

Leverett Conservation Commission
Meeting Minutes
Monday, September 12, 2016, 7:15pm
SPECIAL MEETING

Leverett Town Hall - First Floor Meeting Room
9 Montague Road, Leverett, MA

The meeting was called to order at 7:17 p.m. by Commission Chair, Isaiah Robison.

Commissioners Present: Laurie Brown, Chris Nelson, Isaiah Robison, Carl Siebing, Andrew Young

Commissioners Absent: David Powicki, Ralph Tiner

Public Attendees: Barry Oberpriller & Lynn Hall (29 N Leverett Rd) , Richard Hankinson (92 Amherst Rd), Fletcher Clark (DCR Forester) Miho Connolly (Commission Agent)

- 7:19 p.m. Amended Order of Conditions for 200 Long Plain Rd (DEP#200-0168)
 - *Chris Nelson recused herself from the Commission for this portion of the meeting.*
 - Chris submitted a NOI in 2012 to dredge her pond. The stipulations of the OOC and restrictions from NHESP severely limited the time frame allowed for work.
 - Chris contacted NHESP for, and was granted, a waiver of the turtle monitoring requirement until 3/15/17, given the current drought. NHESP advised her to contact the Commission about this change.
 - The Commission voted to **approve** an Amended OOC to waive the turtle monitoring requirement, *under the condition that* the work be conducted in any low flow period before 3/15/17. If the work is not completed by this date, Chris will meet again with the Commission. Motion made by Isaiah Robison, seconded by Laurie Brown. Vote unanimous.
 - *[Note: Mark Stinson (DEP) notified the Commission after the meeting that since the alteration is minor, the approval of the waiver need only be noted in the minutes of the meeting. The Amended OOC was not issued.]*

- 7:32 p.m. Continuation of Public Hearing for Notice of Intent - 29 N Leverett Rd (Barry Oberpriller for Lynn Hall) (DEP#200-0181)
 - *Andrew Young left the meeting; Chris Nelson returned to the Commission to fulfill quorum.*
 - Barry provided the Commission with a more detailed narrative of the dam repair project, including photographs, a timeline and contingency provisions. He also submitted a Self-Verification Form to the Army Corps of Engineers as requested by DEP.
 - Isaiah Robison made a motion to **approve** the project, *under the condition that* the work be conducted in a low-flow period (i.e., during a drought or from August -

September) and that the Commission will be notified at least 48hrs before work. Seconded by Carl Siebing; vote unanimous.

- 8:02 p.m. Public Meeting for Request for Determination of Applicability - 92 Amherst Rd (Richard Hankinson)
 - Richard is filing to conduct a stream crossing on Town land in order to remove fallen logs from his property. The logs were felled by Eversource. Fletcher Clark (DCR Service Forester) affirmed that Richard's project would have minimal impact on the stream.
 - Isaiah Robison made a motion to issue a **Negative 2 Determination**, *under the condition that* a poled crossing, swamp mat, or bridge will be used to conduct the stream crossing, and that the Commission will be notified 48 hours in advance of the work. Seconded by Laurie Brown; vote unanimous.
 - Issuance of the negative determination also includes approval by the Commission for Richard to conduct this stream crossing on town land.

- 8:15 p.m. Other New Business not considered as of the date of this notice
 - Forest Cutting Plan (Stony Brook Lot): Fletcher Clark presented an upcoming Forest Cutting Plan that is located near Williams Brook. He described the site and explained his stipulations for approval of the project. The Commission agreed with his stipulations for erosion control and filter strip placement.
 - *[Note: After this meeting, Isaiah Robison met with the contractors at this site and, given the topography of the site, verbally acknowledged that there was no need for silt fences.]*
 - Enforcement Order - N Leverett Rd Culvert Replacement
 - Isaiah met with the Highway Department, and oversaw some of the mitigation work around the culvert replacement.
 - The Highway Department explained to Isaiah that they had been threatened with a stop-work order by an Environmental Police officer, and therefore hastily completed the project under pressure.
 - David Finn informed the agent that he will be attending a meeting with the Shutesbury Highway Department and Mark Stinson to review an upcoming culvert replacement on 9/15.
 - Isaiah drafted a letter to the Select Board explaining the course of the the Enforcement Order. In light of recent developments, the Commission advised that the letter reflect a more positive tone.

- Next Meeting Date(s): October 3, 2016 7:15 p.m.
 - *[Note: The meeting date was later changed to October 10, 2016 7:15p.m.]*

- Meeting was adjourned at 8:37 p.m. (motion made by Isaiah Robison, seconded by Carl Siebing).