

**Heath Conservation Commission
Public Meeting Minutes
April 10, 2025,
Heath Municipal Center, 18 Jacobs Road**

Agenda:

1. 7:00 Open Meeting

Members Present: Brian DeVries, Heather Row, Pam Porter. Others: Bill Latrell, Consultant, Maureen Omalley, visitor, Liam Cregan, Franklin Land Trust for Item 3, via zoom.

2. Review and discuss Request for an extension of the Order of Conditions for the maintenance of the Hulbert property fire pond.
 - a. *Bill Latrell gave background on previous extension. O of C. did not expire last Aug. because of a COVID pause. Bill talked to Mark Stinson at MA DEP and got permission for a 2 year extension which will last until Aug. 7, 2029.*
 - b. *Pam moved, Heather 2nd, motion to approve extension. Passed unanimously.*
 - c. *Brian will call Hulberts to explain all this.*
3. 7:30 Zoom conference with Franklin Land Trust to review request for a conservation restriction on the property of Elizabeth Behl.
 - a. Liam Cregan, Franklin Land Trust joined the meeting via zoom to lay out the conservation plan. 61 restrictions are already in place on a portion of the property. This restriction applies to 12 acres in Heath, 18 in Charlemont. HCC approval is for Heath acreage. 3.5 acres around house are excluded.
 - b. Discussion: Question asked about whether the town would lose taxes. It appears not to be the case in this instance because the largest share of the property is already under Chapter 61.
 - c. The consultant expressed support for the project and said it is in the towns interest. It puts over 200 contiguous acres in conservation in Heath. The property in question is steep, has wet lands and would probably be unbuildable. There is a possible house lot but it might not pass a perk test and also borders a wet land.
 - d. There was further discussion about the tax impact of conservation land and whether it saves or loses tax income. Desire was expressed to discuss this issue at a future meeting.
 - e. Pam moved and Heather 2nd that the HCC approve this project and sign the certification. Passed unanimously.
 - f. Brian noted that there is no site ID on the documentation. It is 267 South Road.

- g. Note: Betsy Behl joined us after the vote and gave some background on the meaning of the land to her family. She clarified that she has applied for Chapter 61 for the portion of her land not covered in the conservation restriction. It is in process.
- 4. Discuss oil spill and cleanup measures near Papoose Lake.
 - a. *Note: I'm not sure I got this item accurately recorded. Corrections may be needed.* Bill Latrell noticed an oil spill at the power line crossing on Swamp Rd. Also creosote soaked wood. Notified Dave Powers of National Grid. Contractor called back saying he couldn't find the spot and Bill surmises that it may have been washed away by a recent rain storm. Bill visited the site and reports that debris has been cleaned up and pads have been put down. He was able to detect a small spot of the very caustic Hydraulic oil. He will revisit to see whether the clean up has been completed.
- 5. Discuss review of gravel mining operation on Rte. 8A
 - a. Bill Latrell visited the site and reports wet lands violations. Owner, Tom Danek, must hire a professional consultant and flag the wetlands.
 - b. Brian DeVries, HCC chair, will send a letter asking the owner to comply and notify him that we will issue an enforcement order if he has not hired a consultant within 30 days of receiving the notification. Require that the owner includes in his response a date with the work will be started.
- 6. Review and approve past meeting minutes.
 - a. Delayed to future meeting
- 7. Review items that could not be reasonably anticipated before posting the meeting.
 - a. Consultant had two items.
 - i. There is still a need to check the Recreation Committee Trail that crosses wetlands. Bill had recommended getting the whole project evaluated by a wet lands scientist. He said one wet land area has already been crossed and another narrow area needs to be reviewed. Consultant and Chair agreed to walk the property on April 30, 2025 at 12:00. Chair will post this as a meeting if necessary, if other HCC members plan to attend.
 - ii. We need to plan a wet lands workshop for HCC members. A date of June 5, 12-4 was set.
- 8. Pam moved and Heather 2nded that the meeting be adjourned. Meeting adjourned by unanimous vote at 8:10 PM.

Respectfully submitted,
Pam Porter, HCC member