

## Conservation Agent

---

**From:** Conservation Agent  
**Sent:** Wednesday, August 25, 2021 2:13 PM  
**To:** Kubel, Jacob (FWE )  
**Cc:** Schluter, Eve (FWE); Jones, Michael T (FWE)  
**Subject:** RE: 55 Pearson Drive Newbury (Cricket Lane)

Hi Jake,

Thank you very much! At the moment that is all the information we were looking for. I appreciate you getting back to me so quickly!

I will relay this to the Commission at our next meeting, and if they have any further questions I will be sure to reach out to you again.

Thanks!

**Samantha Holt**  
**Conservation Agent**  
**Town of Newbury**  
**12 Kent Way**  
**Newbury, MA 01922**  
**978.465.0862 ext 310**

---

**From:** Kubel, Jacob (FWE ) <jacob.kubel@state.ma.us>  
**Sent:** Wednesday, August 25, 2021 2:08 PM  
**To:** Conservation Agent <conscom@townofnewbury.org>  
**Cc:** Schluter, Eve (FWE) <eve.schluter@state.ma.us>; Jones, Michael T (FWE) <michael.t.jones@state.ma.us>  
**Subject:** RE: 55 Pearson Drive Newbury (Cricket Lane)

Hi Samantha,

Thank you for asking about this, as I understand there has been a lot of discussion of this ILSF.

We have reviewed a couple of applications to certify the ILSF as a vernal pool habitat (since 2017/18). From the beginning, we have requested that the observers (2 different parties) provide additional information about the wetland's hydroperiod, as there have been conflicting data about whether the ILSF sustains a viable vernal pool environment during the amphibian breeding season. Unfortunately, based on the available data, we have not been able to conclude or presume with confidence that the ILSF has an adequate hydroperiod (at least in most years).

In administering its Vernal Pool Certification program, the NHESP strives to ensure that pools that become certified do indeed provide a habitat function consistent with the definition (and discussions) of "vernal pool habitat" in the Massachusetts Wetlands Protection Act regulations. In the case of the ILSF at 55 Pearson Drive, we are open to reviewing additional data in consideration of a possible certification. At this time, however, there is too much uncertainty about the wetland's hydroperiod and, therefore, its habitat function, to approve a certification.

I hope this information helps. Please feel free to contact me with any additional questions.

Best,  
Jake

**Jacob E. Kubel**

Conservation Scientist  
Natural Heritage & Endangered Species Program  
Massachusetts Division of Fisheries & Wildlife  
1 Rabbit Hill Road, Westborough, MA 01581  
e: [jacob.kubel@mass.gov](mailto:jacob.kubel@mass.gov)  
[mass.gov/masswildlife](http://mass.gov/masswildlife) | [facebook.com/masswildlife](https://facebook.com/masswildlife)

---

**From:** Conservation Agent <[conscom@townofnewbury.org](mailto:conscom@townofnewbury.org)>  
**Sent:** Tuesday, August 24, 2021 10:41 AM  
**To:** Kubel, Jacob (FWE) <[jacob.kubel@mass.gov](mailto:jacob.kubel@mass.gov)>  
**Subject:** 55 Pearson Drive Newbury (Cricket Lane)

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Mr. Kubel

My name is Samantha and I am the Conservation Agent for the Town of Newbury. I was asked by the Conservation Commission to reach out to you with regards to a project that is being proposed at 55 Pearson Drive, The Villages at Cricket Lane. From my understanding, there has been a bit of debate over the status of an area of Isolated Land Subject to Flooding in the area of the project. I was asked to reach out to you to get some more information about this issue.

Essentially, the Commission is asking for an explanation of why Natural Heritage will not certify the ILSF area as a vernal pool at this time, even with the egg masses that were located there. I understand that the abutter's for the project applied to have the location certified, but I believe it was denied. Could you please provide me with some information regarding the reasoning for why it isn't being certified at this time, so that I can send the information along to the Commission?

Thank you!

**Samantha Holt**  
**Conservation Agent**  
**Town of Newbury**  
**12 Kent Way**  
**Newbury, MA 01922**  
**978.465.0862 ext 310**