

Approved 4-13-17
with corrections (see p. 2)
(Gothia J. Neale)

TOWN OF PELHAM CONSERVATION COMMISSION

MINUTES FOR November 10, 2016

MEMBERS PRESENT: Dana MacDonald, Cynthia Weigel, Tilman Lukas,
Gale Hubley, Kevin Hartzell

Others Present: None

1. Review of Minutes: deferred.
2. Emergency Well Permits:
 - a. Emergency Certification Ratification, Autio 3 Gulf Rd. – site visit by Gale and Dana on November 10, 2016. No concerns. Entrenched. All members voted in support of ratifying issuance of Emergency Well Permit. Dana to ask Mark Stinson whether need RDA.
 - b. AA letter, MacNeal 33 Enfield Rd. – old seep. Well is 200 feet from potential resource. All members voted in support of AA letter.
 - c. Emergency Certification Review, Wilkins 44 Enfield Rd. No resources so no need for Emergency Certification. All members agreed.
 - d. Emergency Certification Review, Kamins/Walker 292/294 Daniel Shays. No resources so no need for Emergency Certification. All members agreed.
 - e. Emergency Certification Review, Robinson/Hides 193 North Valley – area is within riverfront. Dana to ask Mark Stinson whether need RDA. All members voted in favor of issuing Emergency Certificate subject to following conditions:
 1. Soil and sedimentation barrier to be extended about 8 additional feet to the south along the north edge of the drive.
 2. Site to be revegetated.
3. Groves (Shutesbury Rd.) Conservation Restriction, Amherst Watershed donation –
 - a. Language not added to allow hunting; this was oversight and now concern that if try to add it that state funding might be impacted by delay. On other hand Dana received email with suggested language from Pete Westover regarding hunting.
 - b. Pelham hunting interests have expressed concern that Pelham conservation areas/Amherst watershed areas take away existing hunting rights and so they are reluctant to support acquisition of additional land, CRs, etc. that do not protect existing hunting interests/rights. Cognizant of this, PCC had requested that the CR include language that would allow hunting since there is a hunting lodge and hunting in that general area.
 - c. PCC had been assured in prior communications that this CR would allow hunting in areas where it currently occurs.
 - d. Unanimous vote by PCC members to approve signing of the CR by Pelham Select Board this Monday contingent on the CR being amended as follows: add to Section 1 paragraph Public Access for Recreation. After snowshoeing add “recreational hunting.”
 - e. Further Unanimous Vote by PCC members: Groves, Amherst, Kestrel can explore “allongee: as possibility (used in other legal transactions) to approve existing

agreement (e.g., when deadline requires as perhaps in this case), then amend and re-state restriction.

- f. Further Unanimous Vote by PCC members: If Groves et al not in support of amendment or it cannot be accomplished without jeopardizing the funding grant, then PCC withdraws its opposition and supports signing of CR by Pelham Select Board. Hunting, however, is important to many members of the Town. *cn*
4. Grybko bought Andy Beal property. ~~Cease and desist order issued.~~ Dana will look into this further. *cn*
5. Discussion of potential new PCC members.
6. Wesley Couture RDA scheduled for December 8, 2016.
7. Open Space Plan assignments made. Each member is reviewing at least one section regarding what, if any changes are required.