

**Conservation Commission Meeting
May 22, 2019
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Angus (C) at 7:05 p.m.

ATTENDANCE

Present: Angus, Butler, Brooks, Allen, Clark, Fair

Staff: Ziomek, Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Ziomek stated he spoke at the Fort River Watershed Association meeting last week. Willson and Allen attended, total of about 50-60 people. Hickory Ridge project was discussed. They may create an association that is under the umbrella of the Connecticut River Watershed Association. A number of questions about Hickory Ridge, both about solar and preserving the land. He stated the Finance Committee takes up the CPA proposals tomorrow, the Town Council will take CPA up in the next couple weeks. Conservation staff gearing up for the summer, they mowed the Kieras property. They stop mowing now due to birds nesting and get back to it in the fall. Ziomek said he's seen many bobolinks in Hadley, when they build nests in fields that are then mowed this early in the summer all that work is wasted. Work on State St. is moving along pretty quickly, the area for the turnaround is cleared and they've begun to paint the new lines for parking. Mitigation will occur after work is complete, probably in the fall. Butler asked about how construction will be publicized. Ziomek said they posted opening of the bridge on the webpage and it was in the newspaper. Something similar will be done when the State St. project is complete, definitely on social media. Willson asked how traffic flow will work coming over the bridge, currently two way so residents can get to their studio building on the west side of Mill St. Ziomek said the two way will go away, the residents will have to drive around and come over the bridge to access that driveway.

Willson presented photos of State St. project. She stated we need to nominate and vote on chair and vice chair positions. Ziomek said Town Manager is poised to appoint three new people, two may start ASAP and one end of June once Harvey leaves. Brooks stated he is going to have to resign, because he can't make night meetings. Butler said he is willing to take an office. Fair said she can come early to meetings, and put in some time. Angus nominates Butler as Chair and Jenn Fair as Vice Chair. They agree.

Commission VOTED (6-0-0) to appoint Brett Butler as Chair and Jenn Fair as Vice Chair.

MINUTES

No Minutes

PERMITS/DISCUSSIONS

**7:15 PM Conservation Land Management
No Discussion.**

7:30 PM Notice of Intent – Eversource Energy/Jonathan Roberge for replacement of an underground electrical cable within resource areas on Pomeroy Court (Map 20C, Parcel 69).

Melissa Kaplan presented the project. Kaplan submitted the certificates of mailing for the abutter notification. She stated Eversource had submitted an NOI for this work previously but withdrew because they decided to move the conduit from under the middle of the road to the Right of Way. She presented the site plan and showed where the test pits, drilling entry points, and trench will be located. She stated most of the work is in Riverfront, flood zone, and NHESP mapping. They have received the review letter from NHESP which says the work isn't considered a take. Silt fencing will be installed all along the resource area side (east) of the conduit. All the entry holes will be surrounded by straw wattles and covered with metal plates. The project should take 3-5 days. The conduit will be 4-6 feet below grade, and goes above the culvert. Willson asked where the dewatering water would go with such a tight sight? Kaplan said she doesn't think there will be any dewatering, if they have to they will probably use some kind of dewatering basin or sack.

Ziomek said the work should be done at low flow, after July 1. Pomeroy Court has flooding problems, when it rains water sometimes comes back up through the catch basins. Allen said June is turtle season. Kaplan said all workers will get trained in turtle sweeps. Ziomek asked if they are sure they are staying in the right of way? Past the right of way is Conservation Land. Willson to check with Skeels that project is in the right of way. Butler asked what the plan is for excavated soil. Kaplan said it will be backfilled into the trench/drill hole.

Conditions: Work during low flow. Work during dry weather, plan around storms if possible. Enact turtle protection plan as required by NHESP.

Clark moved and Brooks seconded. Commission VOTED (6-0-0) to close the public hearing and issue the Order of Conditions with Special Conditions as discussed.

7:45 PM Notice of Intent – Judith Souweine for pond maintenance at 565 Bay Road (Map 26D, Parcel 36).

Naomi Valentine, SWCA, presented the project. She said the pond management will include invasive/nuisance vegetation removal and replanting and cleaning out the sediment forebay. The pond is just under acre in size, average water depth of 4.3 ft, and maximum depth of 9.6 ft. It was built and permitted in 2000 and this is the maintenance was expected to be needed. The forebay is working and is quite full of sediment. They plan to remove a lot of the cattails that have taken over and made it impossible for other native aquatic plants to grow, it's a monoculture at the moment. There is also multiflora rose and a small amount of algae on the pond that they are asking through this permit to treat. The plan is to use herbicides to treat the cattails, leaving some along the western side, and re-plant with other native plants.

Butler asked what the purpose of the pond is? Valentine said recreational, they have grandchildren who like to swim and skate on the pond. It is also wildlife habitat. Butler said what is the problem with the cattails, they are native and attract birds. Valentine said the problem is no other vegetation is growing there now because the cattails have taken over. Clark asked if there was going to be dredging. Valentine said just the forebay. Angus read the native planting list. Valentine added they are filing as a Ecological

Improvement Limited Project, but didn't meet the deadline for the Environmental Monitor prior to this meeting, so will have to continue to the next meeting. Allen said good time to do the work is September. Allen asked if they were planning on leaving $\frac{2}{3}$ of the cattails. Valentine said more like 10%.

Butler asked what kind of herbicide is planned to be used in the wetland. Valentine said either Reward, or glyphosate Rodeo, and if a algaecide is needed a copper based one will be used. Willson asked if it is going to be a spray or stem treatment. Valentine said they can do it two ways, cut the stem and apply a spray or use the applicator wand up against the plant and have it drip down. Willson asked if the question about dredging and dewatering was answered? Valentine said she hasn't been able to talk to Taylor Davis yet about how the dredging of the forebay will be done. Angus asked about the volume? Willson said application says 84 cubic yards. Willson presented photos from the site visit.

Ziomek asked if there is any Estimated or Priority Habitat mapped for the site? Valentine said yes, and they have heard back from NHESP and the project does not pose a threat to species listed for the area. Ziomek said the permitting of the original pond pre-dates him and everyone on the Commission. He doesn't think it could be permitted today. He thinks that taking the cattails back to 10% of what is there seems like a lot. What's the science behind those numbers? Valentine stated the main concern is that it continues to grow into the pond until there is no open water anymore, the 10% is based on the fact that it will grow back. Angus asked if the habitat value of the new plants to be planted comparable and/or different? Valentine said yes, just due to diversity which would attract more variety of wildlife. Fair asked if the different plants would take up nitrogen & phosphorus differently, this could help algae. Valentine said the algae was short lived in the early spring and she thinks it came from the high rains we had bringing more nutrients than normal to the pond. They don't use any chemicals or fertilizers on the lawn, the water quality is good in the pond. Ziomek asked what time of year the field work was done, wondering if we just haven't seen other native plants come up yet this summer? She responded they have photos and did field work in the fall last year, and the cattails were dominant.

Ziomek asked if we like the plant species list? Butler asked if all native. Valentine said yes, all native. They are seeking a 5-yr order with ongoing cattail treatment. Fair said she would like the applicant to come back with an argument as to why these native plants will improve the ecology of the pond more than the cattails. Nutrient uptake, wildlife uses, etc.

Abutter, lives directly to the north, they have been in their house since 1975 and had no flooding problems until the pond went in in 2000. Now their basement floods, they all of a sudden had a stream coming through their backyard. Will this project affect the surface water again? When the pond was built the stream was moved, it used to be farther south but was re-routed into two culverts. The culverts don't get cleaned, she doesn't know who should clean them. Angus said this project as proposed shouldn't change the outflow from the pond. Valentine added after the dredging of the forebay there will be better storm detention. Willson brought up the Town GIS map, abutters showed their parcels, abutter said the construction of the pond changed the flow of the brook, he now has undercutting and trees uprooting. Ziomek suggested the neighbors talk to Ms. Souweine about addressing these issues, but this project doesn't look like it will impact outflow volume from the pond. Neighbor also wondering if herbicides will impact their property. Valentine said the chemicals do have half lives, basically they breakdown. Ziomek stated the road is actually mapped as Conservation Land, he is happy to meet some of the residents out there to look at the culverts.

Homework: Applicant to notify project in Environmental Monitor, some language justifying the ecological benefit of replacing the cat tails with more diverse plantings, talk to owner about more than 10% cattails left in place.

Brooks moved and Fair seconded. Commission VOTED (6-0-0) to continue the public hearing until 6/12/19 at 7:30pm. The applicant agreed to the continuance.

Miscellaneous Untimed Items

- Emergency Cert – installation of flow device at 30 Kestrel Ln & 15 Hop Brook

Willson stated there is a beaver dam behind houses on Kestrel Ln & Hop Brook. They hired Integrated Wildlife/Beaver Solutions to install a beaver deceiver. Threat was basement flooding in a few homes.

Butler moved and Brooks seconded. Commission VOTED (6-0-0) to ratify the Emergency Certificate.

- Ratify Enforcement Order #2 – 172 State St.

Willson stated they have done all their planting. She shared photos. She will be meeting with the owner at the site on Friday. The submitted a planting plan which was reviewed by staff prior to the planting.

Brooks moved and Butler seconded. Commission VOTED (6-0-0) to ratify Enforcement Order #2.

- Topics not reasonably anticipated 48 hours prior to the meeting.

Adjournment

Voted unanimously to adjourn the open meeting at 8:45 PM.