. Whittamore

April 26, 1993

Hearing called to order at 7:17 p.m. Members present: Young, Moore, Kingsley, Berniche, and Whittlemore.

Guests present: Richard Truehart and Mark Reed, Heritage Surveys.

Notice of Intent submitted by Richard and Kathy Truehart for property on Pomeroy Meadow Road (formerly Mannum property). Brook which cuts through property is fed by drainage off of Pomeroy Meadow and Wolcott Roads. There is an existing curb cut just opposite Wolcott Road. Plans to utilize this and put in a common driveway for three houses - Lots E, F, & G. The base of the driveway is within 100 ft. buffer zone. Driveway for lot D follows brook and app most of it is within the 100 ft buffer zone. This brook runs at least nine months of the year. Silt fences have already been installed. Soil content is coarse gravel. Heritage no longer uses pit septic systems. These houses will have leaching fields. Hearing closed at 7:45 p.m.

Regular meeting called to order. Order of Conditions for Truehart's development on Pomeroy Road: Follow all erosion controls as written on plan. It is noted that silt fences have already been erected. Unanimous acceptance of conditions.

Secretary's report for April 5, 1993 accepted as read. Young advised that Commission was awarded \$700.00 at 1992 Town Meeting. This increases amount on books by \$269.00. Total in General Expenses is now \$462.48

Correspondence: DEP: new regional service center - call this number for initial help 784-1100 X 214.

New England Outdoors: April 1993 edition

CLF: Newsletter, Spring 1993

Thank you for membership renewal

DEP: (2) copies Environment Enforcement training workshop
4/15

Wetlands Report, Winter 1993

(2) Farmland & Wetlands regulations workshop - Belchertown
5/12/93

Truehart Notice of Intent #289-68

P.O. Return Receipts for Breyer & Marcus

So. New England Forestry: Conference in Sturbridge 5/20/93

Touring America: solicitation for new magazine

Nature Conservancy: magazine for May/June 1993

Membership application

Wilderness Society: second membership renewal request

mailings to legislators to stop subsidies on public lands (secretary will send out preprinted cards)

Food & Agri.: Use of herbicides to maintain vegetation along roadways
5-year vegetation management plan (VMP) (secretary will address this to selectmen)

NP&CA: asking for response to card mailing

Center for Restoration of Waters: Course Schedule for 1993

Municipal Conservation Professionals: annual meeting 1993

Concerned Citizens: in re "dump" corner of Rte. 10 and Douglas Road
(secretary will refer to Board of Health)

Commission to Selectmen: meeting date change

National Geographic: reply to our letter in re copying wetlands article. Indicated they had no objection to our copying the article.

4/26/93 continued

Old Business: Giocapassi requested extension for his Notice of Intent (During a search for his original papers, we found a large box full of Commission papers which had evidently been returned by Mintzer unbeknownst to anyone.) Young will send necessary papers to him. DEP #289-61 -- expires January 11, 1994.

There will be a meeting of lawyers in re Fowles countersuit. Etheridge for Board of Health; Kopelmann & Paige for Town; and Kelly from Kopelman & paige for Conservation Commission. April 30th at 4 p.m. Young will be there. Moore will try to attend (time is inconvenient for him).

Fournier's gravel bank has devastated Metro's with silt run-off because conditions issued for preventing such a mishap were never followed. Unanimous vote to issue an Enforcement Order to cease and desist all work at the gravel pit. Moore had called LaBrie in re the silt problem. Things were worsened when LaBrie tried a quickie clean-up. It is believed that the present gravel permit expires May 1st. There should be no fuather excavating at this property.

Commission's Master Plan needs updating (overdue). Young will take care of this. This plan needed in order to go after a grant which selectmen showed to Young.

National Geographic wetlands article: Young will approach a printer to see how much it would cost to make a couple of copies.

Whittemore reported that the topic, "Rabies: How Can I Protect Myself and My Pets" was accepted at the Wm. E. Norris School for this year's essay for 4th, 5th, and 6th grades. Whittemore will contact Mrs. Seher to finalize date for contest termination.

New Business: Whittemore passed along information about farewell breakfast being held for Lorraine Thomas, Sunday May 2, 10-12 noon \$7.50 which includes gift. No response.

Unanimous vote with one abstention to repay Young \$4.58 for postage.

Young reported that Preston Brown's son has expressed desire to make a new sign for sanctuary as his Eagle Scout project. He was advised that he could send his proposition to the Commission.

Appros request for comment on regulations on low level radioactive hazardous waste which was received - no comment.

Young and Whittemore will endeavor to clean up Commission's files. Young will get boxes and advise Whittemore when ready.

Meeting adjourned at 9:15 p.m.

Next Meeting: May 3, 1993

Respectfully submitted,
Nancy I. Whittemore
Nancy I. Whittemore

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SOUTHAMPTON CONSERVATION COMMISSION

May 3, 1993

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Guests present: Rosemarie Keller and her son ^{John} Keller
Members present: Moore, Kingsley, Gentile, Berniche, and Whittemore.

Mrs Keller is giving her son a piece of property on Brickyard Road Extension. He is planning to build 2 house lots thereon. There are wetlands on property which have been delineated by Huntley Associates. Advised Mr. Keller he had to submit a Request for Determination. Commission will visit site on Sunday, May 9, 1993, meeting at Town Hall parking lot at 9:30 a.m. With regard to Keller's questions about a common driveway, we advised he speak with Truehart who does use this type of construction with his building plans. Keller has been advised by electric company that the driveway must be under the electric line.

Regular meeting called to order. Secretary's report for April 26, 1993 accepted as corrected.

Treasurer reported general expense account \$404.98. No other changes. Accepted as read.

Correspondence: Native American Rights Fund: request for money.

MAS: Sanctuary magazine, May/June - all about turtles.

Commission letter to Bd. of Health: in re "dump" at corner of Route 10 and Douglas Road.

Commission letter to Bd. of Selectmen: in re Vegetation management Plan for town.

P.O.: return receipts for Truehart, Giacompassi, Fournier.

Kopelman and Paige, P.C.: copies of letters from Kelly to Food & Agri., Ass't. Attorney General, in re meeting 4/30/93 with concerned attorneys and clients to discuss way to resolve Fowles' litigation, and copy letter from Annino, Draper & Moore declining to attend. Copy Kelly's letter to Moore requesting he change his mind.

DEP: Possible Violation of WPA brought by Metro Engineering against Fournier's gravel operation.

Possible Violation of WPA against work being done by Marchand.

Old Business: Fournier's gravel operation. Moore reported that the pit permit ended April 23, 1993. Gary Swanson will be liaison between Fournier, Fabrie and Town (including Commission). Town cannot renew permit until Commission lifts cease and desist order. Whittemore advised McKenna of DEP that Enforcement Order had been served to Fournier.

Essay Contest: Whittemore contacted Seher, teacher 6th grade. Essays will be ready at school office for pick up on May 14th. Sixth grade winners should be selected before their graduation. 4th and 5th grade winners will be announced at final school assembly. Dates to be supplied by Seher when available.

New Business: Whittemore alerted Commission to death of Linda Skroski. Unanimous vote to send \$25 donation as memorial gift. Whittemore send personal check and ask for reimbursement.

Secretary presented slate of officers for FY '94 as follows:

Chairman	James Moore
Vice Chairman	Thomas Gentile
Treasurer	Joseph Kingsley
Secretary	Nancy Whittemore

Slate was approved unanimously. Secretary will so advise Board of Selectmen.

New members: Secretary to call: Jon Britton, Kathy Truehart, and Pamela Crawford.

Dumping on Fomer Road out by Holyoke White Reservoir. Secretary send notice to Cauley with copies to Bd. of Health and police chief.

May 3, 1993, continued.

General discussion in re how to thank Young for her generous years of service. We all like the idea of naming the trail in the Manhan Sanctuary the Hazel Young Trail. Secretary to call Preston Brown's son to ascertain if and when he will be submitting his plans for a new sanctuary sign.

In re DEP Notice of Possible Violation of WPA brought against work being done by Marchand. Secretary advised McKenna of DEP that Commission held a hearing on a Request for Determination of Applicability for this work and that our findings were Negative #2 - working in buffer zone but will not alter.

Unanimous vote to reimburse Young \$7.91 for postal expenses.

Unanimous vote not to donate to Native American Rights Fund.

Meeting adjourned at 9 p.m.

Next meeting May 17, 1993

Respectfully submitted,

Nancy I. Whittemore
Nancy I. Whittemore

SOUTHAMPTON CONSERVATION COMMISSION

May 17, 1993

Meeting Called to order at 7:25 p.m. Members present: Moore, Gentile, Kingsley, Berniche, and Whittemore.

Guest present: Louis J. Keller

Hearing for Determination of Applicability called to order. Keller presented plans for building two houses on property on Brick Road Extension. (The Commission had visited this site on May 9, 1993.) Almer Huntley & Associates, Inc. is engineering firm for this project. After discussion, Commission voted to continue this hearing until June 7, 1993, at which time a representative from engineering firm should be present.

7:50 p.m. regular meeting called to order.

Secretary's report for May 3, 1993, accepted as corrected.

Treasurer reported \$392.49 balance in general fund. Accepted.

Correspondence: DHG: bill for Iruehart. Davis still not paid.

Whittemore: bill for donation for Skroski fund.

Canton: bill for storage boxes

Nature Conservancy: special request

Newsletter for Spring 1993 giving Ct. River

up-date.

NPCA: magazine for May/June

Bd. Selectmen: FY94 budget hearing May 8th.

MAS: Arcadia newsletter for summer - free workshop for wetland plant I.D.

CRWC: request for membership renewal

MAS: renewal acceptance in Whittemore's name and request for membership.

Nature Conservancy: donation request for Dorian Brosphere Reserve

LowLevel Waste: newsletter May 1993 - extend comment period to 7/15

DEP: wetlands violation, Pomeroy Mountain Road

Waterways Regulation Program meeting May 21st

Commission: to Selectmen - slate of officers for FY94

to Cauley - illegal dumping on Fomer Road

Old Business: Moore should call Gary Swanson about suspected activity at Fournier's gravel pit (violation of cease and desist?). Secretary should call DEP in re erosion of river bank caused by undercutting by flow of river.

New Business: Whittemore call DEP in re Pomeroy Mountain Road wetland violation. This area is not in Southampton.

Whittemore will contact MAS in re membership foul-up.

Unanimous vote with one abstention to reimburse

Whittemore for Skroski donation.

Unanimous vote to pay bill submitted by Canton for boxes

Unanimous vote to order supply of postage printed

envelopes.

Negative votes for CRWC membership, Nature Conservancy

requests.

Unanimous vote to order 2 more WPA guides from MACC.

Unanimous vote to renew Nature Conservancy membership

for \$35.00.

Unanimous vote not to send money to Trustees of

Reservations.

Whittemore will contact Mintzer to get keys.

Young gave her file (with comments) on Low Level Radioactive Waste Management Plan to Commission.

May 17, 1993, cont.

Commission read essays submitted by 4th, 5th, and 6th graders from William E. Norris School. Essay title: Rabies: How can I protect myself and my pets?

It is noted at this time that Mr. Mazalini did not submit his papers on time. School secretary called Whittemore on Wednesday, May 19. Moore had selected winners of the two 5th grades which had been submitted on time. Not fair to penalize children; so Whittemore read late papers and selected a third place winner from this group. Winners selected are as follows:

Fourth Grade:

1st	Nicole Rivest	Mrs. Cheverette
2nd	Elizabeth Broda	Mrs. Burgess
3rd	Lindsay O'Reilly	Mrs. Vollinger

Sixth Grade:

1st	Crystal Brough	Mrs. Seher
2nd	Jenica Ansanitis	Mrs. O'Reilly
3rd	Julia Bloniarz	Mrs. Seher

Fifth Grade:

1st	Shelley Truchart	Mrs. Sheehan
2nd	Suzanne Surgen	Mr. Mazzolini
3rd	Chris Osborn	Mr. Jones

Meeting adjourned at 9:10 p.m.

Next meeting June 7, 1993

Respectfully submitted,



Nancy L. Whittemore

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SOUTHAMPTON CONSERVATION COMMISSION

June 7, 1993

Meeting called to order at 7:31 p.m. Members present: Moore, Gentile, Kingsley, Berniche, and Whittemore.
Guests present: Louis Keller, Richard Brazeau and Mrs. Preston Brown and son, Preston.

Brazeau from Almer Huntley, Jr. Associates presented finished plans for Keller's two houses to be constructed on Brickyard Road Extension. Discussed quality of silt fencing and how clearing is to be done.

7:51 p.m. Preston Brown, boy scout from Troop #201 presented plans for his Eagle Scout project. He wishes to rebuild the sign "Manhan Meadows Sanctuary." Advised we did not think any part of the old sign is salvageable. Has incorporated our wish to give recognition to Hazel Young naming trail the Hazel A. Young Trail. He also requested that he be allowed to show names of all scouts who have previously worked in the Sanctuary. We requested that if possible he complete this project in time for Old Home Days. Advised him to present Commission either with a bill for materials purchased or with a request for advance monies.

(It is noted here that before meeting called to order a Mr. Litwin from the Ponds presented a request that the Commission investigate work being done in Pequot Pond by Mrs. Piotte of Belanger Road. Asked him to send us copies of his complaints to DEM and DEP.)

Regular meeting called to order at 8:10 p.m.
Keller Determination - Negative #3 Note: Follow plans for silt fences as presented. Any clearing in the buffer zone must be done without machinery.

Secretary's report for May 17th accepted as read.
Treasurer reported \$260.02 in general expense account. Accepted.

Correspondence: CLF: Newsletter, Summer 1993
N.E. Out-of Doors: May and June 1993 (to Gentile)
Paul Lussier: Request for permit to cut timber - thinning larger trees Map 13 Parcel 7, Pomeroy Meadow Road.

Bd. of Selectmen: Their reorganization and summer schedule
Meeting to discuss Fowles Tire Dump called for Tuesday, June 15th at *;30 p.m. (Time changed to 9 p.m.)
Volunteer Affidavit (gave to Kingsley for reply)

Kopelman and Paige: Town of Southampton's answer to Counterclaim in the matter of Town of S'ton vs Fowles.

EOEA: in re protect Mass. coast letter writing request.
Thank you from Skroski family.

DEP: 2 copies of most recently amended Wetlands regulations
Mass. Historical Commission: Newsletter, Spring 1993 (Berniche)
Natural Heritage News: Spring 1993

DHG: bill for Keller's ad (hand delivered to Keller at meeting)
Nature Conservancy: request for membership renewal (this already done at May 17th meeting)

Old Business: Whittemore reported that McKenna of DEP advised that as a general rule DEP does not allow any work to be done to restore a river's shoreline. However, if Metro does wish to do this, they must submit a Notice of Intent (which in all probability will be denied by DEP.) It is noted that Fournier has capped both gravel operations at his farm.

New Business: Whittemore check Lussier in re buffer zone on property where he wants to thin timber.

M & M Logging back in Town. Left their card in Young's mailbox. Whittemore call Carmen Angeloni in re what can be done about this.

Whittemore check McKenna in re work being done by Mrs. Piotte in Pequot Pond.

June 7, 1993, cont.

Treasurer presented two bills received from Whittemore:

Secretarial expenses for FY 93 \$150.00

Award money for school essay contest \$90.00 (Wilkinson & Searle)

Unanimous with one abstention to reimburse Whittemore.

Meeting adjourned at 9:16 p.m.

Next meeting June 21, 1993

Respectfully submitted,

Mary Whittemore

Afterthoughts: Whittemore reported that she had straightened out membership confusion with Massachusetts Audubon Society.

Whittemore request that Commission send donation to Natural Heritage & Endangered Species Program. Request tabled until next meeting.



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SOUTHAMPTON CONSERVATION COMMISSION

September 14, 1992

Meeting called to order. Members present: Young, Berniche, Moore, Kingsley, and Whittimore.

Secretary's report for August 17, 1992 accepted as read.

Treasurer's report: 40-8-C \$3931.16; General Expenses \$620.42;

Conant fund \$74,691.18. Accepted.

Correspondence: Franklin, Hampden, Hampshire District; Soil Cons. Service: workshop on-site sewage disposal.

World Wildlife Fund: request for donation

CRWC: "Currents & Eddies", Summer 1992

MACC: Newsletter, late Summer 1992 -- as suggested,

copy Commission's letter to Senators Kerry and Kennedy asking they support National Academy of Sciences Wetland Manual study. (to override Quale's attempt to change federal wetlands delineation).

Nature Conservancy: magazine, Sept/Oct 1992

Field Office summer report

American Farmland: magazine, summer 1992

Wilderness Society: ancient forest protection fund

request.

UNICEF: request for donation

Latka: printing specials

CLF: Newsletter, Fall 1992

NE Outdoors: September 1992

NPCA: calendar and request for donation

MAS: Birdseed flyer

Arcadia's autumn programs

Legislative Alert - Fall, 1992

Sanctuary magazine, Sept/Oct.

DHG: Cousineau's legal ad bill

Commission's letter to Kelly: reaffirming our stand on manual

removal of tires from Fowles' tire dump (A

DEP: 401 Water Quality Workshop - Springfield 9/23

Div of Forests & Parks: Notice of Intent Extension for

Peck Realty on Fomer Road from 10/90.

Commission's thank you to M. Conlon and scouts for bridge

work.

Annino, Draper & Moore: copy of letter to Etheredge requesting Health Dept and Commission call meeting to settle Fowles's tire removal.

DEP: copy of letter to Braun in re 9/2, 11 a.m. site visit to Crawford's septic system

Bd. of Selectmen: Special Town Meeting 10/27, 1992 - 7/p.m.

Old Business: Young advised that mountain spring area recently donated to Commission will be known as Connor-Dukeshire Conservation Area.

Young advised she will take care of Town Meeting article s:

1. to see if Town will accept above land donation

2. to see if Town will authorize Treasurer to combine Wilkinson-Searle fund with Conant Wildlife Fund.

Moore volunteered to check Ellen about getting Commission's files delivered to Town Hall.

Regular meeting put on hold to hear Whiteley's dissertation in re work he will be doing for Town at corner of Clark Street and College Highway.

Emergency certificate not necessary. Whiteley will present Request for Determination of Applicability on September 28, 1992 at 7:15 p.m.

Regular meeting continued: Young described site visit to Crawford's for members who were not in attendance. It was obvious that Braun will not in any way compromise. Must now wait for DEP's reply to Braun's request for appeal. Crawford's may not do any work on the septic system.

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New Business: Unicef: unanimous negative vote to their request for donation.
World Wildlife Fund: request to be tabled until March 1993.
NPCA: unanimous negative vote to their request for donation.

Discussed property being sold by Lussier regarding whether or not buyer would be willing to sell 2.2 acres which form a gully and are not buildable. Decided to offer \$500/ per acre (total of \$1,000). Perhaps it would be possible to get more. Young will contact Lussier.
Acquifer Land Acquisition (Easthampton and Southampton): availability of Praezner's land which abuts commission property. It was suggested that a site visit should be made by the commission.

Meeting adjourned at 9:45 p.m.

Next meeting September 28, 1992

Respectfully submitted:

Nancy L. Whittemore

September 28, 1992

This was not conducted as a regular meeting. Members present: Young, Moore, Berniche, and Whittemore.

General talking while awaiting Whiteley. Praezner's property: this is under 61A. Town or conservation commission has first dibs when land is being sold. Under ALA Easthampton/Southampton can buy up to \$100,000 - \$50,000 from Southampton and \$50,000 from Easthampton. Monies returned by ALA within the fiscal year in which money was used. This piece of property is 100 acres of wetland with 3 endangered species (fowl and plants).

Whiteley did not show. Determination tabled until October 5, 1992

Unanimous vote to pay \$50,000 from Conant Fund to pay for Praezner's land.

Young advised that Lussier has withdrawn his offer of the gully. Buyer wants to keep property intact.

Young presented two warrants for Special Town Meeting:

1. Town accept land parcel donated by Connors to be known as Connor-Dukeshire Conservation Area.
2. Town vote to combine Wilkinson-Searle fund with commission's Conant Wildlife Fund.

Meeting adjourned 7:50 p.m.

Next meeting October 5, 1992

Respectfully submitted,

Nancy L. Whittemore

SOUTHAMPTON CONSERVATION COMMISSION

October 5, 1992

Members present: Young, Berniche, Moore, Kingsley, Gentile and Whittemore.

Guest: Tom Whiteley

Hearing called to order at 7:15 p.m. Request for Determination of Applicability for work to be done at 106 Clark Street to repair existing drainage culvert which was damaged when town repaired water pipes. Determined that work will be done in the buffer zone but that there will be no alteration.

Regular meeting convened. Secretary's report for September 14 and 28, 1992 were accepted as read.

Treasurer reported that all account balances same as last report. And Wilkinson-Searle account balance is \$1,148.38. Treasurer's report accepted.

Correspondence: DEP: copy of their letter to Braun regarding her appeal of Determination for her property and site visit made to her property with Steenstrup of DEP.

DHG: bill for Whiteley's legal ad notice.

Huntley Associates: appointment Plows as Sr. V.P. and General Manager.

Liability for their decisions. MACC: newsletter, early Fall 1992 . Commissioner

DEP: Fall 1992, Seminar Series: Environmental

Protection: The Municipal Challenge. 11/10/92 in Northampton.

Low Level Radioactive Waste Mgt. Bd.: Newsletter

MAS: membership request

Laughing Brook workshops

Mailing labels

protection laws." Kennedy: reply our letter in re "do not weaker wetland

CRWC: Annual Membership Meeting 9/28/92

renew membership

Ecological Aquaculture Center for Restoration of Waters: five-day course:

Wilderness Society: request for donation

Nature Conservancy: request for donation

National Wildlife: catalog

Coldwater Creek: catalog

Old Business: Mt. Day: Secretary contact Hendricks for particulars and submit news release to DHG for Hampshire Life calendar.

Gentile reported that dirt piles at Mikuski's, 98 Pequot Road have been slowly washing away in rain - not seeded - and silting into brook. Secretary write letter.

New Business: Young reported: Metro Engineering complaint: Fournier is working his gravel pit (Labrie is contractor) and has a drainage gully disposing of water into Metro's property. Roadway that separates two properties is no longer useable. Young will check selectmen regarding issuance of permit to haul out gravel. If permit has been issued, stop order should be reinstated.

Whittemore should contact Britton - would he like to serve on commission as associate? definite openings coming up next year.

Meeting adjourned at 8:12 p.m.

Next meeting 10/19/92

(discuss Lucadello and Praezner

Respectfully submitted,

Mary L. Whittemore

Secretary

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Commission rec'd copy of letter from Barnes & Etheredge to Annino, Draper & Moore (Fowles' lawyer), dated 9/29/92 setting up meeting on 10/13/92 at 7:30 p.m. in Town Hall with Health Department, Conservation Commission, DEP, Marcus.

Commission members attending: Moore, Gentile, Berniche, Kingsley, and Whittemore. Also present: Bd. of Health (2), Annino (2), Etheredge, APR, DEP (hazardous waste div). M/M Fletcher, Swanson (Water Board), Heritage Surveys, 2 public.

Whittemore rec'd. telephone call from Kelley asking if Commission wanted legal representation at this meeting. Told her "no." Will send her information concerning outcome of meeting.

APR has agreed to release section of farm which has become a tire dump from the original contract if said release will make it possible to resolve the question of Fletchers being able to buy useable part of farm.

Plan submitted is virtually the same as the plan submitted in 1991; i.e. remove (mainly by hand) all loose tires (this includes any tire that is 6" above ground. After removal gravel will be placed for erosion control to be covered with soil and seeded. This will be checked and rechecked over a period of three years to allow for stabilization. Tires that are now covered will not be removed.

Health Dept. reiterated that this plan is acceptable to them, but that any monies Fowles receive from Fletchers from sale of farm should be held in escrow to pay for clean up work (to ensure that Town does not get stuck with the bill if Fowles's leave town.) At this time it is evident that the Fowles's do not favor that idea.

Annino requested that C.C. please send them a letter after discussing at our next meeting 10/19/92 (copy of this letter should be sent to Kelley). This letter should state our position with regard to the plan as submitted by Mickey Marcus.

Legally the Board of Health cannot approve any plan (in advance) that leaves tires. All they can do is inspect work and approve or disapprove. Therefore, if I understand correctly, it is up to the Conservation Commission to give Annino the go-ahead with Marcus's plans.

Water Department is concerned about fire hazard and ground water contamination which could also contaminate aquifer. Would like to see tires removed promptly before there is an accident (fire).

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SOUTHAMPTON CONSERVATION COMMISSION

October 19, 1992

Members present: Young, Moore, Kingsley, and Whittemore
Guest present: Kuehner (Ed. of Health)

Discussion concerning what happened at the ~~November~~^{October} 13, 1992 meeting in re what to do about tires on Fowles' property.

Regular meeting called to order at 7:41 p.m.

Secretary's minutes for October 5, 1992 accepted as read. Whittemore also read notes taken at Fowles' meeting of October 13, 1992.

Treasurer reported only change in General Expenses - \$615.61.

Correspondence: Commission's letter to Mikuski in re work being done next to brook.

Copy Etheredge's letter to Annino, Moore: meeting 10/13/92.

Coop. Ext.: Resources and Environment, Sept. 1992

in re coyotes in New England.

EIM: BULLETIN, Fall 1992

Attorney General: Environmental Enforcement

Training Conference - Nov. 14, 1992, Burlington, MA (Moore will contact to see if any information can be sent to him in view of fact that he cannot attend.)

NPCA: donation request

WWF: donation request

Nature Conservancy: donation request

calendar sale

Magazine, Nov/Dec

Wilderness Society: donation request

EOEA: Mass. Conservation Restriction Handbook

DEP: change in 401 program - water quality certification transferred to Div. Wetlands & Waterways.

Commission's news release for Mt. Day.

DPW: Request for Determination- Route 10 from Westfield line to golf course

copy of letter to selectmen from Barnes Aquifer

Advisory Committee regarding purchase of Prazner property which is under 61A.

Old Business: Fowles tire dump: send Notice of Intent.

Selectmen have not responded to complaint about

Fournier.

Commission will site visit Lucadello's for Order of Compliance and Fournier's to address complaint placed by Metro Engineering. Meet at Town Hall Saturday 10 a.m. Secretary to advise Cauley.

Barnes Aquifer protection on hold until we get release from 61A of Prazner's land.

New Business: Sanctuary sign at Manhan Meadows is at half-mast and rotten. Contact Mr. Sign on Southampton Road in Holyoke in re getting a new sign.

Hearing for DPW's Request for Determination will be November 2, 1992. Secretary insert legal notice in Daily Hampshire Gazette.

Meeting adjourned at 8:47 p.m.

Next meeting November 2, 1992

Respectfully submitted,

Mary J. Whittemore
Secretary

SOUTHAMPTON CONSERVATION COMMISSION

November 2, 1992

Members present: Berniche, Moore, Gentile, Young, and Whittemore.

Guests present: Swanson, Rob't. Labrie, Tom Cross, and Bruce Fournier.

Meeting called to order at 7:22 p.m. Young explained that the reason for the Enforcement Order issued to Fournier was prompted by a call from B. Vinick who was representing Mr. Muszynski owner of Metro Engineering. Commission made a site visit and ascertained that one area of concern (need survey maps to ascertain whose property) is erosion at, near, and in the river. Badley eroded embankment where there are several fallen trees and more ready to go. Commission also noted that a ditch had been enlarged and a detention pond constructed for the lower pit area. This pond should be deepened and hay baling should be changed every 3 or 4 months. The stormwater berm should be rebuilt.

Swanson pointed out that the erosion on the south side of the river is a preexisting condition. The area is being under cut by the river. Young explained that the Commission's letter to Muszynski indicated that this condition should be taken care of by either Fournier or Muszynski or both.

After discussion, it was agreed that Commission would withdraw its Enforcement Order providing Fournier meets the following conditions;

The haul road will be tilted by grading to carry run-off away from the hill at back of properties.

Fournier will contact Vinick to make joint plans for stabilizing hill.

Detention pond nor lower pit area will be deepened and staked-haybaled.

Stormwater berm will be rebuilt.

Loam which has been removed and piled will be seeded to prevent siltation. Secretary will send letter to Fournier.

Regular meeting called to order at 8:35 p.m.

Secretary's minutes for October 19, 1992 accepted as read.

Treasurer absent.

Correspondence: Legal ad for DPW for work to be done on Route 10.
Commission's letter to Muszynski in re run-off from Fournier's gravel operation.

P.O.: return receipt from Fowles, Fournier.

Bill for box rental

Express mail solicitation

Nature Conservancy: special donation request

CLF: Annual meeting 11/12/92

National Geographic: membership solicitation

Society of Soil Scientists: Wetlands conference

11/23 and 24, Sturbridge

MAS: catalog

Trustees of Reservations: membership solicitation

DEP: superseding Order of Conditions for Crawford

Div. Forest & Parks: cutting plan Crooked Ledge Road

Banish forester.

MACC: publications catalog

Selectmen: keep log for any telephone calls made to

Town Council.

MACC: Referral forms for MACC's joint Wetlands Enforcement Project with Attorney General's office.

update on MA River Protection Act

info about Recycling Initiative, Question #3

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SCC, 11/2/92, cont.

Old Business: Mikuski: Gentile will watch-dog to be sure no work is started next spring.

Lucadello: Order of Compliance signed.

Young advised Town Treasurer is objecting to our request to transfer Wilkinson-Searle monies into Conant fund. Therefore, this warrant will be withdrawn from special Town Meeting. Young must have letters from heirs. Secretary to call Mintzer and request.

New Business: Request for Determination from DPW: Young walked (figure of speech) area with representative from DPW: Requested: special attention be paid to siltation barriers at the following areas:

Southwest corner of Valley Rd. and Rte 10 - large swamp area

Small stream at Lyman Conservation area, which crosses Rte 10 into the Southampton Country Club and flows into Moose Brook.

Drainage easements should be protected against siltation

#2 work will not alter wetlands

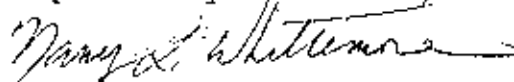
Request for Determination from Marchand for building to be done at 30^{Cur} Jahn Road. Secretary to post legal ad for hearing on November 16, 1992.

Young advised that Postier was supposed to attend this meeting. He is pursuing the idea of getting Holyoke to make a recreation area out of the old White Reservoir properties. He has requested that Commission pay for his trips to Boston (gas and tolls). Young will ask him to please submit a trip estimate.

Meeting adjourned at 9:19p.m.

Next meeting 11/16/92

Respectfully submitted,



Nancy L. Whittemore

SOUTHAMPTON CONSERVATION COMMISSION

November 16, 1992

Hearing for Joel and Nancy Marchand's Request for Determination of Applicability called to order at 7:16 p.m.

Members present: Berriche, Moore, Gentile, Kingsley, Young, and Whittemore.

Guests present: Joel and Nancy Marchand

Want to make an addition to present home at 33 Camp Jahn Road. Addition will be a step-down parlor and bedroom. Hay bales have already been staked. This was done when old home on adjacent lot was torn down. A standard backhoe will be used - medium size. Address for Marchands: P.O.B. 98, Chicopee, 01021

Regular meeting called to order. Determination: negative - work will be within an area subject to protection but will not alter this area (#2).

Secretary's report for November 2 accepted as read.

Treasurer reported only change in General Expenses - \$615.61.

Correspondence: P.O.: Envelopes (printed) as ordered by secretary. Return receipts for Marchand and Lucadello.

DHG: bill for State D.P.W. for legal ad.

Amino: copy of letter to Health Board advising

Fowles will not file Notice of Intent. Negotiations at a stand-still. Forests & Parks Div.: Bredt land on Crooked Ledge

Cutting Plan approved by Angeloni.

Wilderness Society: request renew membership.

Latka: personalized memo pads

NWF: wildlife stamps donation request

Nature Cons.: Interim membership offer

Coop Ext.: Newsletter, Sept. 1992 in re Old Growth

Forests

MAS: Sanctuary magazine Nov/Dec.

Coldwater Creek: catalog

Wayne: Notice of Intent (to cut) to Abutters.

Dept. Food & Agri: APR program 'Does Farmland

Protection Pay?-

Bd. Health: copy of list of attendees at Fowles property meeting 10/13/92.

Bd of Water Commissioners: copy letter to Bd. of Health in re Aquifer Protection/Tire Dump.

Old Business: Young reported that the proposed article concerning the transfer of Wilkinson-Searle funds to Conant fund had to be withdrawn. Treasurer Thomas objected and Mintzer has not delivered necessary letters received from Wilkinson and Searle heirs authorizing change. Kingsley to contact Mintzer and get letters.

Postier unable to present his plans (hunting season).

Fowles: Secretary write Water Commissioners in re Commission's stand in re Fowles' tire dump.

New Business: Repay Young \$13.19 for miscellaneous postage expenses. Unanimous with one abstention.

Repay Whittemore \$17.40 for imprinted envelopes from P.O. Unanimous with one abstention.

Unanimous vote to pay P.O. for box rental \$7.25

All other requests for donations were voted down.

There will be no meetings in December.

Meeting adjourned at 8:12 p.m.

Respectfully submitted,

Nancy S. Whittemore
Secretary



TOWN OF SOUTHAMPTON
MASSACHUSETTS

CONSERVATION COMMISSION

ANNUAL REPORT 1993

The Commission conducted eight public hearings during the year 1992. Four of these were simple Requests for Determination of Applicability of the Massachusetts Wetlands Protection Act. And four were Notices of Intent for work to be done in or near a protected wetland. The latter required special Orders of Condition allowing the work to be done while protecting the wetlands.

We sponsored the annual Mountain Day hike which was again most successfully led by Ted Hendricks. The hikers visited the new Connor-Dukeshire Conservation Area. The deed to this property was gifted by Ruth Madsen.

We reinstated our annual essay contest for 4th, 5th, and 6th graders of William E. Norris School. This year's topic was "Recycling - What Are Its Benefits?". The essays were awesome.

Mike Conlan, leader of Boy Scout Troop #210, volunteered their services to repair Barcomb's Bridge in the Sanctuary. In spite of the heat and mosquitoes, the job was completed as if by professionals in time for Old Home Days weekend.

There were several controversies in Town involving wetlands. The Commission cooperated with other Town agencies in an effort to negotiate with the concerned landowners.

It was a most interesting and active year.

Hazel Young, Chairman
Thomas Gentile, Vice Chairman
Joseph Kingsley, Treasurer
Nancy Whittemore, Secretary
Francis Berniche
James Moore
Ellen Mintzer

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SOUTHAMPTON CONSERVATION COMMISSION

December 14, 1992

Members present: Mintzer, Moore, Kingsley, Berniche, Gentile, Young, and Whittemore.

This special meeting was called to order at 7:15 p.m.

Young advised that a Notice of Intention to Sell has been posted for parcels A and B of the Prajzner's farm. Commission will send a letter to the Selectmen requesting that they exercise their right of first refusal and then turn their right over to the Commission and the Valley Land Fund. The two parcels are bounded on one side by Broad Brook and are in Zone #2 of the aquifer. Secretary to write letter and deliver to Chair tomorrow.

Young also advised that the Order of Conditions for Crawford's have been registered with the deed.

Commission discussed budget for FY94. The following was submitted:

GENERAL EXPENSES

Secretary expenses	\$ 175.00	
Postage (certified mail)	25.00	
Stamped, imprinted envelopes	50.00	
Memberships	300.00	
Tuition/Seminars	100.00	
Mileage	<u>20.00</u>	\$ 670.00

MISC. EXPENSES

Consultant fees	\$ 1,000.00	
Supplies & Manuals	<u>50.00</u>	1,050.00

TOTAL \$ 1,720.00

Meeting adjourned at 7:45 p.m.

Regular meetings will resume February 1, 1993.

Respectfully submitted,

Mary Whittemore

Secretary

southampton conservation commission

February 1, 1993

Members present: Young, Moore, Gentile, Berniche, Kingslay and Whittemore.

Guest present: Marc Reed of Heritage Surveys, representing Robert Schmidt.

Hearing called to order at 7:22 p.m. Notice of Intent from Schmidt to prepare lot #30 (assor's #46) of Eastwood Estates for building. In order to make a perc on this lot, there has been a reconfiguration of two lots. A portion of #19 has been added to #46. Reed presented photos of lot to refresh Commissioners' memories of this terrain. The house will sit way back on the lot. The driveway will require work to be done within 100-foot bordering vegetated wetland. Work will be done during the driest part of the year. The leach field will be on the front of the lot, connected to the tank with a poly-forcemain converting system. The part that lies in wetland will be buried and the area will be brought back to current state, letting nature resettle foliage. Construction equipment will come into leach field area through lot #19. Hearing closed at 7:55 p.m.

Order of Conditions: (Secretary call DEP to get File #^{2/2/93} In mail on 2/2/93 - #289-67)

1. All trucks and machinery will avoid crossing the wetland.
2. Pipework in wetland to be constructed with a trencher.
3. Siltation fences to be used and removed when natural cover has been established
4. Minimize belly in poly-forcemain in wetland area.
5. All work to be done in accordance with submitted plans.

Secretary summarized the minutes of November 16 and December 14, 1992. Accepted.

Treasurer reported: 40-8C, \$3,931.16; general expenses, \$308.97; Conant fund (as of August), \$74,691.18. Report accepted. Chair asked treasurer to please contact Mintzer in re letters received in re monies in Wilkinson-Searle account.

Correspondence: Selectmen: call to special Fowles Tire meeting on January 13, 1993.

DEP: revised Emergency Certification form (to Young).
2 copies of complete set of up-to-date wetland protection forms. (one to Young).

Nov. 17, 1992 - three Environmental Notification Forms- please study and comment. Revision thereof dated Dec. 30, 1992. (to Young).

MFS: proposed changes to Title V - urge Commissions to comment.

DHG: bills for Marchand and DPW unpaid. (Secretary has done follow-up.)

Div. Fisheries & Wildlife: Rare Wildlife Estimated Habitat Maps of Mt. Tom area of 1988 still valid.

Wildlife. List of Rare Wetlands

Senator Kerry: does support appropriations bills for National Academy of Sciences study of wetlands.

P.O.: receipt for box dues for #343.

Div. Forests & Parks: signed cutting plan for Wayne and Holyoke WaterWorks and Bay State Forestry Wyben Road cutting plan.

Commission's letter to Selectmen in re Prajzner's land. (Withdrawn by Young - situation has changed)

CLF: new address

Also received numerous magazines, catalogs, and requests for donations. All donation requests turned down by individual negative, unanimous votes.

Billy Joe Davis, Jr.: Request for Determination

Minutes 2/1/93, cont.

Moore presented a report on Bestmann Green Systems - bioengineering for erosion control, water quality, and habitat restoration. An exciting, economical way to restore man-made damage to shore-lines, wetlands, etc.

Moore also reported on substance of Holliston tire removal - case somewhat similar to that which faces Southampton in removing tires from Howles farm. Holliston paid for the removal 100% - \$1.00 per tire for 150,000 tires. Main difference - no mention of hazardous waste in the Holliston case. ??? we believe super fund reimbursement only available for a declared hazardous waste removal.

Unanimous vote to finance Moore's attendance to MACC annual meeting on February 27, Holy Cross College, Worcester. Cost \$48.00.

Request for Determination for Davis, Jr. to build home on Gunn Road (between Neuhauser and Piper). Meeting will have to be Monday, February 22, 1993 because the 15th is a legal holiday. Secretary to advise selectmen about change in meeting date.

Young advised she will be away first Monday of March. Secretary to advise selectmen that Commission will meet on March 8 and 22nd.

Meeting adjourned at 9:10 p.m.

Next meeting 2/22/93.

Respectfully submitted,



Nancy L. Whittemore, Secretary

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SOUTHAMPTON CONSERVATION COMMISSION

February 22, 1993

Members present: Young, Moore, Kingsley, Berniche, Gentile, and Whittamore.

Guest present: Mrs. Linda Davis, Jr.

Hearing called to order at 7:20 p.m. Hearing for Determination of Applicability for M/M Billy Joe Davis for property at Gunn Road, Southampton. Advised Davis to check with Building Inspector Ouimette as to whether or not the perc tests are still in good stead. It was recommended that owner hay bale the westerly side of proposed driveway during construction. Advised applicant should investigate adviseability of using a culvert in low area of driveway. Our determination was negative: the area described is not an Area Subject to Protection Under the Act.

Regular meeting called to order. Secretary's report for February 1, 1993 accepted as read. Treasurer reported General Expenses \$223.48. He did not contact Mintner in re letters from Wilkinson and Searle.

Correspondence: DEP: File No. for Schmidt Notice of Intent is 289-67. (copy of this notice sent to Reed of Heritage Surveys.)
DHG: bill for Schmidt's legal ad
NE Outdoors: February '93 issue
MAS: Legislative Alert indicated that Magle's environmental performance is '92 was 93%
Membership request (our renewal is in May)
Coop Extension: Forest Use Manual
Commission's letter to Selectmen: advising dates for

March meetings.
ELM: Bulletin, winter 1993
Coop Extension: Southern N.E. Forest Consortium
~~being held~~ estate planning video conference being held 3/20/93 at various sites in the state.
Several requests for memberships and/or donations: Nat'l Parks & Conservation; Appalachian Mt. Club; Habitat for Humanity; Wilderness Society.

Old Business: Gentile reported that ^{Makuski} ~~Mekuski~~ has been moving vehicles over the brook bed. Young will speak with zoning enforcement officer in re this problem. During repairs of vehicles oils could be leaking into ground. This work is being done 20 feet from brook.

Acquifer Acquisition Land Grant: secretary should check minutes (beginning 1986) for references to monies granted for land acquisition to protect aquifer ground water. What did Commission agree to pay and for what? Young is resigning from ALA as her term with Commission ends.

Young going on vacation. Indicated that a Request for Determination from Malek in re Iajoi pond may be received.

Unanimous vote to reimburse Young for mail expenses \$4.29.

Negative unanimous votes in re requests for monies. Nature Conservancy and MAS memberships are due in May.

Meeting adjourned at 8:23 p.m.

Next meeting 3/8/93

Respectfully submitted,
Nancy L. Whittamore