

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Robb at 7:03 p.m.

ATTENDANCE

Present: Robb, Baker (arrived at 7:10), Allen, Gerber, Manire-Gatti (arrived at 7:12), Stein

Absent: Kaplan

Other: Nicole Soper Gorden, Holly Baltzer, Rick Southgate, Chris Wall

Staff: Ziomek, Ciccarello

CONSERVATION COMMISSION'S ACTION

Approve Minutes

VOTED (5-0-1) Baker, Allen, Gerber, Manire-Gatti, Stein voted "Aye," Robb abstained to approve the Conservation Commission minutes of January 23, 2008 as corrected.

VOTED (5-0-1) Baker, Allen, Gerber, Manire-Gatti, Stein voted "Aye," Robb abstained to approve the Conservation Commission minutes of February 20, 2008 as corrected.

Jewelweed Research at Amethyst Brook and Haskins Meadow

Nicole Soper Gorden, a graduate student at the University of Massachusetts, presented her proposal to study galling insects that attack jewelweed. She is interested in how the presence of these galling insects might change how the plant interacts with other insect species – such as pollinators and other insect herbivores. She would like to set up a number of sites around the two areas to observe the plants (both those with and those without galls). Dave Ziomek asked Ms. Soper Gorden to describe the set up at the sites. She indicated that there will be some flagging on the plant for a few days and she may remove galls from one plant and tie them to another plant (within the same patch of jewelweed) with thread to see how pollinators react to the presence of the galls; and she may collect some flowers and seeds at the end of the research period. Dave suggested that she be ready with answers for the public, especially since she will be working at Amethyst Brook, one of the Town's most well visited conservation areas. Ellie Manire-Gatti asked if she would provide the Commission with a written report of the results and Nicole indicated she would.

VOTED unanimously (6-0) to approve jewelweed research at Amethyst Brook and Haskins Meadow.

Highbush Blueberry Research at Lawrence Swamp

Holly Baltzer, a PhD student at the University of Massachusetts, presented her proposal for highbush blueberry research at Lawrence Swamp. The Commission had a number of questions regarding the large number of pots, vandalism, transplanting, etc. (Tape runs out here....) The Commission requested that Ms. Baltzer visit the site with Commissioners Harvey Allen and Ellie Manire-Gatti to locate an appropriate site(s) and that she return with photos of the sites proposed for the research for the Commission to review as well as the protocol details to the March 12, 2008 meeting at 7:05 p.m.

PERMITS/CERTIFICATES

7:30 PM Request for Determination – RFD 08-1104 – Bonneau Builders for Nathan Day for construction of a two car garage and breezeway addition at 175 College Street (Map 14B, Parcel 167).

Stephanie Ciccarello presented on behalf of the applicant. This is an after the fact filing, as the breezeway and garage are already built. The construction is at least 70 feet away from the stream, so virtually there is no impact to the wetland resource areas. Stephanie went out to inspect the site and gave them a choice to install either straw bales or silt fence and they chose to install straw bales. Dave Ziomek indicated that the site will be monitored throughout the spring to be sure erosion control is maintained.

- Opened the public hearing at 8:00 p.m.
- Closed the public hearing at 8:05 p.m.

VOTED unanimously (6-0), to close the public hearing and to issue a negative determination for the work.

Notice of Intent – NOI 07-1102 (Cont'd from 12/12/07) – Cold Spring Environmental Consultants Inc. for Sheila Stevens for construction of a single-family home with proposed crossing of an intermittent stream/drainage swale and Bordering Vegetated Wetland on 49 Overlook Drive (Map 6B, Parcel 49).

- Opened the public hearing at 8:07 p.m.

VOTED unanimously (6-0), to continue the public hearing to March 12, 2008 at 7:30 p.m.

UNTIMED ITEMS:

Informal Discussion – Scott Nielsen/Strawberry Fields

Stephanie Ciccarello showed the Commission the seventeen unit plan approved by DEP under a superseding order of conditions for the Strawberry Fields development on South East Street. She indicated that nothing on the plan had changed except for the number of units; the footprint is the same. A proposal by Levi-Nielsen for a seventeen unit development that actually does move things out of the two resource areas is before the ZBA and will be coming before the Commission at a later date. The proposed plan is for a seventeen unit development with a reduction in footprint that moves work out of the 30' buffer and the certified vernal pool area, which is what the order of conditions required. The OC also required a revised stormwater management report.

John Gerber noted that the DEP superseding order of conditions did not include the protection of the 100' vegetative buffer, and questioned whether Mr. Nielsen had to comply. Ms. Ciccarello explained that he does because it is a condition under the Town bylaw. This is currently in Superior Court and will be determined by Superior Court, but Nielsen is proposing to the ZBA not to fight that battle.

John Gerber than asked about the de-icing issue – which Nielsen had also contested. Stephanie indicated that if Nielsen withdraws the appeal then he has to do that in accordance with the Special Conditions as outlined by the Commission.

Ms. Ciccarello explained that the reason Mr. Nielsen went about it this way is because he was facing a time constraint given the timeline for the superseding order of conditions. The superseding order had to be issued on a certain date and he felt that he did not have time to revise the plan and the stormwater management plan. From his perspective he felt this was the only way that he could have DEP review a plan that was close to what will ultimately be built.

Dave Ziomek noted that the Town Manager has asked Town Counsel to review the easement issue on the property.

Informal Discussion – National Yiddish Book Center

Rick Southgate and Chris Wall presented their proposal to selectively remove vegetation and to stockpile topsoil and construction material (primarily structural steel) on the site. Stephanie Ciccarello recommended that rather than to require an RFD, that the Commission request a detailed letter with the proposed removal with the photographs and a detailed replanting plan as this is not a significant change.

VOTED unanimously (6-0), to require that photographs and a detailed letter outlining the proposed work including a double siltation barrier and a list of native species to be replanted be provided to the Commission prior to work being started.

Veridian Village Conservation Restriction Discussion

Postponed.

Chapter 61: Henry Street – Cows

No action.

MISCELLANEOUS

Director's Report

Farmer's Forum

Dave Ziomek let the Conservation Commission know that they will receive an invitation to the Farmer's Forum being held on March 13 at the Hitchcock Center beginning at 6:30 p.m. and he encouraged them to attend. The agenda topics include the Right-to-Farm Bylaw, the Farm website and a discussion with the Town Manager about the possibility of having a public market at Kendrick Park.

Beaver site visit – beaver MOU

Mr. Ziomek indicated that he will ask to have the Beaver memorandum of Understanding added to a Conservation Commission agenda after the March 24th site visit has taken place.

Public Shade Tree Committee

The PSTC has set a goal of involving town residents and colleges participate in the planting of 250 new trees by 2009 in concert with the Town's 250th Anniversary Celebration.

They are working on creating a website focused on public shade trees – probably a sub-website of the Conservation site. Alan Snow, Tree Warden, working with John Lubudek an Information Technology intern and many other volunteers has done a pilot tree identification inventory for select areas of town of a few hundred trees and has put the data on the Town's GIS. This site gives a sense of where trees are, what species they are and their vital statistics – size, age, health, etc. Alan is hoping that this will expand so we will know all the vital statistics on all the publicly owned trees in Amherst. It can also be used by DPW as a management tool, showing which trees need to be trimmed, etc. Otto Stein inquired whether this project could receive CPA funding. Mr. Ziomek indicated that he will check on that possibility. He will invite Alan and John to make a presentation of their work to the Commission.

Open Space Sub-Committee

Dave proposed that an open space sub-committee be created to assist with the land acquisition projects that are currently being worked on and for future projects that may come along. He suggested that meeting once a month to discuss the projects and scheduled site visits to the property would be especially helpful to him in honing the process and for the Commission as well, in setting priorities for funding, etc.

CPAC

Mr. Ziomek reported that there was an informal discussion at the CPAC meeting on February 26th about the Commission's list of priorities. What was brought forward was: the due diligence at \$20,000, Tietjen at \$120,000, Nielsen at \$35,000 and Nielsen at \$2,500 for the appraisal. A more formal and lengthy discussion and presentation will take place on March 11. He indicated that this is a very challenging year for all the CPA projects and he is looking for the Commission's help in articulating their priorities. It would be especially helpful for him in order to answer all the questions that will come up when presenting their priorities to the CPAC, Finance Committee, Select Board, Agricultural Commission and Town Meeting, especially when his recommendations are not the same as the Commission's. He noted that the top two questions that come up are feasibility and priority. He further noted that Carol Gray went before the CPAC and asked them to consider increasing the amount for the Nielsen project to \$150,000. Liv Baker noted that CPAC has close to \$600,000 for FY09 and there is \$150,000 set aside leaving \$450,000 available. She thought the Commission's proposal looks reasonable in comparison to some other requests. Nicki Robb proposed that the Commission come up with a statement that she could take to the various presentations on their behalf, if she would like. . John Gerber indicated that he is comfortable having Liv making a statement on behalf of the Commission.

Professional Research Park (PRP) – North Amherst

Dave Ziomek presented a map on the proposed PRP off Sunderland Road. They are looking into the possibility of an industrial park directly behind the two ponds as a means of expanding the tax base. The Town manager will be taking the lead as spokesperson on this project. Dave Ziomek would like to see as much preservation of the land North, South and West of the site as possible.

Epstein - Applebrook

Stephanie Ciccarello reviewed Town Counsel's recommendation regarding the Epstein's letter requesting that the Commission reconsider the designation of the two streams as intermittent. Since a letter is not the usual procedure, his recommendation is that the Epstein's be notified outlining the proper procedure to make a formal request to the Commission. Stephanie will send a letter to the Epstein outlining the proper procedure for making this request.

ADJOURNMENT

VOTED unanimously (6-0), to adjourn the open meeting at 9:23 p.m.