

SOUTHAMPTON CONSERVATION COMMISSION

June 26, 1995

The meeting was called to order at 7:18 p.m. Members present: Moore, Young, Reed, Berniche, Kingsley and Gentile

HEARING

Continuation of a hearing scheduled for June 5, 1995 Regarding a Request for Determination of Applicability submitted for lots numbered 3 through 7 on Fomer Rd. Present was Mr. Jeffrey Florek of 696 Woodland Way, Russell, MA, and Mr. Dave Bean of D.L. Bean.

Mr. Reed reported that he made a site visit on June 22 with Mr. Moore, Ms. Young and Mr. Bean. Mr. Reed recommended a negative finding with the following conditions:

1. A separate request for Determination of Applicability (Form 1) shall be filed for each of the lots
2. A plan showing the proposed house, driveway, septic system and all site improvements shall be filed with each Request for a Determination of Applicability. Plans shall be prepared by a registered land surveyor or engineer and drawn to scale.
3. Culverts shall be installed at driveway crossings to maintain the existing flow of water in the drainage swale as shown on the plan on file with the Southampton Conservation Commission.
4. Proposed Driveways shall be a minimum of 35 feet away from existing areas of shallow standing water.

Mr. Bean had a question about altering the plans so much as to prompt questions from DEP, but Mr. Reed said that wouldn't be necessary. "The area is not really a wetland, it just has small pockets of standing water. Just do culverts," he said.

INFORMAL DISCUSSION

Present was Mr. Michael Conlin of 10 Douglas Rd. He owns 20 acres off Douglas Rd. and ditches on the property have filled in with silt, etc. The land in question is used for haying and it all comes under Ch. 61 or Ch. 61A. Mr. Conlin wants to repair the ditches to drain the land for haying.

Mr. Moore asked a number of questions about how long the repairs would take, how long the ditches would be open, how will the job be done, and how will the area be reestablished. Ms. Young added questions about the kind of equipment to be used, how heavy it would be, what erosion controls would be used, how naked the land would be and for how long. Then Mr. Moore suggested to Mr. Conlin that he rewrite his letter putting in all this information.

INFORMAL DISCUSSION

Ms. Darlene Sicard returned to ask a few more questions about lot #3 on Lead Mine Rd. Members Moore, Young and Reed have looked at the site. Ms. Sicard asked if they had made a determination. Mr. Reed said no wetland vegetation was seen, but Mr. Moore added that there is a swale or gully that shouldn't be altered. They explained to Ms. Sicard that no Request for Determination of Applicability has been filed, so the Commission could make no determination.

Ms. Sicard asked if their comments would be reflected in the minutes of the meeting, and asked that a copy be forwarded to her at P O Box 772, Northampton, MA 01061

INFORMAL DISCUSSION

Regarding lots #10-14 on Hillside Meadows. Present were Ms. Lori Loiselle, Ms. Suzanne Miller, and Mr. Dick Walker, CPA for the Glendale Rd. Trust. Their first concern was with lot #12, where more specific plans have now been drawn up. The house is in the same location but has been turned and the septic system has been moved from the original footprint, but the limit of work remains roughly the same and the line matches within 5' of the next-door line.

Mr. Moore and Mr. Reed visited the site, along with Ed Cauley, on June 22 to deal with other concerns expressed at the last meeting. Mr. Reed reported that the culvert on Hillside and Glendale has no riprap or stabilizing. There is a good sized hole as well, and this needs to be addressed. Mr. Reed also called attention to the detention basin near College Highway. Mr. Moore said that they overflowed last spring. Ms. Miller said she and Mr. Randy Christenson are planning to take care of that.

Mr. Reed then distributed copies of special conditions he had drawn up to recommend to the Commission, as follows.

SPECIAL CONDITIONS FOR: HILLSIDE MEADOWS DRIVE LOTS 10, 11, 12, 13 & 14

13) Prior to any activity taking place under this Order of Conditions, the applicant shall complete the condition under DEP file #289-?? for the construction of a drainage outlet near the intersection of Hillside Meadows Drive and Glendale Road. The applicant's representative, Baystate Environmental consultants, Inc. shall prepare a construction plan or a sequence of construction to be approved by the Southampton Conservation Commission and the Southampton Highway Superintendent. After said work has been completed and approved by the Town of Southampton, Notices of Intent and Orders of Conditions for each lot will become active.

14) Limit of disturbance and erosion control line shall be staked out by Baystate Environmental Consultants, Inc. No work of any kind shall take place between this line and wetland.

15) Final house footprint and layout must be approved by the Southampton Conservation Commission prior to issuance of a building permit.

16) Southampton Conservation Commission shall be notified 72 hours prior to any construction.

17) During construction, Baystate Environmental Consultants, Inc. shall inspect and provide the Southampton Conservation Commission with monthly reports. Any change in plans will require an as-built plan submitted to the Southampton Conservation Commission.

There were some questions about condition #13, particularly in regard to access, since the lots involved have now been built on, landscaped and occupied. Since there are no easements, and the old DEP order was not available, it would pretty much involve approaching the current residents.

After a short consultation, Mr Walker told the Commission that the Trust wanted to get the work done properly, that they would be willing to escrow the money for one lot, and that if they could get plans that are approved could they sell lot #12

Mr Moore suggested they come back on July 10 with as much work done and arrangements made as possible, that they get approval from Ed Cauley, that they do what they could to get access for the corrections at Glendale and Hillside. Mr. Reed added that as much as could be done by July 10 could then be removed from the Order of Conditions

OLD BUSINESS

Ms. Young said that she would like to withdraw the Cook Road application without prejudice until they can come up with specific plans for the road. She said she would refile later. Mr Reed moved to accept. Mr Gentile seconded. Approved unanimously, Ms Young abstaining

INFORMAL DISCUSSION

Present was Mr Tom Whiteley who wants to repair drainage swales for Mr Dwight Tiffany on Coleman Rd. The land is used for agriculture. Mr Moore told Mr Whiteley to write a letter explaining what he wanted to do, when, how, with what equipment, for how long, etc. Mr Whiteley said that it is ready to hay now, so Mr Moore said the emergency work would be OK, but follow it up with the letter

MINUTES

Reading of the minutes for June 5, 1995 was waived unanimously

TREASURER'S REPORT

Mr Kingsley reported the following balances:

Ch 40-8C	\$1502 22
General Expenses	644 89
Conant Fund	\$51,471 00

Ms. Young moved to accept, Mr Moore seconded. Approved unanimously

CORRESPONDENCE

- 3 green cards from the post office
- newsletter, magazine
- letter from Stephen Breyer requesting to drain Triple Brook Pond
- Title V update regarding workshop on June 20, 22.
- notice from Heritage Surveys, Inc. of MEPA on-site hearing re County Rd reconstruction.
- PV Planning Commission annual meeting June 29 at West Springfield Country Club
- National Parks renewal offer
- letter from Holyoke Conservation Commission regarding County Rd. reconstruction
- a cutting plan for 61 Rattle Hill Rd from Alice Banner. Already approved by Carmine Angeloni

- Nature Conservancy membership offer
- Coastal Zone Management newsletter

--announcement of Valley Environmental Services
--a grant offer
--notification that the Danielle property now belongs to the Town of Southampton
--letter from Tighe and Bond re culverts on the new water line that crosses the county line from the Manhan Reservoir through Southampton Ms. Young said they should update this information. Mr Reed will send a letter asking for this.

INFORMAL DISCUSSION

Mr Stephen Breyer was present in regard to his letter mentioned above Mr Moore said everything looks in order, but he asked Mr Breyer to do the best he could to minimize the situation when he drained

CORRESPONDENCE

--Mr Moore reported a letter from DEP asking for help in identifying possible sites of Easthampton water contamination Members decided to discuss this on July 10 in order to respond by July 15

--Mr Gentile reported three applications for waterway licenses to construct and/or rebuild docks One from Louis and Joan Dupuis of 31 Bluemer Rd., one from David and Gail Bryden of 36 Cottage Ave. and one from Arnold and Dorothy Buck of Manchester, NH regarding property at 38 Cottage Ave. So far Wetlands Reserve Program (WRP) has not approved or declined to review all three.

OLD BUSINESS

Regarding Mr Florek's request, members voted unanimously to approve Mr Reed's special conditions as outlined above

NEW BUSINESS

Ms. Young commented on the MEPA hearing scheduled for June 23 regarding County Rd. reconstruction She also mentioned the grant hearing scheduled for town hall on July 12 at 7:00 p.m.

Mr Kingsley moved for approval of the following reimbursements.

- \$5 94 to Ms Young for postage
Approved unanimously, Ms Young abstaining
- \$6 60 to Mr Reed for postage
Approved unanimously, Mr Reed abstaining.
- \$2 29 to Mr Gentile for postage.
Approved unanimously. Mr Gentile abstaining
- \$20 20 to Mr Moore for postage.
Approved unanimously. Mr Moore abstaining.

There was some discussion of final fiscal year purchases. Mr Bonneau will look for a recording device and other secretarial supplies.

Ms Young requested \$5000 for two appraisals of Szczypta properties at the end of Glendale Rd The two appraisals relate to a Self-Help grant and an Urban Self-Help grant Ms. Young commented that we may not get the money back, but members agreed that this is beautiful

land, and that this is what we are supposed to be doing. Mr. Gentile moved for approval of Ms. Young's request. Mr. Reed seconded. Approved unanimously.

The meeting was adjourned at 9:27 p.m. Next meeting July 10, 1995.

*Respectfully submitted,
Robert P. Bourneau*

SOUTHAMPTON CONSERVATION COMMISSION
June 5, 1995

The meeting was called to order at 7:17 p.m. Members present: Moore, Reed, Kingsley, Young, Gentile and Berniche.

HEARING:

Re Notices of Intent filed by Glendale Road Trust for lots 10-14 on Hillside Meadow. Present were Jerry E Aubrey, Trustee, and Randy Christenson, of Heritago Surveys, Inc. Also present were Atty. Suzanne Miller and realtor Paul Gondreau.

Mr. Christenson explained that all the lots in question are intended for single-family homes. He said that there were two revisions of plans that had been made in response to informal discussion at the May 15 SCC meeting and the May 23 site visit. He set up a display of all the lots and went on to discuss each individually.

The plan for Lot #10 has the house set back 150' from the pavement, with setbacks of 37', 35', 35', and 70' from the wetland boundary.

Lot #11 showed a pinnacle 17' from the wetland boundary, but with an average 50' setback, with the septic system to the south.

Lot #12 showed a 58' setback at the closest point, and 75' at the farthest.

Lot #13 showed setbacks of 47' and 28' with a 35' average.

Lot #14, which abuts an existing residence, shows setbacks of 32' and 50'. On this lot the house will have certain features to fit the topography.

On all lots there would be no wetland fill, and all lots would meet Title V setback requirements. Septic systems have not been approved as yet.

All abutters were notified by certified mail. \$250 filing fee has been paid for each lot, and each has a DEP file number. Also, DEP has the revised plans.

Mr. Christenson then invited questions.

Mr. Moore asked if lines for all the lots had been coordinated, and Mr. Christenson responded that all the lines have been made continuous from lot to lot.

Mr. Reed asked about timing, and Mr. Christenson responded that depending on potential buyers, construction is planned to begin this summer.

Ms. Young commented that the flags must still be there when construction starts and as it continues, and Mr. Reed said that should be in the Order of Conditions, and in addition, Commission members should also plan to look for themselves.

Ms. Young also said the Commission should get notice prior to the start of construction.

Questions from the public were invited.

Ms. Lorraine Miller of 39 Glendale Rd. asked if there would be any fill and any drainage. Mr. Christenson responded that there would be no fill, and that drainage should be sheet flow and gutter flow which the buffer zone should take care of. Ms. Miller replied that lot #9 always has water and that it goes onto her land. Mr. Christenson said he could not comment on lot #9, but that there should be no large flow from the lots he was speaking of tonight.

Ms. Bianca Halket of 19 Hillside Meadows mentioned an existing stream below lot #14. Mr. Christenson said he was aware of the stream and that the property was set back 100' from it, with hardly any grade. In addition, no fill is proposed.

Mr. Don Saltmarsh of 41 Glendale Rd. asked if there was a permit yet. Mr. Christenson said no, that was the purpose of tonight's hearing. Mr. Saltmarsh asked what assurances there were that things would turn out as outlined tonight. Mr. Christenson replied that the Order of Conditions that came out of this hearing would be in effect, and that enforcement orders could come of that, if necessary. Mr. Saltmarsh further asked if Mr. Aubrey had constructed the road, because the conditions did not work, and had not been followed in that case.

Mr. Brad Miller of 39 Glendale Rd. said the required riprap had not been installed and that erosion and flood problems were already there. Mr. Christenson responded that there would be different construction firms for the various homes, and that each would have responsibility for following the required conditions. Mr. Young interjected that the Commission has not yet issued a Certificate of Compliance in this matter. Mr. Saltmarsh asserted that there is an illegal drain at Hillside and Glendale, and Ms. Young responded that the drain was supposed to be there. Mr. Miller replied that there was drainage that shouldn't be there, plus a catch basin into which everything from lot #9 drains. Mr. Christenson said these things must be treated separately, and Mr. Young agreed that the Commission should address these problems. Mr. Miller asked if the proposed work on lot 10-14 would complicate or add to the problems mentioned.

Mr. Reed stated that future buyers would still have to submit plans individually, that the Commission would not take just general "footprints" and would try to keep control. Mr. Saltmarsh said that this would be only until construction was completed. Mr. Reed responded that usually this was after a full growing season following construction, and that the conditions would remain on each individual deed until the Commission signed off on them.

There were no further comments or questions.

Ms. Young moved to close the hearing, Mr. Bernick seconded, and the motion passed unanimously.

INFORMAL DISCUSSION:

Mr. Christenson provided some follow-up re the Beautiful property on Crooked Lodge, saying that both crossings are in, the pond is full, raking and planting are done, and the silt fence and stakes are in. He said they have done a great job.

Minutes of the May 1 and May 15 meetings were read and accepted as amended.

HEARINGS:

Regarding septic repair on the property of Edward and Francine Krzanowski at 20 High St. Mr. Reed reported a Request for D of A. He said that Mr. Jim Gracia had prepared the plans for this work. Mr. Reed and Mr. Moore met on May 17 at the property and suggested to Mr. Gracia that the loading system be farther away, and this change was made. Mr. Kingsley asked about distance from wetland and Mr. Reed said 50', the distance required by Title V. Mr. Gentile asked if the driveway was asphalt, and Mr. Krzanowski said no, trap rock dust. Mr. Kingsley asked if it was fairly flat, and the answer was yes. Mr. Reed asked if there was a disposal in the house, and the answer was no. There were no further questions. Mr. Reed moved to close the hearing, Mr. Gentile seconded, and the motion passed unanimously. The Krzanowski's were told that the Order of Conditions would be sent out as soon as possible so this work could be done quickly.

Mr. Moore read the minutes of the March 15 meeting, which were approved.

TREASURER'S REPORT:

Mr. Kingsley gave the following balances:

40-80	\$2270.22
General Expenses	\$1211.69

HEARING:

Mr. Gary Pasquini was not present for the scheduled 8:15 hearing regarding the his property on 22 Froyer Rd. Mr. Reed said that a Determination of Applicability was required in this matter and moved that the public hearing be continued to June 26. Mr. Young seconded, and the motion passed unanimously. Mr. Moore said he would send a letter asking Mr. Pasquini to attend.

INFORMAL DISCUSSION:

Donald and Darlene Sicard, prospective buyers of a property (owned by Raymond and Liselotte Bliss) on Lead Mine Rd., were present. The Sicards said that Mr. Tim Maginnis had advised them that there were not wetlands involved but that they would be better to inquire anyway. The Sicards proposed a septic system on a lot two lots up from Lead Mine Lodge. They said the lot was flagged, and that they

would flag the area where the house and the septic system would go. They said they had not purchased yet, but they would like to drive a well before purchase. Mr. Sicard provided a photocopy of the plan and a copy of the perk test. Mr. Moore and Mr. Reed said they would visit the property as soon as possible, and Mr. Sicard left his phone number so he could be notified.

HEARING:

Regarding a Request for Determination of Applicability submitted for lots numbered 3 through 7 on Forer Rd. Mr. Jeffrey Flarek of 696 Woodland Way, Russell, MA, was present to ask that the hearing be postponed and that another site visit be scheduled. A visit was scheduled for Thursday, June 22. Mr. Reed made the motion to continue the public hearing to June 26 at 7:30 p.m.. Ms. Young seconded, and the motion passed unanimously.

CORRESPONDENCE:

An E-mail question had been received as to whether there were endangered species around the Moose Brook area. Ms. Young said yes, and the map was checked.

Mr. Moore reported a letter from Gov. Weld's office about a June 14 meeting in Chicopee regarding low level radioactive waste management.

NEW BUSINESS:

Mr. Kingsley made the motions:

- to pay Mr. Bonneau \$150 for secretarial services. Unanimously approved.
- to pay Ms. Young \$43.32 reimbursement for postage and other expenses. Unanimously approved, with Ms. Young abstaining.
- to pay Mr. Reed \$25.32 reimbursement for postage and binders. Unanimously approved, with Mr. Reed abstaining.
- to pay Mass. Audubon \$35 for renewal of family membership for the Commission. Unanimously approved.
- to pay the Daily Hampshire Gazette \$173.16 for legal ads. Unanimously approved.
- to pay \$75 to MACC for annual dues. Unanimously approved. Mr. Bonneau and Ms. Young were added as associates on this membership.

HEARINGS:

Regarding a Request for Determination of Applicability, form 1, submitted by Ms. Hazel A. Young, Grant Coordinator, for a proposed dirt road 30' wide (enough for two cars to pass) and 1000' long into town land off Cook Rd. for the purpose of constructing three ball fields. Ms. Young stepped down as a member of the Commission.

Ms. Young explained that the proposed road would follow a path already there that leads into 21.5 acres of town-owned land which abuts 10.5 acres of Conservation

Commission land. She said the plan avoids wetlands, staying probably more than 100' away.

Mr. Reed said that a design and plans will have to be done for the grant and those plans will have to be submitted to the Board of Selectmen.

Mr. Fred Hoffer of 38 Cook Road said that the road wouldn't hold the traffic that would result.

Ms. Michele Crochetiere said she had horses on her property nearby and would not want balls flying toward them. Mr. Young said they wouldn't. Only latrine facilities would be within range.

Ms. Young went on to explain that two 70' softball diamonds and one 90' baseball diamond were planned, with a soccer field superimposed in soccer season.

Mr. Kingsley and Mr. Gentile asked if there were any wetlands involved, and Mr. Moore said the Commission would have to identify any wetlands if there were.

Ms. Colleen Crochetiere said that when TVA came in there was upheaval. Would that affect the right of way? Ms. Young said no, the gas line would be away from the ball fields, and there would be no excavation at all. Ms. Young continued that a town hearing is not scheduled yet, and this would be done only if she were successful in getting the grant (a Dept. of Environmental Management Self-Help Grant).

Mr. Tim Knapp of 39 Cook Rd. asked if any wetlands had been marked. Mr. Reed responded that the Commission would in all likelihood issue a positive determination tonight. This would mean that if there were any wetlands, and any work inside a 100' buffer zone, a Notice of Intent would then have to be filed.

There was a good deal of continued discussion, not related to wetlands. Mr. Moore said the Commission would issue a positive determination, and Mr. Reed said that therefore, if there were a Notice of Intent required, abutters would be notified by certified mail, plus there would be a legal ad in the Gazette.

Mr. Reed moved to close the hearing, Mr. Kingsley seconded, and the motion passed unanimously.

Ms. Young resumed her seat on the Commission.

CORRESPONDENCE:

Ms. Young reported notification from Mass. Highway Dept. regarding reconstruction of County Rd. Mr. Reed commented that an Environmental Notification Form (ENF) must be filed by the state and a public hearing would be required on this matter.

Notification of a June 26 meeting of Action Partnership to Restore Massachusetts Wetlands.

Ms. Young reported receiving notice of a DEP hearing on June 7 in Springfield regarding the Danielle property.

A receipt from the Registry of Deeds regarding the Order of Conditions for the Beaulieu property on Crooked Lodge Rd.

OLD BUSINESS:

Regarding the Nikuski property, Mr. Gentile said he had been in touch with the Attorney General's office, and that he was told Ms. Cindy Berliner would be in charge of this matter, along with Mr. Tim McKenna.

NEW BUSINESS:

Mr. Reed said he would formulate the Order of Conditions for the Hillside Road properties for the next meeting of the Commission. Mr. Kingsley said these should include: seven days notification before work begins, notification of changes in the "footprints", get erosion barriers in place, Bay State Environmental Consultants should monitor and provide monthly reports until a Certificate of Compliance is issued.

A negative determination was made regarding the Krzanowski property.

A site visit (June 22) will be made before a determination on the Cook Rd. properties.

Mr. Kingsley moved to adjourn. Mr. Berriche seconded, and the motion was approved unanimously at 9:44 p.m. Next meeting: June 26, 1975 at 7:15 p.m.

*Respectfully submitted,
Robert P. Bourneau*

SOUTHAMPTON CONSERVATION COMMISSION

May 15, 1995

The meeting was called to order at 7:27 p.m. Members present: Moore, Reed, Kinsley, Young and Berniche.

INFORMAL DISCUSSION:

Present was Mr. Jeffrey Florek who has submitted a Request for Determination of Applicability for five lots (#3, 4, 5, 6, 7) on Foer Rd. Mr. Florek represents the family who owns the lots.

INFORMAL DISCUSSION:

Mr. Reed explained, regarding the Hillside Meadows lots, that the deadline for placing a legal ad at the Daily Hampshire Gazette was missed by 75 minutes, there cannot be a legal hearing tonight on this matter. A site visit was scheduled for Tuesday, May 23 at 5:30 p.m. and hearings were set for June 5, 1995.

Mr. Randy Christenson of Bay State Environmental Consultants was present to discuss 5 Notices of Intent for lots (#10, 11, 12, 13, 14) on the east side of Hillside Meadows. Mr. Christenson stated the 5 notices represent 5 different owners. He explained that all the lots are 90% wooded, and that he had put new flags up on all. Blue flags marked wetland line, green the buffer zone and yellow the limit of work line. Silt fences will be installed, and hay bales at the yellow markers. Some highlights include: 40' or better setback and a 5-bedroom plan for lot #10; septic system outside the buffer zone and 17' minimum distance from the wetland on lot #11 and 28' minimum setback on lot #13. He further explained that on the drawings he presented, the house shapes may change according to final plans decided on by the individual owners, and that in all cases the limits of work would be maintained. All of the lots except #10 currently call for septic designs for 3-bedroom homes.

Mr. Reed informed Mr. Christenson that the town of Southampton has a by-law that requires septic systems including all parts be a minimum of 25' off the property line. Mr. Christenson said this would require significant changes in the plans. (Massachusetts regulations call for a 10' distance.) All lots are on town water.

Mr. Christenson said that we need to come up with plans and conditions. Mr. Reed pointed out that the town is owed considerable money on this land, and so the Planning Board has not released on these projects yet.

Mr. Moore and Mr. Reed asserted that work lines have to be "in stone" and documented specifically in the Orders of Conditions and the deeds. Mr. Moore also asked for drawings with all the plans on one page so that

lot-to-lot matching and continuity could be clearly specified. DEP numbers have been assigned as follows:

Lot #10: 289-82
Lot #11: 289-79
Lot #12: 289-80
Lot #13: 289-81
Lot #14: 289-82

A site visit was scheduled for Tuesday, May 23 at 7:00 p.m. and the hearing date was set for June 9, 1995 at 7:15 p.m.

NEW BUSINESS:

Two cutting plans have been received, one from Mr. Dwight Tiffany for property on Coleman Rd., and one from Mr. Ed O'Leary for property on route 10. Both have been approved by Carmine Angeloni. Mr. Moore said he will take these to the Board of Selectmen tomorrow.

REORGANIZATION:

Mr. Reed nominated Mr. Moore as chairman. Ms. Young seconded. There were no other nominations, and Mr. Moore was approved unanimously. Mr. Gentile was similarly chosen as vice chairman, and Mr. Kingsley as treasurer.

NEW BUSINESS:

Mr. Reed reported a Request for Determination of Applicability from the town of Southampton, Hazel A. Young, Grant Coordinator, for property on Cooke Rd. This involves a grant proposal to fund a proposed ball field. A hearing was set for 8:45 p.m. on June 9, 1995.

Other hearings scheduled: for the Florek property on Fomer Rd. -- 8:30 p.m. on the same date; for the Krzanowski property on 20 High St. -- 8:00 p.m. on the same date; for the Paquini property on 22 Friar Rd. -- 8:15 p.m. on the same date.

OTHER:

The District Attorney's office has sent a copy of the letter Mr. Moore sent to the DA, and a receipt has been received from Ms. Barbara LaFlamme acknowledging receipt of this copy.

Meeting was adjourned at 8:17 p.m.

*Respectfully submitted,
Robert P. Bonneau*

SOUTHAMPTON CONSERVATION COMMISSION
May 1, 1995

The meeting was called to order at 7:28 p.m. Members present: Moore, Reed, Kingsley, Young and Bernick.

HEARING: Regarding the Notice of Intent filed by the Beaulieu of Crooked Ledge Road. \$250 in filing fees have been paid. Representing the Beaulieu was Mr. Randy Christenson, wetland biologist with Bay State Environmental Consultants.

Mr. Christenson began by discussing the restoration of disturbed wetlands on the property. He projected a 2-3 year time for completing the restoration and all other plans, including a barn and fenced-in area. He said, however, that the restoration work would be completed before a date to be set tonight. His primary goals would be to reestablish vegetation by planting grass and then letting the area go to shrubs, then saplings, then forest. The plan would use the existing edge of woods as marked by stakes. Inside the edge of woods he would use a seed mixture to establish a hayfield and horse pasture. The buffer zones would be reestablished with vegetation and markers. He would reestablish the channel, perhaps hiring a hydroseed contractor, and line a pond with cobbles made by a rock-crusher to maintain the water level. A change in the plan since the last site visit would be to move the wetland line and the edge of woods further out, working with the contours of the site.

Mr. Christenson said two things remain to be settled: one, how to go about marking the edge of woods, and a deadline date for the restoration work.

Mr. Moore suggested a July 8 deadline, and asked for a marking proposal.

Mr. Christenson proposed using oak stakes at 50 intervals, using orange markers for work limits and edge of woods and blue ones for edge of wetlands.

This was agreed to, along with the July 8 deadline. The order of conditions will be issued forthwith.

MINUTES of the meeting of April 13, 1995 were read and approved as amended.

TREASURER'S REPORT: Changes in the following balances were reported:

General expenses	\$1225.31
40-80	\$2270.22

The treasurer's report was accepted.

CORRESPONDENCE:

- post office receipts for registered letters sent to Dument, Parquini and Lemire
- notice of a May 20 workshop - Community Wetlands

--notice of a DVM delineation workshop to be held June 29 at Arcadia in Easthampton. The Commission could send two members.

--a Notice of Intent for a forest cutting plan from Donald Culver of Coleman Road

--a Notice of Intent from John Conboy of Northeast Timber Company for a cutting plan on the O Leary property. This has not yet been signed by Carmine Angeloni of Mass. DEM.

--requests for donations from World Wildlife Fund, Mothers Against Drunk Driving, and the Jimmy Fund.

--five Notices of Intent from Bay State Environmental Consultants regarding lots 10, 11, 12, 13 and 14 on Hillside Meadows Drive. Each was accompanied by a \$137.50 check for filing fees, in addition to a separate check for \$150 for legal ads for the five notices.

HEARING: Todd H. and Darcie A. Helems of Montgomery Road and Mr. Bruce Coombs of Heritage Surveys, Inc.

Mr. Reed stepped down from his seat on the Commission for this hearing.

Mr. Coombs reported on the Helems' plan to build a house on the property. The property includes an old cellar hole and some wetland. The plan calls for a house 60' from the nearest wetland, a well 100' from the wetland, and a septic tank 150' from the well and at least 130' from the edge of the wetland. Since a woods road crosses wetland, Mr. Coombs proposed 18' culvert to allow for water to cross when the ground is frozen. The property was been determined to have a 2" per minute perk rate.

Mr. Moore said he would like to see flared ends for intake and outflow on the drainage pipe, which Mr. Coombs agreed to.

Mr. Kingsley asked if there would be any major changes to the property's contour lines. There would be none.

The hearing was closed. Notification will be sent ASAP.

Mr. Reed resumed his seat on the Commission.

EXECUTIVE SESSION: Mr. Bill Broyer of Middle Road appeared before the Commission. Mr. Kingsley moved that the Commission go to executive session for purposes of discussing the possible acquisition of property. Mr. Moore seconded the motion. The votes were as follows:

Mr. Moore - yes Mr. Phelan - yes Mr. Young - yes
Mr. Kingsley - yes Mr. Berticchi - yes Mr. Reed - yes.

The Commission went into executive session, and then closed executive session.

OLD BUSINESS:

Mr. Reed reported receiving a letter from Mr. Gary Pasquini saying he will file a Request for Determination of Applicability for the upper piece of his land, and asked for copies of the form.

Mr. Reed said the Dumont and Lemire letters were filed with the town clerk.

Mr. Moore reported the clear fill sign was gone from the Mikoski property.

Ms. Young reported that the Board of Selectmen had met with the realtor for the property next to the fire station on College Highway. The building inspector has not officially condemned the building. The asking price on the property is now \$9,000.

NEW BUSINESS:

Mr. Bonneau submitted a request for reimbursement of \$13.62 for notebooks and printer ribbons. Kingsley made the motion to approve this expenditure. Mr. Moore seconded, and the motion passed unanimously.

Mr. Moore, Mr. Berniche and Mr. Phelan expressed interest in going to the BMW workshop at Arcadia on June 29. Mr. Moore made the motion to authorize \$30 expenditure for their attendance. Ms. Young seconded, and the motion passed unanimously. Mr. Phelan will write a check for the amount and be reimbursed.

Mr. Kingsley brought up a \$2,000 price for appraisal of the ~~Ziska~~ property on Glendale Road. Mr. Moore made the motion that this be paid out of 40-80 monies. Mr. Reed seconded and the motion passed unanimously.

Five public hearings on the Hillside Meadows properties were scheduled for May 12, 1995 as follows: 7:15 p.m., 7:30 p.m., 7:45 p.m., 8:00 p.m. and 8:15 p.m.

The next regular meeting was scheduled for June 5, 1995.

The following Order of Conditions (besides the standard ones) were agreed upon for the Beaulieu property: 1) set wooden stakes at wetland as shown on the plan, and wood line stakes at 50' intervals, 2) July 8, 1995 completion date, and 3) 72-hour notification to the Commission prior to the start of work.

At this point Mr. Reed stepped down from his seat on the Commission. The following Order of Conditions (besides the standard ones) were agreed upon for the Helms property: no special conditions. Mr. Reed resumed his seat on the Commission.

Mr. Phelan and Mr. Berniche were notified of their reappointment to the Commission, and they should report at their convenience to the Town Clerk.

Commission reorganization was set for the June 5, 1995 meeting.

PUBLIC STATEMENT:

Ms. Barbara LaFlamme said the minutes she had received from the Commission did not include the March 17 meeting. She also said she would like a copy of the Commission's response to District Attorney Scheibel's letter. Ms. LaFlamme also submitted a check for \$2 for photocopies.

Mr. Kingsley moved to adjourn. Mr. Berniche seconded, and the motion was approved unanimously. Next meeting: May 15, 1995 at 7:15 p.m. Next regular meetings: June 5, 1995 at 7:15 p.m.

*Respectfully submitted,
Robert P. Bonneau*

SOUTHAMPTON CONSERVATION COMMISSION
April 13, 1995

The meeting was called to order at 7:20 p.m. Members present: Moore, Reed, Kingsley, Young, Gentile and Berniche.

MINUTES of the meeting of March 6, 1995 were read and approved as amended.

HEARING: Regarding the request for Determination of Applicability by Richard Dumont to do septic system repair and install a leach field at 330 College Highway. Mr. Moore stepped down as a member of the Commission for this hearing.

The property is on a private road that runs along a nearby stream and the work will take place pretty much inside the buffer zone.

Mr. Reed said that he has looked at the plan and sees no problem with it. The plan includes a siltation fence and will involve pumping effluent up a hill. The depth of ground water there is about 3 feet and the tank will be below 9 inches of ground plus stone and washstone to be added, which will make up the minimum 12-inch depth required of such tanks. The leach field will be a minimum of 50 feet from the wetland, and the plan will use the same 1000 gallon tank already there. Assuming no garbage disposal will be used.

Members had no further questions, and Mr. Dumont was informed that notification of the Commission's findings would be sent to him. The hearing was closed.

Afterward, Mr. Reed proposed a negative determination since the work would not require a Notice of Intent because while it is inside the buffer zone, it will not alter it. All the members present agreed.

At this point, Mr. Moore resumed his seat on the Commission.

CORRESPONDENCE:

--Mr. Berniche reported the new mailing envelopes had arrived.

--National Parks magazine

--Mass. Audubon request for donation: referred to Mr. Kingsley

--various notices and bulletins

--notification from the U.S. Post Office about the rates for envelopes

--notice of the Historic Mass. and Land Bank conference set for April 11 at Fort Devens.

--Nature Conservancy membership offer

--a bill from the Gazette for \$122.01, which includes a new late charge and a new ad for the Lemire matter

--a schedule of workshops sponsored by the Dept. of the Army Corps of Engineers

--Arcadia newsletter

--a workshop notice from Lake and Watershed Management

--the invoice for \$96 for the NACC meetings referred to Mr. Kingsley

--a copy of a note sent to the building inspector regarding the Pasquini property on Friar Rd. This involves filling, large trucks, etc. Mr. Pasquini's filing was incomplete and rejected earlier, and there has been no new filing. Members expressed a desire to get an enforcement order in this matter.

--notice from the collection of the special town meeting on May 9, 1995 at 7:00 p.m.

--copy of a letter from Catherine Sarafino to Parker & O Grady regarding the Danielle property requesting information to finalize the transaction.

DISCUSSION: Mr. Carmine Angeloni of Mass. DEM was present for an informal discussion which ranged across a number of topics, but particularly focussed on the Commission's desire to get help and advice regarding the properties it now owns. A prominent example is the 30 acre, off Meadow Lane. After considerable discussion about various ideas and issues surrounding property management, it was agreed to try to set a date in June for members of the Commission and Mr. Angeloni to walk the properties involved.

Members of the Commission thanked Mr. Angeloni for coming.

TREASURER'S REPORT:

The only new balance from last month is:

general expenses:	\$1372.56
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Members accepted the report.

OLD BUSINESS:

MR. Reed reported that the Beaulieu of 76 Crooked Ledge, in consultation with Bay State Environmental Consultants, Inc., have filed a Notice of Intent on March 31, 1995. The file number is DEP #289-77.

Mr. Reed said he told BSEC that the Commission would want a site visit prior to a hearing. \$137.50 for filing has been received, though the legal ad fee of \$30 has not been received.

A site visit was scheduled for April 19, 1995 at 6:00 p.m. and a hearing scheduled for May 1, 1995 at 7:30 at town hall.

Regarding the Lemire proposal for septic repair, Mr. Reed moved for a negative determination #3 on the grounds that the proposed work will not alter the buffer zone. Ms.

Young seconded the motion, and the members present voted unanimously to pass the motion.

Regarding the Pasquina matter, Mr. Young suggested that members go back and check the site, and members Moore, Young and Reed were authorized to do so tomorrow (April 14) at 6:30 p.m.

Mr. Gentile suggested a look also at the Mikuski property on 98 Pequot Rd.

Mr. Moore requested that Mr. Gentile continue to try to call Atty. Gen. Harshbarger's office to see if the Environmental Task Force could offer us some help with this enforcement.

Mr. Gentile reported that the Chief of Police attested that he had delivered the Mikuski letter.

Mr. Moore reported receiving another letter from District Attorney Scheibel regarding a complaint about availability of minutes.

NEW BUSINESS:

Mr. Gentile moved to authorize Mr. Kingsley to pay the \$96 owed to MACC. Mr. Young seconded the motion, and members present approved unanimously.

Ms. Young moved to pay the Gazette \$16.75. Mr. Reed seconded, and the motion was approved unanimously.

Mr. Gentile made a motion to send \$33 to the Nature Conservancy. Mr. Reed seconded, and members approved unanimously.

Ms. Young requested \$3700 for appraisals. This money would all be reimbursable, and would allow her to pursue an ALA grant. Mr. Reed so moved, Mr. Kingsley seconded, and members approved unanimously.

Meeting was adjourned at 9:09 p.m. Next meeting: May 1.

*Respectfully submitted,
Robert P. Bourneau*

SOUTHAMPTON CONSERVATION COMMISSION

March 19, 1995

Meeting called to order at 7:17 p.m. members present J. Moore, Fran Bernache, Joe Kingsley, Mark Reed, Hazel Young

Guests Present Preston Brown and Robert Lemire *and Barbara Laflamm*
Robt Lemire came regarding Satlers package store on 65 Middle road. A notice was filed by James Gracia P.E. for plans of a Tight tank in the buffer zone for an employee only bathroom. Soil will not Perk and a check for gazette add was provided. Erosion control measures will be required in orders. Motion to close, 2nd, unanimous vote

Preston Brown requested informal information session to prepare for seasonal clean out of cedar herst pool. A letter explaining project including erosion control measures will be required.

Correspondence

Attny Alan Zedonis re Brown property. Request release lean on property for Mrs. Brown. Hazel will look for form.

Letter from Patrick Melnick re property. Discussion will be in executive session

Richard Krazanowski Cutting plan approved filed D.E.M. cutting plan

Barbara Laflamm Request for letter from D.A.

Carmine Angeloni available for meeting April 13th. Hazel will make arrangements and call members.

Guest present Jerry Joyner to discuss sub division on Foamer Road near end of pavement. There is a seasonal brook on the property. Recommend determination of applicability for project with separate notice of intent for each lot affected. He will submit form 1 quickly

Motion to go into executive session made and voted on

J Moore	yes
Fran B	yes
Joe K	yes
Mark Reed	yes
Hazel Y	yes

Section 6 Acquisition of property

Section 2 Hear complaints and charges against

Buildable land is only along Glendale road and there is no A.L.A. money left

section 6

There are many Self Help grants and Land and water conservation funds still available. Most are 70% grants. The possibility of help from other groups like the athletic association was discussed. Hazel will continue to look into this and report at a later meeting.

section 2

Mark Reed has received call from State Ethics Committee, Bill Durette. Mark may be in violation of section 17, Municipality employee. To deal with this a request has been placed with Selectman to appoint all Con Com members as municipality employees.

Return to open session

Unanimous vote to adjourn.

Jim Moore

SOUTHAMPTON CONSERVATION COMMISSION
March 6, 1995

The meeting was called to order at 7:20 p.m. Members present: Moore, Reed, Phelan, Kingsley, Young and Berniche.

MINUTES of the meetings of February 6, 1995 and December 12, 1994 were read and approved as amended.

VISITOR: Mr. Louis Keller, of Brickyard Road Extension, asked for an extension on his request for a Determination of Applicability from 1993. He had a certified letter, dated June 9, 1993, which contained the findings. He was told that the issue was good for three years, and that if he wished to apply for an extension he should wait until closer to the June '96 expiration date, say perhaps in January of '96.

Mr. Keller had another question about a problem he had with blasting. He wants to move the proposed location of the house to be built a bit further into the 100 ft. buffer zone in order to avoid the need for further blasting. Mr. Keller invited Commission members to visit the site.

Ms. Young and Mr. Moore replied that if the move would not affect the silt fences in place, there should be no problem.

Mr. Keller reported that re-excavation would not be needed, that vegetation was established, and that the silt fence on the other side had been taken out because the grass there had become established.

Mr. Moore expressed his approval and advised Mr. Keller to avoid encroaching any closer, to keep the indicated measures going, and to return in January of '96 if a further extension were needed.

TREASURER'S REPORT:

Mr. Kingsley reported two changes in balances from last month:

General expenses:	\$1512.82
40-8C	\$2210.20

CORRESPONDENCE: Mr. Berniche, Mr. Moore and Ms. Young reported the following:

- bulletin from Massachusetts Low Level Radiation Board
- Sanctuary magazine
- Mass. Audubon society journal, and a request for \$35 membership
- BEP manual coming for Mr. Moore and Mr. Reed for attending the NACC meeting

- Environmental League of Mass., request for membership (\$35). This was referred to Mr. Kingsley.
- a bill from the Daily Hampshire Gazette for \$103.73, plus a late charge of \$1.50.
- MACC Newsletter
- from New England Utilities, herbicide applications for cut stumps treated with spot herbicide (Nonanto's "Accord")
- from Dept. of Environmental Management, a final report on the certificate of compliance for Robert E. Schmidt for tree cutting on Eastwood Drive. The cutting plan is that of Charles and Shirley Fisher for property on Crooked Ledge, Fomer and Russellville Roads. The plan was approved.
- notification from the Executive Office of Environmental Affairs (EOEA) regarding applications for grant funds for Open Spaces and Recreational Plans. Ms. Young's plan still needs to be updated.
- ELM Bulletin
- a letter from Natural Heritage including the 1993 edition of the map entitled, "Estimated Habitat of Rare Wetlands: Wildlife and Certified Vernal Pools. The map was filed.

OLD BUSINESS:

Mr. Moore reported that the Johnson/Banner cutting plan was corrected and approved and taken to the Board of Selectmen.

Ms. Young reported that the Hazardous Waste survey, mentioned at February's meeting, was in fact sent in.

Mr. Moore reported that Atty. Cheryl Parker has sent the Commission the quitclaim deed for the \$1 purchase of the Brown property on Pleasant St. He suggested that we keep such deeds on file.

Mr. Moore reported that the enforcement order to Ms. Mikuski of Pequot Rd. was delivered at 6:30 a.m. on February 9, 1995 by the Southampton Police Dept.

Mr. Moore reported speaking to the town clerk and the town treasurer regarding legal advertisement fees. He was informed that the Commission needs simply to vote to adopt a fee schedule.

Ms. Young reported that the highway dept. is putting up a sign on the Lohrs property on Wolcott Rd. The sign says that it is a private way, and that no recreational vehicles are allowed. There is will also be a parking sign at the driveway to the water tower. There has been concern about blocking the Lohrs driveway, about wanderers on the Lohrs property, and about off-road vehicles. Ms. Young suggested that the Lohrs put up Private Property signs as well. The selectmen have responded to Atty Lawrence Osborne about this matter.

Mr. Reed reported on a letter, previously read to the Commission, regarding an enforcement order sent on August

25, 1994, that he prepared for Ms. Dolores Beaulieu of 46 Crooked Lodge Rd. There was no Notice of Intent filed, and Ms. Beaulieu was requested (in the letter referred to above, sent on March 7, 1995) to file such a notice by March 31, 1995. Legal action may be called for. Mr. Reed will mail the letter about this matter to Ms. Beaulieu, her attorney, the Board of Selectmen, the town clerk, the inspector, and the Mass. DEP and the Bay State Environmental Consultants, Inc. Members unanimously agreed to this action.

NEW BUSINESS: Regarding filing fees, Mr. Moore moved for establishing a \$50 fee to cover phone calls, time, faxes, and Gazette advertisements. He further moved that these fees should be put into the 40-90 account. Mr. Berniche seconded the motion, and the members present unanimously approved the measure.

In regard to the old Gazette bill, Mr. Moore moved to pay the \$105.26 out of general expenses and then go after those people who still owe for these ads. Mr. Reed seconded and members present approved the motion unanimously.

Mr. Kingsley moved to renew the Commission's membership in E.L.M. at dues of \$35. Mr. Reed seconded and members present approved the motion unanimously.

Mr. Moore will get a mileage form for travel to Worcester for the NACC meeting.

Mr. Moore will initial the timber cutting request approved by Carmine Angeloni of the Mass DEN, and Mr. Young will deliver it to the Board of Selectmen tomorrow.

Mr. Reed reported on a Request for Determination of Applicability dated March 1, 1995 and received from Robert Lemire of 25 Pequot Rd. The request concerns property at 65 Middle Rd., location of the former Sattler's Package Store. Mr. Lemire wants to install a 2000 gal. tight tank near wetland behind the building. The tank would handle 120 gallons per day, so once-a-month pumping will be required, as well as a high level alarm in a visible location. Mr. James A. Gracia is the PE for the request. A hearing will be scheduled for a special meeting on March 20, 1995. A check from the applicant for \$50 (filing fee) will be needed.

Mr. Moore and Mr. Reed reported on their attendance at the NACC meeting in Worcester on March 4, 1995.

Ms. Barbara LaFiamme requested copies of the minutes of Commission meetings of December 1994 and January 1995 and a copy of the letter sent by the Commission to District Attorney Scheibel.

The meeting was adjourned at 8:50 p.m. Next meeting: Monday, March 20 at 7:15 p.m.

25, 1974, that he prepared for Ms. Dolores Beaulieu of 46 Crooked Ledge Rd. There was no Notice of Intent filed, and Ms. Beaulieu was requested (in the letter referred to above, sent on March 7, 1975) to file such a notice by March 31, 1975. Legal action may be called for. Mr. Reed will mail the letter about this matter to Ms. Beaulieu, her attorney, the Board of Selectmen, the town clerk, the inspector, and the Mass. DEP and the Bay State Environmental Consultants, Inc. Members unanimously agreed to this action.

NEW BUSINESS: Regarding filing fees, Mr. Moore moved for establishing a \$30 fee to cover phone calls, time, faxes, and Gazette advertisements. He further moved that these fees should be put into the 40-80 account. Mr. Berniche seconded the motion, and the members present unanimously approved the measure.

In regard to the old Gazette bill, Mr. Moore moved to pay the \$108.26 out of general expenses and then go after those people who still owe for these ads. Mr. Reed seconded and members present approved the motion unanimously.

Mr. Kingsley moved to renew the Commission's membership in E.L.M. at dues of \$35. Mr. Reed seconded and members present approved the motion unanimously.

Mr. Moore will get a mileage form for travel to Worcester for the NACC meeting.

Mr. Moore will initial the timber cutting request approved by Carmine Angeloni of the Mass DEN, and Mr. Young will deliver it to the Board of Selectmen tomorrow.

Mr. Reed reported on a Request for Determination of Applicability dated March 1, 1975 and received from Robert Lemire of 26 Pequot Rd. The request concerns property at 65 Middle Rd., location of the former Sattler's Package Store. Mr. Lemire wants to install a 2000 gal. tight tank near wetland behind the building. The tank would handle 120 gallons per day, so once-a-month pumping will be required, as well as a high level alarm in a visible location. Mr. James A. Gracia is the PE for the request. A hearing will be scheduled for a special meeting on March 20, 1975. A check from the applicant for \$30 (filing fee) will be needed.

Mr. Moore and Mr. Reed reported on their attendance at the NACC meeting in Worcester on March 4, 1975.

Ms. Barbara LaFlamme requested copies of the minutes of Commission meetings of December 1974 and January 1975 and a copy of the letter sent by the Commission to District Attorney Scheibel.

The meeting was adjourned at 8:50 p.m. Next meeting: Monday, March 20 at 7:15 p.m.

*Respectfully submitted,
Robert P. Bonneau*

SOUTHAMPTON CONSERVATION COMMISSION
February 6, 1975

The meeting was called to order at 7:30 p.m. Members present: Moore, Reed, Phelan and Kingsley.

MINUTES of the meeting of January 7, 1975 meeting were read and approved as amended.

OLD BUSINESS:

--Regarding the property of Mr. Halley of Friar Rd - Mr. Reed met with Mr. Halley to show him how to install hay bales. Mr. Halley was also going to install filter fabric. Mr. Reed reported no further erosion and said things on the property seem fine now.

--Regarding New England Fine Homes and the property on 13 Glendale Rd. NEFH is trying to close on the property. A letter to the Commission from Mr. Jim Gracia, professional environmental engineer, indicated that the steps taken were in good condition. There was some minor erosion due to recent rains, but that little could be done now until spring. At that time, all disturbed slopes will be graded and seeded. The west retaining wall will require further fortification, but the rear wall should hold. All barriers should be left in place until vegetation can take hold and the Commission approves. Ownership of the property will be changing soon.

Mr. Reed expressed concerns about responsibility after the property has changed hands. The Commission shouldn't sign off until everything is set and all work is completed. It was stated that Mr. Quimet will not issue a Certificate of Occupancy without Commission approval.

--Regarding the Miles property next to the fire station. Mr. Reed, Mr. Moore and Ms. Young met with selectmen on Jan 10, 1975, where the matter was left up in the air. The asking price is set at \$65,000. The Board of Selectmen will ask for a percolation test to be done by Mr. Quimet with town equipment. Mr. Reed will be present when the test is done. Since the percolation test affects the value of the property, particularly with an acceptable septic system being doubtful, things continue to be up in the air.

--Mr. Moore reported that the annual meeting of the NACC has been moved to Saturday, March 4. Mr. Moore and Mr. Reed will go. Mr. Kingsley will reserve two places at \$42 for them.

--Mr. Phelan reported on his visit to the Beaulieu property on 76 Crooked Ledge Rd. He found no one home. It

was noted that the relevant enforcement order has not been dealt with yet.

TREASURER'S REPORT:

There was no change in balances since the last meeting. Mr. Kingsley reports the prices for new envelopes: for size 10, five-packs are \$17.20. Mr. Kingsley will order two five-packs with the geese design.

In regard to old Gazette bills, Mr. Kingsley reported that four have been paid. The Highway department still owes for 2 ads. at \$14.44, and Mr. Gene Miller still owes for one, among others. The current balance is about \$100. In this regard, there was discussion about charging for legal ads up front with the submission of Requests for Determination of Applicability and Notices of Intent. In the meantime, we should get after those who still owe.

NEW BUSINESS:

--Mr. Moore has received the deed from Parker and O Grady for the Pomeroy Meadow Property.

--Mr. Moore received notification from state forester Carmine L. Angeloni of DEM that the request of the Johnson Banner trust to do cutting on Rattle Hill, filed by Harry Wandolowski, has been denied for incomplete delineation of wetlands.

--Mr. Moore reported that the town finance committee has indicated it would consider an increase in the budget of the Commission. The Commission will make the following requests:

- postage: \$60
- envelopes: \$60
- memberships: \$250
- tuition at seminars: \$200
- mileage: \$20
- supplies & manuals: \$150
- consultant fees: \$200
- secretarial supplies: \$175

-TOTAL: \$2115

--Mr. Moore has received a letter from John P. Talbot, Jr., of the District Attorney's office that there will be no further action regarding the request from Ms. Barbara LaFlamme for minutes of meetings. The missing minutes of the August 15, 1994 meeting were delivered to her home on January 16, 1995.

--Mr. Moore has received notice from the Board of Selectmen that all independent contractors are required to carry Workman's Compensation insurance even if they have no employees.

--Mr. Moore received a letter from Atty. Lawrence A. Osborne regarding the right of way through the Lohr property at the end of Wolcott Rd. He alleged that Mr. Lohr was menacing to him as he sought access to Commission land on

Pomroy Mountain. Selectmen will be looking into this and no action is required by the Commission.

--There was a letter from Mr. Lyman Harper of the Pioneer Valley Planning Commission regarding their survey on household hazardous waste management. Mr. Harper reported that he has not received our results, but no one present remembered receiving such a request.

--Mr. Moore has received a letter that the Soil Conservation Service will now be officially called the Natural Resources Conservation Service.

--Mr. Kingsley brought up the matter of a budget request article for town meeting to be reimbursed \$20,000 to acquire open space for aquifer protection and recreational use. This request would be for reimbursement of monies used from Chapter 40-80 or the Conant Fund. Mr. Kingsley will get further details.

OLD BUSINESS:

Regarding 76 Pequot Rd. Mr. Moore has spoken twice to Police Chief Skrocki about serving the enforcement order. The Commission decided to ask member Mr. Tom Gentile to contact the Attorney General for information about help with enforcement in this matter.

The meeting was adjourned at 8:38 p.m. Next meeting:
Monday, March 6 at 7:15 p.m.

*Respectfully submitted,
Robert P. Bonneau*

SOUTHAMPTON CONSERVATION COMMISSION

January 9, 1995

The meeting was called to order at 7:17 p.m. Members present: Moore, Berniche, Gentile, Reed and Young

CORRESPONDENCE:

--Two letters sent to Richard Canley were returned.

--A letter from Mr. Henry Heckman regarding his 11/7 meeting with Mr. Reed, Ms. Young, and Mr. Canley. The letter stipulated three points of agreement: 1) that blue traprock would be put in 4 to 6 feet on either side of the large trench for a distance back of 30 feet, and also 4 to 6 feet at the road drainpipe; 2) the claysod would be removed; and 3) the last fence post would be removed and the area graded and sodded.

--A check for \$9.92 for photocopying from Ms. Barbara LaFlamme, along with a comment that she found no minutes for the Aug. 15, 1994 meeting. Mr. Bonneau reported that he had included all the minutes for the period that he found, but that he would look again.

--A letter from Mr. Gary Pasquini regarding a Request for Determination of Applicability. The two forms were not signed, nor was the information complete.

--Mass. D.E.P. newsletter

--A calendar

--Other newsletters

--A bill from the Gazette regarding late charges. This was forwarded to Mr. Kingsley.

--An Arcadia newsletter

--Several certified mail card returns

--A request for a donation from the National Parks

--A bill for P.O. Box (\$7.25)

--A letter was sent to Ms. Barbara LaFlamme from Mass. DEP regarding an on-site meeting at 107 County Road North. It was determined that since there were several owners, and not all were notified, there was not sufficient notice and the determination was held to be invalid. The application for Determination of Applicability, originally filed by the highway department, should be refiled. There was also a finding that the original determination of the wetlands in question, made by Environmental Compliance Services, Inc., may have to be expanded.

--A letter from T. McKenna, of DEP, Western Region - re listing of how wetlands determined at 107 County Rd. Mr. McKenna indicated that the flagged areas could have been enlarged.

INFORMAL DISCUSSION: Re Lot A at 13 Glendale Rd., involving New England Fine Homes, and a 12/13/94 letter sent to them requesting additional steps to be taken. Rainfall on 12/27/95 caused the situation to blow out again and the letter reinforced several points: concerns about the location of the driveway, the need for additional silt fencing, erosion on either side of the house, the requested time frame, the requirement for 48 hours notice of any work done, and the need for bi-weekly inspection and monthly reports.

Present was Mr. David Wagniewicz, owner/partner for NEFH, Mr. Jim Gracia, professional engineer, and Mr. Canale, new owner of the property. Mr. Wagniewicz mentioned contact he had on 1/5/95 with Mr. Reed regarding the plan presented and the work done. Mr. Gracia mentioned hay bales instead of the recommended silt fence because of the frozen ground. R.J. Landscaping has been retained for further work in February, March and April. Mr. Reed expressed a concern about water flowing under the hay bales, and the possibility of silting up the riprap, and discussed how to get the hay bales functioning properly. Mr. Gracia suggested spreading hay all around. Mr. Reed asked if all the site work was done, and Mr. Wagniewicz replied yes, including the installation of the right retaining wall. Mr. Gracia said it should be easy to stabilize the wall, though after thawing and settling it will have to be refortified.

Mr. Reed asked for assurance of continued correspondence on the matter, and Mr. Wagniewicz said the new owners were willing to accept this responsibility. There was some further discussion about whether the steps taken would hold up, with March and April thawing the biggest concern. Mr. Reed suggested mulching the back and perhaps the side, and putting in some seed. Mr. Canale said he had no problems with the recommendations and said he would take on the responsibility of the monthly reports.

DEB BUSINESS: Mr. Moore spoke to the selectmen about the matter of an attorney and was told to be in touch with the Town Counsel, the firm of Kopelman and Paige. Mr. David Benesky, representative of this firm, assured Mr. Moore by phone that they are good with environmental enforcement, and welcomed notice with requests for action.

Mr. Moore reported on 100 Pequot Rd, where there continue to be problems with dumping from a shanty over the stream. Attempts to deliver an order were not successful, and the party has refused to stop or to clean up. This matter underscored the need for enforcement.

Ms. Young brought up the matter of the Halley property on Friar Rd. She had a call from an abutter that the hay bales had not been installed well, some sand has approached the garage. Mr. Reed said instructions on how to install hay bales properly will be sent. The party also did not mulch.

Ms. Young brought up the matter of a contribution to the Miles property purchase, i.e., the old house next to the fire station. She said the attorney has withdrawn and the insurance company has settled. Ms. Young asked for instructions regarding the meeting tomorrow night and what should she tell them. It was felt that an answer was premature at this time.

Further comments: The Crooked Edge matter is on hold. The Gary Fasquini matter should be resubmitted. The application for lakes and ponds grant deadline of Jan 20 is too soon, but future deadlines should be kept in mind. Mr. Moore asked if anyone was interested in attending the annual meeting of MACC in Worcester on 2/25/95. Mr. Moore reported receiving an application for Notice of Intent regarding timber harvest on Rattle Hill, to begin on 2/1/95.

Ms. Barbara Laflamme was present and asked to speak. She raised the question of the function of the Commission regarding protection of aquifers. Mr. Reed, stepping down as Commission member and answering as consultant, explained the steps that were followed and the findings that

were made on the matter in question. Mr. Moore added that when the Request for Determination of Applicability was filed, Commission members went out and looked. The report from Environmental Compliance Services, Inc. looked good. Since then the Mass DEP has found that the boundaries could have been larger. (See above.)

Ms. LaFlamme repeated her question about the Commission's role, and Mr. Moore explained further about the role of the Commission vis a vis the appropriate state agencies. Ms. LaFlamme expressed her concern that water has been flowing, and channeling from a culvert at the corner of East St. and County Rd. She said this has been causing dramatic differences and that she looks to the Commission for protection. Mr. Moore replied that until a further Notice of Intent was filed, the Commission has done all it does, and he urged Ms. LaFlamme to come and express her concerns should a hearing on such a Notice occur. He further emphasized frustration of Commission members regarding enforcement matters and regarding the Commission's lack of influence with state agencies.

EXECUTIVE SESSION: Members were polled regarding a request to go into executive session. The vote was as follows: Mr. Berniche - yes, Ms. Young - yes, Mr. Reed - yes, Mr. Gentile - yes, and Mr. Moore - yes.

After Executive Session, the regular meeting was adjourned at 9:03 p.m.
Next meeting: Monday, February 6 at 7:15 p.m.

*Respectfully submitted,
Robert P. Bonneau*

SOUTHAMPTON CONSERVATION COMMISSION
December 12, 1994

The meeting was called to order at 7:20 p.m. Members present: Moore, Reed, Berniche, Kingsley, Pheasant and Gentile.

MINUTES were read, changed, and approved as corrected.

HEARINGS:

Ms. Paula Kukucka of the Mass. Highway Department (584-1611, X-231) made a Request for Determination of Applicability regarding plans for replacement of guard rails on Route 10. She explained that this was to upgrade the rails to meet new Federal standards, and that this work would involve replacing the 187 feet of rail that was already there. There would be pounding but probably no digging, since they would be using mostly the same holes. Ms. Kukucka said a silt fence, and hay bales if needed, would be installed in applicable buffer zone areas at station 179 (p. 4 of 5 of her plan). Gravel riprap would be the only fill she expected. There were no questions on this matter.

Mr. Reed asked Ms. Kukucka an unrelated question about the percentage of pure salt used by the state in salting the roads. He said it seems to him like a lot. Ms. Kukucka suggested that Mr. Reed ask Mr. Mike Lonergan of the Highway Department.

There were no further questions and Commission members thanked Ms. Kukucka for the courtesy of reporting to them.

CORRESPONDENCE:

--Mr. Moore received a letter from District Attorney Elizabeth Scheibel about a complaint regarding the Open Meeting Law, specifically that minutes were not made available to the public. A written response was requested.

--Mr. Moore received a letter from Mr. Steven Briar of Triplebrook Farm at 37 Middle Rd., requesting permission to do wetland plant collecting. The money from Mr. Briar for this activity (\$622.00) would go into the 80-80 account.

--Mr. Moore received a request for the Commission to prepare its FY '96 budget request, due Dec. 13, 1994.

--Mr. Berniche received a copy of DEF Enforcement Manual.

--Mr. Reed reported receiving a statement on Feb. 22 from Atty. Cheryl Parker regarding legal fees for the purchase of the Pomeroy Meadow property.

--Mr. Berniche received a bulletin and a request for money from the Mass. Office of the Nature Conservancy, four other requests for donations, one magazine, two newsletters, two other bulletins, mail from Preservation Advocate, and notification of a \$150/year position as Land Court Reporter.

TREASURER'S REPORT: Accepted and approved as follows:

Chapter 40-80	\$1579.28
General expenses	1571.29
Conant Fund	no change
Wilkinson/Searle	no change

Mr. Kingsley further reported that with a postage increase, our planned FY '76 budget request is at \$1680. This compares with \$1540 spent in FY '74, and a total request of \$1670 for FY '75.

OLD BUSINESS:

Mr. Moore reported that Ms. Barbara Mikuski has refused delivery of certified mail from the Commission. This will be referred to the Southampton Police Department tonight.

Mr. Moore has called the Western Regional office of DEP and was informed that fines of up to \$25,000 per diem could apply. He was advised to follow procedures correctly and to use the town attorney or the District Attorney or the Attorney General. Mr. Moore reported that he will go to selectmen regarding the use of a lawyer. Several possibilities were discussed if the selectmen would allow the Commission to get its own lawyer. Members expressed a desire to keep the procedures going on this matter.

INFORMAL DISCUSSION:

A complaint was received regarding wetland activity at Lot A, 13 Glendale Rd. Mr. Reed visited the site and found a violation there. He reported a house under construction, and silt eroding to a brook. Mr. Jim Gracia was contacted by the owner and builder, New England Fine Homes. An enforcement order was issued, and this hearing pertains to that.

Present: David Naginewicz of NEFH; Jim Gracia, civil engineer; Cynthia and Richard Canaley, prospective buyers of the property; Atty. Maureen Dempsey, representing the Canaleys; and Eugene Miller, original property owner and filer of the original Notice of Intent.

Mr. Reed began by recapping. He said a letter was sent on Dec. 8 requesting that hay bales be installed along the fence, the trench and other erosion be filled in, and hay bales be placed along the top slope.

Order of Conditions for Mr. Miller stated that he would redesign the plan, and he did that.

Mr. Reed stated that there should be no disturbance from the silt fence to the brook. Unfortunately the excavator went ahead with a trench to drain a pond created by the construction. Mr. Reed showed photographs of the site, said that there had been lots of discussion before now, and that the Commission remained interested in protecting that unnamed brook. He asked Mr. Gracia for a plan to stabilize and deal with the situation. He also expressed concern that the septic system was improperly

installed in the buffer zone, approx. 50 feet from the wetlands.

Mr. Moore took photographs on Dec. 8 on work on the other side of the silt fence. On Dec. 10 he met with the excavator, who offered Mr. Moore no satisfaction, had dug of his own accord, and who refused a request to come to this meeting. On this date Mr. Moore took further photographs of some of the repair work and of the septic system. He reported that siltation to the brook extended as far as he could see.

Mr. Gracia suggested a plan directed more toward the septic system, and contained narrative recommendations about the ditch cut under the silt fence. He identified three main problems, all easy to correct:

1. The ditch has been filled, compacted, covered with hay mulch and some hay bales at the bottom. He recommended watching during the winter for the need to reinforce all this, and then in March compacting the ditch more, putting topsoil, seeding with a mix, mulching heavily, and leaving the hay bales and silt fence in place. High water might require regrading.

2. Regarding silt already in the stream, it is a matter of do it by hand or don't do it.

3. Regarding the hole created by the excavator taking the hill, Mr. Gracia said the hole needs to be built back up and the area needs to be restabilized. The water table is now close to the surface and therefore it could revert back to wetland. One to two feet of material would be needed to make usable space because a natural berm will create a pond if the bowl is not filled. He said it could be graded to restore natural flow, and then it should be seeded and the fences should be maintained.

Mr. Reed expressed a concern about a PVC pipe put in nearby. Spring thaw could create flooding. Mr. Reed, Mr. Moore and Mr. Gracia discussed bringing in fill in the winter when it is frozen, and agreed that a close eye will have to be kept on it.

Mr. Nagiewicz asked if nothing needed to be done beyond the fence, and Mr. Moore wondered if work right to the fence only would be adequate.

Mr. Gracia said that slopes all around the house would have to be stabilized, and mentioned that roots of trees on adjacent property got filled over.

Mr. Moore remarked on the hand labor needed to clean out the stream. He couldn't tell the volume and damage so far, but he emphasized that there can be no more. The main goals now should be to minimize the trouble and impact and maximize control effect.

Mr. Moore said someone would have to watch the excavator. He asked for the name of the excavator, who is obviously in violation and who expressed a clear "I don't care" attitude. He told Mr. Nagiewicz to be very clear with the excavator.

Mr. Reed stated that the second plan had been approved and then it was decided to do more. That was the violation. He also said that this excavator was not the person to correct the problem.

Mr. Naginewicz asked if the Commission could legally bar the excavator. He was told no, but the board of Health could. Mr. Reed said he got the same response to this question.

Mr. Moore remarked about how much effort went in to the old plan, and that it was much changed regarding fences, grades, house locations, etc. He reemphasized that at the very least there should be no more damage. Mr. Gracia should be kept in charge, and said fines and required repairs are both among the possible consequences. Mr. Naginewicz agreed to keep Mr. Gracia on the job.

Atty Dempsey asked about a time frame. She said the Canaleys are currently "homeless" and hope to move in soon. They are hoping to get Board of Health approval in a couple of days. Mr. Gracia said that it would be July before the property would be ready for Commission approval, and Mr. Naginewicz said the property would have to be sold under orders. (That is, the Order of Conditions that go with the property Enforcement Order to NEFH to appear tonight before the Commission.)

Mr. Moore told the Canaleys that they would assume the orders if they bought and moved in, and added that monthly reports should be made. He emphasized that the proposed solutions must be inspected and maintained.

Some final details were discussed. Mr. Moore and Mr. Gracia discussed putting the mound back in now and agreed that it was too late to go back to the original plan. Mr. Moore wondered if a riprap and erosion mats would be needed, and Mr. Gracia thought not, as long as the silt fence is maintained. Perhaps a second row of hay bales would help. Mr. Reed asked if the Board of Health proposed grading now, and Mr. Gracia replied yes. Mr. Moore asked about a wall, and Mr. Gracia said no, a polyethylene barrier will enable approval. Mr. Reed asked how the slope will be stabilized. Mr. Gracia said compacting, mulch and netting will be needed, with a 3:1 slope. He wondered about the driveway, saying it can't go over the loach area. Mr. Canaley said there was enough room. Mr. Moore remarked that the area around the driveway will require maintaining and that seeding is essential. Mr. Canaley said moving the driveway to the west side was a last resort. Mr. Reed asked for a revised plan regarding the driveway and slopes.

Mr. Gracia asked if the Board of Health agrees will the Canaleys be able to move in. Mr. Moore said yes, but the legal responsibility will have to be worked out. There should be more discussion of the driveway problems and more directions regarding the final plan.

After everything was worked out everyone expressed appreciation for the discussion.

Mr. Moore said the name of the excavator is Tom Weloshchuck of Weloshchuck Enterprises of Munson.

NEW BUSINESS:

Warrants:	\$4.10 postage	Ms. Young
	\$8.75 postage	Mr. Reed
	\$7.22 photo processing	Mr. Moore

These were approved.

Also: \$3,500 to Burgess and Rossi was approved, and \$2,000 to Mark J. Tenggren, both amounts for appraisals, was voted by town meeting.

OLD BUSINESS:

Ms. Young reported on the Miles property at 202 College Highway. She, Mr. Reed and Mr. Moore had a look and found it to be half wetland. Mr. Reed showed a sketch. The heirs' attorney was present at the visit. There are two parcels, both on one deed. One is 1.70 acres with the house, the other 1.25 acres. The Commission may be interested in acquiring the wetlands and the town is interested in the rest to expand the fire station. Mr. Reed commented that the original Conant Fund donations were specifically for Potash Brook and this would be our first chance to acquire some of that land. Mr. Reed asked if the land could be divided for split control, or if the Commission would have to have joint control with the fire department. It would be better if it could be split, he said, and we should investigate that too.

NEW BUSINESS:

--Ms. Young and Mr. Quimet received calls from an abutter, Mr. Gary Paquini, and thence made a visit with Mr. Moore to a property on Froyer Rd. at Hampden Ponds. A Mr. Halley owns a cottage that sits above a natural drainage area and he had apparently been filling it in a lot. An enforcement order was sent Dec. 10. Mr. Reed will go out with Mr. Cauley and take photographs.

--Mr. Reed reported receiving a request for a certification of compliance from Mr. Swanson of 100 Glendale Rd. Mr. Reed and Mr. Moore said it looks like a good job was done there. Mr. Reed wrote a letter, signed here, and a copy was sent to the Swansons, which they would take to the Register of Deeds.

--Mr. Reed asked if the Commission should issue permit to the Mass Highway Department tonight. This was approved.

OLD BUSINESS:

--Mr. Reed will send a letter to the Beaulieu of 76 Crooked Ledge Rd. There has been no news forthcoming on this matter.

The meeting was adjourned at 9:22 p.m. Next meeting: Monday, January 9 at 7:15 p.m.

*Respectfully submitted,
Robert P. Bourne*

SOUTHAMPTON CONSERVATION COMMISSION
November 14, 1994

The meeting was called to order at 7:15 p.m. Members present: Moore, Kernische, Kingsley, Phelan, Reed and Young

INFORMAL DISCUSSION: Mr. Tim Gaudette was present representing the Southampton Bike Path Committee. His purpose was to inform the Commission of current committee activities regarding a possible future bike path. Mr. Gaudette reported that Easthampton and Southampton have now formed committees to formulate plans which would involve using the dormant PVRR railroad bed owned by Pinsky Railroad Co. Mr. Gaudette and others approached Southampton selectmen and received their permission to form a group of four to join with Easthampton's committee. These groups met together three weeks ago and formed three subcommittees: funding, design and public relations. The biggest question is how to proceed.

Mr. Gaudette reported that they have received help from Stu Beckley of the Easthampton Planning Commission and from the Pioneer Valley Planning Commission, who offered them suggestions on grants to apply for and what things to emphasize in their applications. Since the path as projected would go through three conservation areas, Mr. Gaudette wanted to keep the Southampton Conservation Commission informed. Ms. Young made some helpful suggestions, and there was other discussion about such things as the state book on bicycling, the possibility of doing a survey to gauge public support, trying to involve such groups as the Boy Scouts and Girl Scouts, potential connections to Northampton and other towns, etc. Mr. Gaudette reported that there was apparently a group interested in restoring the railroad bed, and some equestrians have expressed concern about the project. Members expressed appreciation and support for Mr. Gaudette's efforts.

INFORMAL DISCUSSION: Mr. Hank Hockman of Russellville Rd. came to discuss a proposed horse barn on his property. (Mr. Reed, who is working with Mr. Hockman, temporarily removed himself as a commission member.)

Mr. Hockman explained his plans and activities so far. He had apparently opened up an eroded area and put up a wire fence. Mr. Reed advised against the fence, so it was moved and hay bales were put in to mark the edge of the area. Mr. Moore informed Mr. Hockman that other work outside the fence would require a Notice of Intent, and that Mr. Hockman should cease work in that area and clean up what had been done. Mr. Reed suggested that he, Mr. Hockman, Ms. Young and Ed Cawley should meet to decide on a remedy, and that this should take place soon.

MINUTES of the previous meeting were read, changed, and accepted.

TREASURER'S REPORT: Mr. Kingsley reported the following balances:

Chapter 40-80	\$1880.16
General expenses	1595.00
Wilkinson-Searle Fund	960.38

Slush Fund	10 00
Grant Fund	51,474 18

The report was accepted

CORRESPONDENCE:

A certified letter was mailed to Shisler and Marilyn Turgenn regarding lot #1 on Washan Rd. The letter stated that there would be a scenic road hearing at the Southampton Board of Public Works. Ms. Young will attend that meeting.

A letter from the Barnes Aquifer Protection Committee regarding storm water discharge from the reconstruction project on County Rd. from Westfield to East St.

A letter from Sharon Winslow of Pomeroy Meadow Rd. regarding purported EPA violations relating to storm water discharge at the Pomeroy Meadows project. Mr. Moore will prepare a letter explaining why this project does not come under the jurisdiction of EPA or MEPA. Mr. Reed has inspected the area and finds that the project has been completed in good shape and that the Southampton Conservation Commission's job is essentially done in regard to this matter.

Mr. Moore reported that a certified letter to Ms. Barbara Mikulski was returned, having been refused. The letter will be forwarded to the police department for delivery and DEP will be notified of the refusal to accept the letter.

A DEP letter about the Forest Cutting Plan as it applied to the Notice of Intent filed by Richard E. Krazanowski.

A DEP letter about a pilot project for outreach and training of conservation commission members. This is essentially a one-year job paying \$741-\$790/week. Applications are available.

Various newsletters, magazines, requests for donations.

Payment has been received for Gazette ads regarding the Lussier, Heckman, Boulanger and Swanson matters. Payments have not been received from Nuiph and Valencik.

OLD BUSINESS: Regarding the property of the Resolians on Crooked Ledge, the commission has not been contacted regarding the setting up of hay bales and additional erosion control. Mr. Reed will send a letter asking for information. If nothing comes back in two weeks the commission will schedule a site visit.

The \$20,000 request submitted to the Southampton Selectmen for reimbursement to the Grant Fund or the Chapter 40-BD account was not recommended. Mr. Giffen asked Mr. Moore to withdraw the request and Mr. Moore asked the advice of the commission. Ms. Young recommended that Mr. Moore go to town meeting, ask that the article be tabled until the annual town meeting. The commission agreed on this course of action.

Mr. Reed reported receiving a call regarding recent filling done by Mr. Gary Pasquini on Friar Rd. There is a large natural detention basin there. Mr. Reed and Mr. Cauley looked and found no activity in the detention area but probably within the 300 ft. buffer zone. Mr. Reed recommended sending a letter, with a copy to Mr. Cauley. This was agreed upon.

Ms. Young has been reading the commission's files and asked for some help carrying them. She received promises to that effect.

Mr. Reed reported that Town Treasurer Archaebault needs a letter of authorization to take moneys approved to pay Lussier from the Conant Fund

NEW BUSINESS: A bill for \$309.88 was received from Atty Cheryl Parker who represented the commission on the Pomeroy Meadows purchase. A reimbursement request was received from Mr. Reed for \$16.46 in postage.

The Board of Selectmen has requested information regarding the Miles property at 202 College Highway. The selectmen asked the commission to flag wetlands and prepare a map of the area. Mr. Reed is preparing a sketch.

Mr. Reed reported that Richard Hayden and Maureen Lucey of 12 Russellville Rd are doing septic repair on a leach field within 100 ft of the buffer zone. This was an emergency repair and Mr. Reed advised them to proceed with the repair. He and Mr. Moore agree that this is an improvement. If erosion goes around to the front, hay bales will be needed. This information will be put on file.

Ms. Young reported that Mr. Melanson of East St was cutting trees and repairing a septic system within 10 ft of conservation area. The commission should have been notified.

Mr. Kingley presented a bill of \$7.25 for post office box rental. A motion was made, seconded, and approved unanimously to take \$23.71 from general expenses to pay the box rental and to reimburse Mr. Reed for his postage expenses, and to pay Atty. Parker \$309.88 from Chapter 40-80.

The meeting was adjourned at 8:53 p.m. Next meeting: Dec. 12, 1994 at 7:15 p.m.

*Respectfully submitted,
Robert P. Bonneau*

SOUTHAMPTON CONSERVATION COMMISSION
October 17, 1994

The meeting was not called to order for lack of a quorum. Members present: Moore, Gentile, & Reid

There were no hearings scheduled and no correspondence available.

Minutes of the September 19 meeting were read and accepted informally

There was no treasurer's report.

Informal discussions involved the following:

Mr. Moore asked about a letter from Atty. Rohan re the Beaulieu matter. The Commission had sent an enforcement order to the Beaulieu's. Mr. Moore has visited the site. There was general discussion about access, enforcement orders, search warrants, etc.

In re: Barnes Aquifer Protection Committee. Mr. Moore said he would call and ask Mr. Phelan if he could make the monthly meetings of this group.

Tomorrow, October 18, the Conservation Commission hearing with the Finance Committee is scheduled for 7:25 - 7:45 p.m. This is in regard to the Nov. 18 town meeting.

Ms. Barbara Laflam of Cooke Rd. made a request to see the minutes book. It was not available at the meeting, so Mr. Moore said he would try to locate it.

There was a letter from Steven Briar to say that he would be collecting plants again for propagation, as previously authorized by the selectmen. He will pay at the customary rate, and Mr. Moore said he told Mr. Briar to send his check directly to the Conservation Commission.

ALA money is gone. Ms. Hazel Young suggested requesting \$5,500 from town meeting for appraisals. Interest has been coming in on the Comant Fund.

There was some discussion of the Broad Brook area, where a number of bridges are being built. There are two endangered species of fauna and one endangered species of flora in the area. Mr. Timothy Knapp called in regard to this.

Ms. Hazel Young expressed her intention to fill a vacancy on the Conservation Commission.

The informal discussions were adjourned at 7:55 p.m. Next meeting is scheduled for Nov. 18 at 7:15 p.m.

Respectfully submitted,
Robert P. Bourneau

SOUTHAMPTON CONSERVATION COMMISSION
September 19, 1994

The meeting was called to order at 7:15 p.m. Members present: Gentile,
Reed & Berniche

HEARING: Patrick and Lori Mulph

A proposal to bring in fill for a driveway and a garage 100 ft back of house at 7 Pecan Circle. Mulphs have already cleared the proposed area. Mr. Reed visited the site; reports some wetland vegetation near drainage outlet, but sees no problem if they go no farther. Mr. Reed also suggests hay bales to keep fill from washing down. Mr. Mulph said he would be starting on the hay bales tomorrow. Mr. Gentile suggested continuing a pipe in the drainage ditch further to get more area to fill, but it was said that a neighbor's fence would be buried if this were done. It was further suggested that Mr. Mulph talk to Ed Cauley about this. Perhaps the neighbor would like the advantages of an extension of 20 ft. Mr. Reed stated that the commissioners would issue a Form 2 in the mail. This would essentially approve the work with the stipulation of the hay bales being put in. Mr. Berniche said that there would be no need to come back for a pipe extension approval if Ed Cauley approved. There is a 10-day appeal period after the Form 2 comes in.

CORRESPONDENCE:

There was a response from the Atwoods on Russellville Rd. and no fill shall occur in the flood plain

Several green cards

Letter to Joseph Kingsley

An appeal was requested by Mrs. Laflee of County Rd North regarding a superseding Order of Applicability. An on-site meeting will be held on September 20 at 11:00 a.m. Mr. Reed will attend.

Letter from the Planning Board re Poweroy Meadow Rd. development

Letters from EPA

Bill from Gazette for legal notices

Several newsletters and requests for donations

INFORMAL DISCUSSION: Dolores Beaulieu, Atty Nova Rohan, Environmental Scientist Randy Christenson

Mr. Christenson discussed plans for a Notice of Intent for work at 76 Crooked Ledge Rd. Mr. Moore, Mr. Berniche, Mr. Gentile and Mr. Reed have visited the site. Mr. Christenson explained that grading uncovered a scarp down to a natural stream. They have seeded around the swale, and intend to put hay bale checks, two silt fence check dams and hay mulch to stabilize until next June. Later procedures will be outlined in the Notice of Intent. The early procedures will be done by the time the Notice of Intent comes. There was some discussion of more permanent plans. Mr. Reed expressed concern about the timing of these plans, whether they would be sufficient to handle potential spring thaws; he

also requested seeding and mulching sooner. He further wished that the Beaulieu had come to the Commission sooner, and said that the enforcement order would stay in effect until all the stabilization work was done. Ms. Rohan asked if there would be any further action, and Mr. Reed replied not as things are now. Ms. Beaulieu asked if a Notice of Intent would be required to repave the driveway. Mr. Reed responded that they should file a request for determination of approval, a hearing would be held, and a Notice of Intent would probably not be required.

MINUTES: were read by Mr. Gentile and accepted with minor changes.

TREASURER'S REPORT:

CH 40-8C balance: \$1880.16
Consent Fund: payment of \$13,720 made to Lussier for the purchase of 35.5 acres off Pomeroy Meadow Rd. Balance: \$51,471.18
Treasurer's report was accepted.

CORRESPONDENCE:

Several calendars, catalogs, tote bags, newsletters, bulletins, notices, and requests for donations.
Mass DEP wetlands report. Some points were read aloud.
Letter from Patrick Nulph
Note from Rails & Trails
New England Wetland Plant Nursery ad - filed for future reference under vegetation
Letter from a Pomeroy Meadow Rd. resident re development in that area
Letter from Atty. Rohan regarding the Beaulieu matter
Hampshire Conservancy District - 93-94 accomplishments
Mass Audubon Society membership

OLD BUSINESS:

Request for a representative on the Barnes Aquifer Protection Committee - tabled
Highway Dept. request for RDA
Request from Barbara LaFlan for superseding RDA (see Correspondence, above)
Kathleen Archibald asked for minutes of the meeting re \$400/acre purchase
Letter from Planning Board regarding letters from two abutters (Mrs. Rogers & Mr. Neilson) who say a 40% permit must be requested for the development off Pomeroy Meadow Rd. Area had been designated buffer zone by the Commission and thus does not require federal permits.
Funding requests due by September 29 regarding available funds. Members discussed asking for reimbursement of \$20,000 to Consent Fund or to CH 40-8C
The suggestion was made to adopt a local fee schedule for legal adv., and to get the money up front from petitioners.

RAILS & Trails request was tabled

NEW BUSINESS:

Mr. Gentile will send a letter to Ms. Mikuski of 98 Pequot Rd regarding the plan she was asked to submit. He would hand deliver letters to others regarding this matter.

The meeting was adjourned at 9:24 p.m. Next meeting will be October 17, 1994 at 7:15 p.m.

*Respectfully submitted,
Robert P. Bonneau*

SOUTHAMPTON CONSERVATION COMMISSION
August 15, 1994

The meeting was called to order at 7:15 p.m. Members present: Moore, Gentile, Kingsley, Berniche and Reid

HEARING: Stanley Atwood and Tina Stevens - DEP#289-76

Order of Petition for a proposed addition and septic system within a 100' buffer zone at 43 Russellville Road. Closest well is 300-400'; on Holyoke Water and water is unfiltered. Moore and Reid walked at the site last Sunday and felt the silt fence would be acceptable; the silt fence would be the delineating line and would be outside the flood plain (The 10' hole is dry.) Atwood and Stevens personally gave a letter to the abutters. Copies of the abutters signatures were submitted. Mr. Moore felt they should get vegetation in the front area before the cold. He will sign an Order of Condition and will send by certified mail to Atwood and Stevens. They will need to display a sign. There will be 21 days for appeal.

CORRESPONDENCE:

USEPA - Someone filed a complaint that Lussier was trying to get things approved without proper documents. Mr. Reid told USEPA that since there was no work within the wetlands, it was out of the EPA's jurisdiction.

National Audubon Society

HEARING: Mr and Mrs Henry Hochman (Mark Reid stepped down)

The property is owned by Mr. Acus. Hochmans have a buy/sell agreement to purchase the property. Mr. Moore visited site on Sunday. They want to build a barn on the property and will stay out of the wetland boundary. The access to the barn will be on the side. The Town still owns old Russellville Road roadbed; if they discontinue, the Hochmans will own it. Mr. Moore visited and agreed with the wetlands delineation and did not see any intrusion to the wetland. The barn will not be for agricultural income. Mr. Moore does not see a problem. Mr. Hochman pointed out that cows used to roam the property and Mrs. Hochman wanted to know if her horses could roam free at some time. Vegetation is too thick to walk area now to see how much of the area could be used. Mr. Moore feels there is more area to be used at the site. The Hochmans would upgrade the area and beautify the land by adding maple trees and brown fences.

A request for determination will be issued. They do not need to notify abutters. SCC will send a Notice of Condition by certified mail to the Hochman. There will be 21 days for appeal.

TREASURER'S REPORT: General Expenses \$1,095

OLD BUSINESS: BARBARA McKenna

96
180 Pequot Road: The 'Clean Fill Sign' has been repainted. Mr. Moore had a phone call from Mrs. Jeannette Judd who called about a neighbor. He told her that her daughter was in direct violation. Tim McKenna should be told to look at the property. Mr. Moore said she should remove sign, stop filling, restore the property to its original condition, and establish vegetation/growth by seed by September 15. Mr. Moore and Mr. Reid had checked out the property on Sunday. The SCC will prepare a letter to be signed by the Board members at the next meeting with copies to Quimette, Selectmen, McKenna, Planning Board.

August 15, 1994 (continued)

HEARING: (Mark Reid stepped down)

Request for Determination of approval to repair County Road east of White Loaf Road, west to Westfield, establishing wetland boundaries to upgrade existing drainage. This to improve the existing draining system. Wetland boundaries have been flagged and identified. This will be with 80% Federal/20% State monies. All they are asking is a positive determination of the wetlands, to see if it looks appropriate. Everyone on the road has been notified by Heritage Survey about what is going on. Abutters will be notified with a Notice of Intent.

CHARLES VALENCIA - CODY VENTURES INC (Mr. Reid on the Board)

Mr. Moore and Mr. Reid visited the property on Cook Road on Sunday. They are seeking a Request for Determination on a 3-bedroom dwelling and a well. Mr. Moore feels everything is outside the buffer zone, except the well. Silt fences will be installed before work is started. A well will be drilled and the casing will be up 2-3' so well will not be contaminated in a flood. The well is over the aquifer. The dirt from the well will be spread out and the area revegetated.

SWANSON PROPERTY - DEP #287-73

Doug Nielson, Gilbert Road - withdrew Notice of Intent and filed a Request for Determination

HEARING: Paul Lussier (Mark Reid stepped down)

(CLOSED MEETING)

Mr. Lussier proposed that we tender \$500/acre for the remaining land that has not been bought by the Pasquamicut Trust. Lussier is responsible for the drainage outlet even if the Board does buy it. Maybe we should tender an offer of \$400/acre. If we make an offer who is responsible for the legal fees? SCC will have to hire an attorney for the closing and pay some legal fees. The plan is recorded by Mr. Lussier. How important is it that we acquire the property? Should we propose access to the land for both Southampton and Easthampton? It was moved and accepted that we offer Paul Lussier \$400 for the remaining 35 acres in Southampton.

(OPEN MEETING)

There are 15.5 acres in Easthampton. There will be passive passing back and forth between Southampton and Easthampton. The SCC can offer \$400/acre for 35 acres on Southampton side. There must be two separate deeds and two transactions, one closing. If it becomes a conservation area, will it be open for hunting?

NEW BUSINESS: Nancy Whittemore has passed away and requested no flowers be sent but a donation to one of three different organizations. It was decided to donate \$100 to the Southampton Library to purchase conservation-related materials to be decided by Mrs. Frary.

The meeting was adjourned at 8:45 p.m. Next meeting will be September 19 at 7:15 p.m.

SOUTHAMPTON CONSERVATION COMMISSION

July 25 1984

Meeting called to order 7:20 pm. Members present Jim Moore, Mark Reed, Fran Bernice and Joe Kingsley. Guest present Walter Cordes representing Doug and Elaine Nielson, lot 1 Gilbert Road. Request for Determination for well in Buffer Zone 60 ft. from wetland edge.

Present from abutter notification Herman and Jean Smith, John E. and Ruth Chicoine.

Mark Reed expressed concern that well stay over 100 ft. from Smith Leach Field. Walter showed plan that exceeded 100 ft. Silt fence to be erected along stone wall prior to any construction.

Stanley Atwood 143 Russellville Rd. brought plans for proposed work on property to include addition to home and new leach field much further from main stream. Mark Reed questioned location of flood plain.

Received cutting plans signed by C. Angeloni

Mark Reed withdrew from con com to represent Paul Lussier inc. He submitted drainage calculations pre- and post capacity of existing stream below Pom Med Sub Div. as follows.

Conservative estimate channel can take 15 c.f.s.

Currently from field 2.56 c.f.s.

future expected based on 25 yr. storm 5.13 c.f.s.

Net increase is only 2.57 c.f.s.

This should be easily handled by existing stream bed

Joe Kingsley reported that town accountant reported we received \$1670.00

Next Meeting August 15 7:15pm lower level.

Motion to adjourn, four in favor.

Jim Moore

Southampton Conservation Commission
June 29, 1994

Meeting called to order at 7:25. Members present Moore, Reed, Phelan, Berniche, Kingsley, and Gentile.

Continuation of Public Hearing initiated on June 13. Mark Reed will be representing the Swansons as Heritage Surveys. The Swansons desire to build a single family home within the 100 foot buffer zone on Glendale Rd. The septic system will be at least 55 feet away from the wet lands. There will be no construction activity within 30 feet of the wetlands. Lot has an approved perk. rate of 2 inches per minute. Erosion control fences will be installed prior to construction. Commissions only concern would be the use of pesticides so close to wetlands.

Continuation of Public Hearing initiated on June 13. Mark Reed representing Lussier Inc. as Heritage Surveys. Hearing is for a drainage outlet for a four lot subdivision to be developed off of the eastern side of Pomeroy Meadow Rd. Drainage outlet will be serving new road and will be comprised of four catch basins. Drainage system will be utilizing existing drainage swale and rip rap channel to handle overland flow as well as increasing and improving existing rip rap channel. Improvements would include concrete headwall and pipe halfway down the slope to channel water with a splash pad on the end. Head wall and 18 inch pipe designed to slow water down to 1 cfs which is capacity of catch basins. There will be no construction within wetland area but there is work within 100 foot buffer zone. Plans being submitted also deal with construction of rip rap and catch basins. Construction is to be in early august. Commission discussed alternatives to proposed plan including discharging runoff to Pomeroy and to either side of lots but various reasons neither was feasible.

Rick Nielson one of the attending citizens questioned how leeching systems would work for each house. Reed explained that leech fields would be used with are 1 foot down and 1 foot thick.

Mary Rogers is concerned about erosion and the precautions that have been built into the plan to allow for the control of further erosion. Chris Hammel was concerned with the amount of salt that would be used on the road and its effect on the wetland area and drinking water. Commission said it would check into the possibility of the area becoming a no salt area. Joe Civillo questioned Mark Reed as to how he made the determination that 4 cfs of water would need to be handled by the erosion control systems. Mark Reed explained that an established formula is used to make the calculations.

Mark Reed returned to the Commission.

Mr. and Mrs. Boulanger of Manhan Rd came before the commission to report on their compliance with the commissions recommendations for erosion control during their construction. The

Boulanger's had complied fully; having installed hay and silt fences.

Treasurer's report: Chp. 40-8c \$4726.16
General Exp. \$117 90

Old Business: Southampton Conservation Commission now owns land parcel on Pleasant St. donated by Brown. Commission decided to strengthen language of deed by deleting phrase "sub-divided into lots."

Mail: Nothing of serious interest.

New Business: Bills- Nature Conservancy \$35 membership
"Unanimous vote"
Reimburse Hazel Young for postage \$39 95
"Unanimous vote"
Reimburse Moore for postage \$2.29. \$2.46
"Unanimous vote"
Essay Contest Wilkinson Searle fund \$90
"Unanimous vote"
Heritage Surveys @ Brown out of 40-8c
\$2886; "Unanimous vote"
Membership to MACC out of Gen Exp. \$75
"Unanimous vote"

Next Meeting July 11. 1994 @ 7:15

SOUTHAMPTON CONSERVATION COMMISSION

June 27, 1994

Meeting called to order members present Moore, Reed, Gentile, Bernice and Kingsley. This meeting is a continuation of June 13th meeting that lacked quorum.

Mark Reed withdraws to represent Jeff & Michelle Swanson with notice of intent for single family home on Glendale road. Plans were reviewed at 13th meeting and again tonight. All appears correct and we are waiting for D.E.F. #

Mark Reed withdraws to represent Paul Lussier on notice of intent to work on Pomeroy Meadow road subdivision. N.D. Intent is for drainage outlet for four house subdivision

Questions from people present were as follows;

Rich Neilson lot 7 Pom Med

Septic tanks? "Yes Ferc tests on file"

Parking for proposed Don Com land? "Off street on flat piece of con com proposed parcel"

Mary Rogers lot A Pom Med

Questions possible erosion problem for back hills? "Back area in question is to be handled with rip rap swale capable of handling"

Chris Hammel

Questions salt to wet land? "Town uses very low salt in sand mix" Road salt from Pom field flows direct to Manhan river"

Questions utilities for sub? "Underground utilities will be used"

Joe Civello

Questions volume of water through pipe? "Volumes engineered for proper potential flood years"

Many people appear upset but notice of intent appears acceptable

Hearing for quests present Steve, Laurie, and Matt Boulanger. No one present to oppose, silt barriers in place as shown on Gracia plans. All appears acceptable.

A note was made to pay all outstanding by the 11th.

Motion to adjourn, five in favor none opposed.

Jim Moore

SOUTHAMPTON CONSERVATION COMMISSION

JUNE 13 1994

Meeting called to order at 7:20 Members present J. Moore, M. Reed, J. Kingsley.

Guest present Stewart Beckley, E-ton town planner. Representing Pasquomet Club to discuss pomeroy meadow/Lussier land acquisition. Discussions included. Access by Eton to their side of river. Quick claim deed to allow access. Offered price of 500/ acer too high for Eton side.

Guest present Hazel Young. Delivered Cormier property plan and reported the check cashed and plan not registered. Advised board that J & W Risner was offering back land while retaining home.

8:00 Guest present Steve Soulander lot #2 Manhan road. Jim Gracia had dropped plan and Request for Det. Of Applicability at the offices of Heritage survey. Steve stated Hsgbale silt fence correctly installed by Dave Corey. Meeting for D.O.A. set for 7:30 pm 6/27/94.

8:14 Guests present Henry M. and Diane Hockman, Frank Wayne to discuss planned purchase of pasture area currently owned by Joe Acus. Their proposed use of the space is to erect a horse barn which may or may not be an agricultural land use. Culvert installed by the town is source of water and might be connected to continue flow. They will report back to file appropriate paper work if they purchase.

8:00 Hearing guests present Michelle and Jeffrey Swanson, Bill LeClerc, Frank Wayne, Mark Reed withdrew while representing Swansons. Approved perc test 4/22/94. Because work falls into buffer zone a notice of intent filed calling for silt fence from road to road Lot 17 map 7. All abutters personally signed with four requiring certified mail. Motion to continue to 6/27/94 approved.

8:30 Hearing on Pomeroy Meadow subdivision by Paul Lussier. Paul Lussier present with 15 abutters responding to abutter notification process. Mark Reed Abstains from Com because represents Paul Lussier. Project to be four lot subdivision with the remaining 50 acer parcel to be sold to the Ston Con Com and the Eton Pasquomet.

Questions and concerns from the people included:

Motorcycles? "are not allowed on Con Com land"

Additional water runoff "will be on Con Com land and correctly engineered"

Salt run off? "hooded catch basins will be required in new street"

Many questions about potential erosion in future Con Com land.

Planning Board meeting 6/21/94 7:30 pm

Motion to continue to 27 June all in favor

Mark Reed returns to board, Tom Gentile arrives to join Jim and Joe for quorum

Motion to Pay Hazel Young \$12.42

Motion to pay Gazette \$42.09

Motion to send \$100.00 to Nancy Whitmore for secretarial

All motions pass four in favor none against.

Essays chosen with Jim Moore to pay prizes at end of school ceremony as he had done the year previous.

Motion to adjourn, Four in favor

Jim Moore