

**Conservation Commission Meeting
June 13, 2018
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Angus, Chair at 7:06 p.m.

ATTENDANCE

Present: Angus, Allen, Clark, Brooks, Fair

Staff: Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Willson stated there are two erosion control monitoring reports in Con Com packets. They are from Pulpit Hill solar project and Cole subdivision on West S. She stated no work is currently happening at Pulpit Hill. Cole is active, one foundation is in place. She will check erosion control because looks like fill is almost over top of silt fence.

Willson stated the OSRP is done, it went before the Select Board who OK'd it and it will go before the LSSE committee this week. Submit to the state in July. It's good for 7 yrs. Willson stated we're still waiting on the delineation for 188 Sunderland Rd., depending on whether Whirlwind Landscaping stays on the property will determine if they need permitting from Con Com & ZBA. She stated the work at 1101 SE St. is complete and presented pictures. Willson stated she sent an email around about changing the July 11th meeting to July 16th, let her know your availability.

MINUTES

Review minutes of 4-25-18.

Clark moved and Allen seconded. Commission VOTED (4-0-1, Fair abstained) to approve the minutes of 4-25-18.

PERMITS/DISCUSSIONS

7:15 PM Conservation Land Management

7:30 PM Request for Determination - Joseph Aimua for installation of a sewer line within Riverfront on West St. (Map 17C, Parcel 175).

Peter LaBarbara, Environmental Planning Associates, presented the project. The project is building a single family house, the only portion in jurisdiction is the sewer connection which needs to go through Riverfront and BVW buffer. He showed the work location on a map. The sewer line they would like to connect to runs parallel with the Fort River. Mr. LaBarbara mapped Riverfront, flood zone, and BVW on the site and included them on the plan. The work includes trenching 4 feet down and clearing for trenching 6 feet wide. The trench will be backfilled and restored, erosion control will be used. The

property owner got a letter of clearance from NHESP to build the house. No trees will be cut only shrubs. Brooks asked if the trenching will be re-seeded. Mr. LaBarbara said they can, he advises using hydroseeding after 9/15 and an upland seed mix furrowed in prior to 9/15.

Brooks moved and Clark seconded. Commission VOTED (5-0-0) to issue a Negative Determination #2 determining that work will occur in Riverfront but will not alter the resource area. Condition that applicant restore trenched area with seed depending on time of year as discussed.

7:45 PM Request for Determination - Greg Kendell for replacement of fencing within Riverfront at 26 Mill Lane (Map 17C, Parcel 58).

Greg Kendell property owner presented the project. They would like to replace fencing within Riverfront to the Fort River. They plan to install black chain link fence on the river side and wood planked fencing on all other sides. Angus asked if any vegetation would be removed to install the fence? Kendell responded no. Willson showed pictures of where new fencing will go. Willson asked if fence will be 6-8 inches above the ground? Kendell said wasn't clear whether that was just the fence on the river side or entire perimeter. Willson said entire perimeter because it's all in Riverfront. Kendell said the fence is for dogs but they can go with 6 inches. Willson said the fencing right next to the house is OK to go to the ground.

Brooks moved and Clark seconded. Commission VOTED (5-0-0) to issue a Negative Determination #2 determining that work will occur in Riverfront but will not alter the resource area.

Miscellaneous Untimed Items:

- Sign Fearing Brook MOU between TOA and Amherst College

NO VOTE

- Emergency Certification – TOA DPW Well #4 Road culverts

Willson stated DPW has installed the new culverts for the Hop Brook on Well #4 Rd. She said they did a nice job cleaning up, culverts are set nicely so have good openness probably a quarter full of water. Willson saw a wood turtle while looking at the culverts. Willson said she was able to get the DPW to not use as much rip rap and restore with a wetland seed mix.

Brooks moved and Fair seconded. Commission VOTED (5-0-0) to ratify the Emergency Cert.

- Informal Discussion - Amir Mikhchi for 133-143 South East St. development

Mike Liu, Berkshire Design Group, presented site drawings. He stated the land is low with high groundwater. The proposal is to build a three story apt and retail building on two lots where there are currently two small residences. It's a zero setback building and will need a variance from the ZBA for not meeting property line setbacks and for less parking than required. Will be approximately 45-48 units. There is an approximately 850 square foot isolated wetland that will be filled. The current plan has little space for stormwater and wetland replication. The RDA confirming the wetland boundaries expires in August, so they want to get their NOI in before that. Angus asked why there is such a large front setback, Liu responded this part of SE St. is still considered part of the common. They are looking at options for the wetland replication, the first being somewhere on-site but that would require losing space for stormwater or parking. Other ideas are replicating off-site on one of Mr. Mikhchi's other properties on SE St., or contributing mitigation funds for work on the Fearing Brook which flows just behind the property. Clark asked if we had done that before. Angus said yes, in certain circumstances, and we're writing it

into the new revised bylaw and regulations. She said the language being added to the revised regs allows for it if on-site replication is not the best option.

Liu stated his last idea is to create a rain garden in the Common Area that would be a wetland. He hasn't presented this idea to the Planning Board yet. He's looking for feedback that the Commission would allow off-site mitigation to help with current designing of the site. Angus stated you need to nail down how many units you are doing and the required parking otherwise we will ask for reduction. In other words, if the parking, building, stormwater can be changed to allow for on-site replication that is preferred. The Commission seems open to off-site mitigation. The idea of a rain garden functioning as replication doesn't work. Willson stated you can't use a stormwater water basin, even a rain garden, as replication because they require maintenance. Angus stated we should remember that this is a small, mown, isolated wetland so the replication should match it's value which isn't high.

Angus stated we did off-site mitigation for the electrical substation on Tilson Farm Rd. They improved the pond area. The Owen's Pond project was off-site mitigation. Angus stated there has to be defensible logic for approved mitigation, to do that you would look at the cost to create and monitor a 1600 square foot wetland. Willson said we can ask the applicant to come up with that number so we know we're getting something of equal value. Fair stated having the replication/mitigation be in the same watershed as the impacted wetland should be a requirement. She added knowing the Fearing Brook is right there it makes sense to improve the flood capacity/wetland capability of that area between the site and the brook. Angus added we need to make sure what ever is proposed is implementable. Angus said there may be some opportunity for infrastructural improvements to the Fearing Brook culvert. She added all they are looking for tonight is that we're supportive of the idea of off-site mitigation then they will come up with a plan. Brooks stated it should be in the same watershed and as hydrologically connected to the original wetland as possible. His first choice is on-site replication but improvements to the Fearing Brook could be considered.

NO VOTE

- Certificate of Compliance - 55 Woodlot Dr.

Willson stated the house construction and yard don't encroach on the wetlands.

Allen moved and Clark seconded. Commission VOTED (5-0-0) to issue the COC.

- Certificate of Compliance - 96 Linden Ridge Rd.

Willson stated she did a site visit, this is for the overall subdivision OOCs. No issues.

Brooks moved and Allen seconded. Commission VOTED (5-0-0) to issue the COC.

Adjournment

Voted unanimously to adjourn the open meeting at 8:35 PM.