

**Conservation Commission Meeting
March 27, 2019
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Angus (C) at 7:00 p.m.

ATTENDANCE

Present: Angus, Brooks, Allen, Fair

Staff: Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Willson stated the Hampshire Gazette mis-posted the legal add for the two Hitchcock Ctr RDAs and the Cooley Dickinson Hospital RDA. So, we're re-opening them tonight just in case someone saw the add in the paper and came to this meeting instead of the last meeting where those applications were discussed. The draft special conditions for the UMASS Comprehensive NOI are in the Commission's packet, Willson also emailed them to all Commissioners. Please provide comments, UMASS will also provide comments and hopefully we can vote on the Order next mtg. Hickory Ridge is not coming tonight, they are making the requested changes to the documents and will get them to us prior to next meeting. There is a letter from Eversource in the Commission's packet regarding vegetation management along their right of ways. Willson said we need to set up a site visit to Laura Sayer's farm, Willson will send around a Doodle Poll for a date and time.

Willson worked with DPW to submit a grant to MA DER to replace the culvert carrying the Plum Brook under Potwine Lane. Ziomek presented to CPAC and Joint Capital Planning Committee for funding for Open Space Projects and Conservation land management costs. The fence is up at Fort River Farm for the community garden. Willson stated Wm Levine, long time farmer at Amethyst Brook, is retiring. Ziomek will meet with him, Commission should think about how they want to move forward with that, the area Wm farmed is Riverfront and he was irrigating from the Amethyst Brook.

MINUTES

No Minutes

PERMITS/DISCUSSIONS

7:20 PM Request for Determination – Hitchcock Ctr for the Environment for replacing drift fences for the salamander tunnels on Henry St. (Map 6A, Parcel 57)

Angus stated the RDA application that was discussed and voted on at our last meeting was not advertised correctly so it's on tonight's agenda also.

NO VOTE

7:25 PM Request for Determination – Hitchcock Ctr for the Environment for replacing drift fences for the salamander tunnels on Henry St. (Map 6A, Parcel 91)

Angus stated the RDA application that was discussed and voted on at our last meeting was not advertised correctly so it's on tonight's agenda also.

NO VOTE

7:30 PM Abbreviated Notice of Resource Area Delineation (cont'd from 3-13-19) – UDrive South, LLC for confirmation of resource areas at 348 Northampton Rd (Map 13D, Parcels 19, 20, 55, 56, & 57).

Angus stated at our last meeting the Commission discussed having a third party review done of the delineation. Mickey Marcus, SWCA, and Barry Roberts, property owner, at the meeting. Marcus stated since the site visit with the Commission he has gone out to the site a couple times and has revised the wetland boundary line for the isolated wetland. He presented the revised delineation map. Angus asked Willson where we are at with contracting with a peer reviewer. Willson said she has sent out a request email, however, the Commission needs to confirm which points they want reviewed. Marcus said they have reviewed the line a second time based on the Commission's concerns and have made the necessary changes. Brooks stated with the changes made by SWCA he doesn't think we need peer review. Willson asked Marcus if the Commission will get data sheets for the new points. He responded yes. Angus asked if it is ILSF, Marcus said no it's a fully vegetated isolated wetland. Willson asked if the new points were determined using soil samples. Marcus said some were determined by soil others with vegetation. Angus asked if ANRAD is asking to confirm any other resource areas and if it's for all five parcels. Marcus said there are no other resource areas on site, and they didn't delineate the southern boundary of the wetland on the southern most parcel. Angus said ORAD will read confirming lines as shown on ANRAD plan and that the southern boundary was not determined.

Angus asked if there is anything else the Commission wants from the applicant before the next meeting.

Brooks moved and Fair seconded. Commission VOTED (4-0-0) to continue the public hearing until 4/10/19 at 7:30pm. The applicant agreed to the continuance.

7:35 PM Request for Amended Order of Conditions – GTI Massachusetts NP for temporary parking at 169 Meadow St. (Map 4B, Parcel 6).

Tom Reidy, Attny. with Bacon Wilson, representing Rise at 169 Meadow St. presented the request for an Amended Order of Conditions to add temporary parking. He said the Order of Conditions for the Medical Marijuana facility was issued in 2016 and much of the work was completed, the facility opened in 2018. Now the facility is going to also sell recreational marijuana and the owner and some Town departments are concerned there won't be enough parking, especially when the facility first opens for recreational sales. There are 37 existing parking spots. Andy Bohne, Place Alliance Landscape Architects, stated the idea is to have minimal impact to the Riverfront area. The existing farm access road would be used to get to the additional parking. The soils are well draining gravel and sand with a thin layer of topsoil. The plan is to remove the current topsoil put down geofabric and 6" new topsoil, after six months when the temporary parking is no longer needed the area will be returned to current state. Silt fence and construction fencing will be used to control foot traffic. Brooks asked what the resource areas are? Willson said about a third of the temporary parking is Riverfront on eastern side, and

entire thing is BLSF. This area was considered non-degraded Riverfront in original NOI.

Angus asked if any of this ruins areas that were being vegetated, etc. as performance standards for the original NOI. Bohne stated if the parking lot is being used heavily after two to three months it is the applicants intention to come back to the Commission to amend the Order for construction of a parking lot meeting stormwater standards. This is just a precautionary, temporary action. Angus stated we need to make sure if this temporary parking area is removed that all the original requirements of the Order such as plantings occur. Bohne said all the plantings required in the original Order have been planted.

Angus asked how the material will be removed after six months. Bohne said with any excavator, fabric will be pulled up, the area will be hydro-raked, re-seeded and covered with straw or netting if needed. Angus said if this wasn't temporary you're filling BLSF and have no numbers for impacts to Riverfront. She asked if this could be permitted? Bohn said yes, stormwater calcs would need to be redone and the rain gardens and basins expanded. In terms of BLSF it was actually a net cut with the original NOI. Willson suggested having an erosion control monitor for all six months. Reidy said six months under ZBA would start once use starts.

Conditions: Provide new plan with resource areas depicted, limit of work staked in the field prior to construction, temporary bathrooms moved out of Riverfront, written protocol regarding how the use of the temporary parking lot will be only under dire circumstances, use of temporary parking lot to cease on October 15th, 2019, removal of temporary parking lot to commence October 16th, 2019, if permanent parking lot is desired file with Commission by August 15th, 2019, trash removal at end of every business day, erosion control monitor report once/week and after 1" storms for entire 6 months of temporary use, and if site becomes a mud pit use must stop. Angus to review draft Order prior to being issued.

Fair moved and Brooks seconded. Commission VOTED (3-1-0 Brooks opposed) to close the public hearing and issue an Amended Order of Conditions with special conditions as discussed.

8:00 PM Notice of Intent (cont'd from 3-13-19) - Charles Kovacic/Direct Energy Solar for installation of a solar array and associated access roads, utility poles, transformer pad, and fencing within Riverfront, Bordering Land Subject to Flooding, and buffer zone to Bordering Vegetated Wetlands at 191 West Pomeroy Lane (Map 19D, Parcel 10).

Willson stated the applicant has requested to continue the hearing.

Brooks moved and Fair seconded. Commission VOTED (4-0-0) to continue the public hearing until 4/10 at 8:00 PM.

8:15 PM Request for Determination - Cooley Dickenson Hospital for construction of an access drive within buffer zone to bordering vegetated wetlands at 170 University Drive (Map 13D, Parcel 49).

Angus stated the RDA application that was discussed and voted on at our last meeting was not advertised correctly so it's on tonight's agenda also.

NO VOTE

Miscellaneous Untimed Items

- Review & issue UMASS Order of Conditions

Commission to continue review. Marcus thought draft Order looks good, one comment on Condition 1.a, what about UMASS using an arborist to treat diseased trees with chemicals. Marcus to send Willson description in writing. He asked if all edits could be in tracking mode. Willson would like all comments from Commission by April 5th.

NO VOTE

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

Adjournment

Voted unanimously to adjourn the open meeting at 8:55 PM.