

**Ashfield Conservation Commission
March 9, 2016**

Members Present:

Lester Garvin, Chair (LG)
Brian Clark (BC)
Janet Clark (JC)
Phil Lussier (PL)
Anne Madocks (AM)

Others Present:

Gloria Pacosa

1. LG called the meeting to order at 7:30 PM
2. JC moved to accept minutes from 2/24/16; BC seconded; PL abstained.
3. Eversource Site Visit – Eversource has constructed three bridges at their ROW off of Hawley Road and Bear Swamp Road. According to LG, they had a choice of plowing through a wetland or stick with a high ground and make three bridges, which included a great deal of fill. LG thought it made sense to take the path of least disturbance. PL There was another access option behind Mollison’s barn and didn’t cross wetlands, totally upland. They are only allowed to maintain their ROW and not create anything new. PL Would like to consult Mark Stinson about his opinion. PL will contact Mark Stinson. BC The new road may have been to install the new long poles and needed new access. JC Since this does seem like “new” work, seems Conservation Commission should have been consulted prior to construction of the road and bridges.
4. JC Council of Governor’s presentation at MACC, Eugene Benson promised to give us language and guidance to address NOI and OOC for pipeline project. AM What issues will guidance be given on. JC MACC will be issuing guidelines for selecting third party review so that the decision is done in accordance with the new rules adopted by the Commission. For example, a geotechnical survey will require trucks to gain access to selected spots along their planned ROW. What amount of this work could be done prior to an NOI? They would not be in violation of WPA for walking and general survey, but the geotechnical survey work with trucks and spoils etc could be a trigger for an RDA or NOI. MACC recommending once you have the opportunity should meet with the landowners whose properties will need to sign off on a NOI. An RDA would not need landowner permission/filing. If property owners refuse, and we require an NOI, there is an impasse and court may be needed.

Commission should be well aware of wetlands in the area, and landowners should be well aware of their resources, and we should ask Kinder Morgan that we should be kept in the loop. JC Commission needs to be able to address where the boundaries are and, for example, ask to have macrohabitats restored. AM asked if Scott Jackson addressed when the threshold for a wildlife assessment can be requested. PL says he did mention it and it is at the discretion of the Commission before that threshold is met, not sure what the square foot threshold is. FERC will not mandate a specific outcome based on the EIS. Eminent domain under review from DEP about jurisdiction for the landowners that have not granted access.

5. Gloria Pacosa, 14 South Street - Renovating the barn to make it an open floor plan and remove the back part and install a greenhouse 24x52 feet. No WPA resources. Commission has no jurisdiction over permitting. Signed a form from the Planning Board to approve the project.
6. DCR Hazard Mitigation Grants open for projects that will address localized flooding and other hazards. Highway Department would be best party to consider projects.
7. Casey Warren sent to the Commission a model bylaw for noise, earth removal and related disturbances for large scale industrial or commercial facilities. Conway has put forth a similar bylaw in their town. Not sure if they have passed it at the 2/8/16 special town meeting. Model local road preservation bylaw also to be considered for adoption.
8. AM passed the Groundswell Rising CD from Ron and Nina Coler to JC to view.
9. BC moved to adjourn, PL seconded; unanimous. 8:15PM