

Tyringham Conservation Commission

Minutes – September 17, 2013

In Attendance: Ed Nardi, Mike McCauley, Alan Wilcox, Noah Choquette, Bill Dillof, Mimi Crandall, Ken Boudreau, Elisabeth Goodman, Maggie Curtin, Peter Curtin

1) Cooper Creek Homeowners Assoc. NOI continued.

Ken Boudreau began by giving a quick recap of the Notice of Intent. The Notice of Intent was revised. Hill Engineer did a resource delineation. They employed a wetlands biologist, Julia Fiske, who flagged the regulatory bank at the site. It was determined that all activity is in the bank. This is reflected in the revised Notice of Intent. A narrative was added. The NHESP responded with a negative impact report.

Ms. Goodman explained what is being done presently and what is proposed to do in the future. She will be forming a road district in order to pay for the road improvements.

Mike McCauley inquired – The bank is not disturbed because it is less than 50 ft.? Answer – yes, less than 50' does not disturb habitat. The work on the bank will be above the water line.

Mike- If the work does not go down to the water won't there be more erosion? Answer – No. And it is a temporary fix. At this time they are trying not to involve the Army Corps of Engineers.

Mike – At the previous meeting it was unclear as to who was going to put their name on the Notice of Intent. Answer- Everyone on the road has a right of way to the road. Mr. Holland as President of the Cooper Creek Homeowner's Association will be responsible. As will the Homeowner's Association.

The Emergency Certification was denied.

Mike – How many years until the permanent fix? Does the Conservation Commission want to have a term on the OOC ?

Ed- The Conservation Commission can't legally enforce how many years until the permanent repair. And the CCHA will have to come back anyway.

Ken B. – Hill Engineering will oversee the construction. Work to be done by Wilkinson Excavators. It should only be a one day project. The work will be done when the water level is low. The Conservation Commission is welcome to do site visits.

Ed Nardi made a motion to approve the revised Notice of Intent as presented. Motion was seconded. No discussion. Voted in favor unanimous.

2) 34 Main Road, Peter Curtin- NOI – This Notice of Intent had been submitted in August 2012. It was never finalized. Ed Nardi read the letters from the NHESP requesting more information. Portions of the project are exempt from MESA review. It is unclear if the whole field would be exempt. NHESP was suggesting a site visit to determine the impact. Mr. Curtin did not receive the letter. The Conservation Commission made copies for them.

The Commission recommended that the Curtins get in touch with Berkshire Engineering, who drew up the NOI for them. They could advise the Curtins as to how to proceed.

- 3) Schulman, Sodom Road, Request for Certificate of Compliance- Ed Nardi and Noah Choquette will meet with Marc Volk, of Foresight Land Services for a site visit scheduled for Monday September 23, 2013.before issuing the Certificate of Compliance.

Meeting Adjourned

Respectfully Submitted,

Mimi Crandall, Clerk