

**BERKSHIRE REGIONAL PLANNING COMMISSION**  
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Executive Director

**BERKSHIRE CONSERVATION COMMISSION GROUP**  
**Meeting Notes**  
**February 3, 2009, 7:00 PM**

**1) Welcome and introductions**

Attendees:

Terry Eucker, Berkshire Conservation Agent  
Mary Turek, Sandisfield Conservation Commission  
Harold Brotzman, Williamstown Conservation Commission  
Bill Tynan, Egremont Conservation Commission

Tom Matuszko, Berkshire Regional Planning Commission

**2) Review of December 4<sup>th</sup> Meeting Notes**

No Comments

**3) Member Issues / Discussion**

Conflict of interest – the new conflict of interest law is presenting a challenge for many boards.

Egremont - The Commission is dealing with access to a piece of property over wetland. There was a temporary permit for a temporary bridge. It is backing up water on a neighbor's land. Terry has conducted a site visit.

Egremont – The Commission is also facing a big subdivision (110 acres – 11 lots). The owner is trying to avoid impacts. The owner is also trying to site a greenway on the land. The site is covered with streams that will present a challenge for permitting.

Sandisfield – How secure are the Conservation Commissions in light of proposed / discussed changes? According to Terry, it looks like the Conservation Commissions are still going to be around.

Permits – Terry stated that new forms are available, including the form for NOI, Order of Condition and Certificate of Compliance

**4) Training Topic: Wetlands Habitat Evaluations**

Terry provided Part 2 of a presentation on wildlife habitat evaluations.

- What is a wildlife habitat evaluation?
  - An assessment of a proposed project's impact to wildlife habitat
- When are habitat evaluations required?
  - When impacts exceed the thresholds outlined in the CMR.
    - Ten percent or fifty feet of bank significant to wildlife habitat
    - Ten percent or 5000 square feet of land under water significant to wildlife habitat
    - Regulations outline what in bordering land subject to flooding is significant.

- When vernal pools are impacted
- In undeveloped riverfront areas where work exceeds 5,000 sq. ft. may require an evaluation
- With BVW an evaluation is not required according to regulations however it is recommended in the guidance document
- With buffer zone an evaluation is not required.
- What are the evaluations
  - Appendix A is a simple evaluation. It identifies what features are present. It also guides when a more detailed evaluation (Appendix B) is required. It includes:
    - Project information: Important habitat features, such as habitat for state-listed species; Sphagnum hummocks and pools; Trees; Dens for beaver, mink or otter; Nesting trees for birds; Lands with mussel beds; Open water; Turtle nesting areas; Vertical sandy banks; Habitat characteristics not commonly encountered in the surrounding area ( riffle zones, springs, gravel stream bottoms, plunge pools, flat rock substrates)
    - The second page deals with Activities. When one of these activities are proposed then a more detailed evaluation (Appendix B) must be completed.
  - Appendix B is for larger projects with specific activities with adverse impacts. The bigger picture must be considered in the evaluation. Items to be considered in an Appendix B evaluation are that there can be no detectable alteration, the activity cannot decrease habitat function, want to maintain migration pathways, insure monitoring (at least 2 growing seasons to include remedial measures if failure is identified) and conditions are imposed. Projects can be denied if there are unmitigated impacts to habitat. The bottom line is that there must be no adverse impact on the wildlife habitat.

Next, an Example B was reviewed.

Training Workshop materials are available at: [www.berkshireplanning.org/conservationagent/BCCG](http://www.berkshireplanning.org/conservationagent/BCCG)

#### 5) Other Training Events / Workshops

- MACC annual conference coming up, February 22
- DCR visioning sessions regarding forest management – in Pittsfield on 2/6 at BCC, 2-4 pm and in North Adams on 2/6 from 10 -12am
- Highland Communities – 2/6 at 10:00 Blandford - Land conservation and tax relief - 2/23 Goshen – State conservation grants

#### 6) Next Meeting

Topic: Mass GIS and Pictometry