

**Conservation Commission Meeting
August 14, 2019
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Fair (VC) at 7:02 p.m.

ATTENDANCE

Present: Clark, Fair, Gauthier, Ambs, Defresne

Staff: Ziomek, Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Ziomek welcomed the new members. He stated he wears a number of hats, Assistant Town Manager, Director of Conservation & Development, and Director of Conservation. Conservation has great staff. He's excited about the areas of conservation work the new Con Com members can become involved. Land management is going to be important, advocating for more \$\$ for land management, working with conflicting uses of conservation land. Conservation Commission has care and control of conservation land, you set the rules, rules should be reviewed, maybe updated. Possibly create a subcommittee on land management.

He is working with the Fort River Watershed Association Group, they have a cleanup event on September 28 at Groff Park. Brian Yellon, UMASS, is spearheading the effort. Puffers Pond work continues, DPW is still working on the sidewalk around the corner from Mill St. onto State St. Conservation Dept still needs to do mitigation planting for State St. project. We have two land acquisition projects in the pipeline, Szala & Keet Haskins, and we're still working on purchasing Hickory Ridge. Field work moving along, staff will do fall mowing.

Wetlands Administrator search moving along nicely, have additional interviews this week hope to have decision by next week. Gauthier asked if Butler is going to sit in on some of those interviews. Ziomek replied no, it's not typically our process to have committee or board members be part of the hiring process. It is really the Town Managers decision, he does all hiring. For example, we've never had a member of the Planning Board sit in on interviews for a Senior Planner. Fair asked when the restoration work along the Fort River required for the spray park project will take place. Ziomek said that project is behind due to rain but that the restoration is a must and will be done. Hope is to have the spray park open late September and have a ribbon cutting.

Willson stated she's finishing up the revisions to the regulations and hopes to bring a rough version to the Commission end of September. Regulations can be approved by the Commission, changes to the bylaw have to go through Town Counsel. The plan is for Willson to work with new Wetlands Administrator to finish up the revisions. Willson presented photos of projects - Simple Gifts Farm driveway culvert, Eversource tower replacement, and Eversource underground electric line on Pomeroy Crt. Folks for landfill fence not coming tonight. Willson to collect water samples from Cushman Brook to look for source of ecoli in Puffers Pond. Fair suggests stormwater sampling. Willson agrees. Willson stated she brought the most recent report on the Pelham Rd. manufacturing gas plant site that

Commissioners were interested in at the last meeting. She also gave each Commissioner a new trails map.

MINUTES

Minutes 2-13-19 & 7-24-19

Clark moved and Fair seconded. Commission VOTED (5-0-0) to approve the minutes of 2-13-19.

Gauthier moved and Dufresne seconded. Commission VOTED (4-0-1, Clark abstained) to approve the minutes of 7-24-19.

PERMITS/DISCUSSIONS

7:10 PM Conservation Land Management

Letter from Agricultural Commission

Fair summarized what had been discussed at the last meeting, and stated the original letter and an email response from Butler are in the Commission's packet. Clark said he thought Butler's response was spot on, what is our next step. Fair said we need to decide if we're putting together a formal response to the Ag Com. Ziomek stated this conversation has come up over the years, and often has not been very fruit full. He stated, as Butler points out in his letter, getting the Ag Com's input on ag issues the Con Com has to deal with will be helpful. Ziomek suggested a subcommittee of a couple of Con Com members, a couple of Ag Com members to work with Ziomek and staff. Con Com has authority over Conservation Land, Ag Com is advisory to Con Com and Town staff. There is the ability through Massachusetts General Law for Agricultural Committees to hold and manage land for a Town. Conservation lands where farming could occur include Wentworth Farm, Fort River Farm, and Amethyst Brook. Con Com to work with Ag Com on farming licenses. One idea for Amethysyt was to have a farmer who would mentor Community Gardeners.

Fair stated when Butler is here at our next meeting we can discuss writing a response to the Ag Com. Also, come up with a formal process for collaboration between the two Committees. Ziomek said yes, need commitment from anyone volunteering for the subcommittee. Fair added, this is just one use of Conservation land, and we should all think about how we want all our lands used for a variety of purposes. Ziomek said this may be a good time to look at all Conservation Land regulations. He added we need to put out a draft of the Amethyst Brook RFP soon.

7:30 PM Notice of Intent - Ronald Keith for construction of a single family home and associated driveway and utilities including a stream crossing on Potwine Lane (Map 23B, Parcel 52).

Bucky Sparkle, project engineer, discussed the project. He stated they received some information from the Planning Dept today that will require additional field work and could end the project. He requested the hearing be continued for a month so they can answer the Planning Dept questions regarding the northern property line, and having sufficient square footage of upland to be a buildable lot.

Abutter, lives at 365 Potwine Ln, would like a copy of the project plan. Willson will email him the plan and NOI.

Member of the public (name??) asked what was meant by buildable land. Fair said the requirement of sufficient square footage of upland is a requirement of the Planning Board not the Conservation Commission. Willson stated there is a Planning requirement that a lot has 20,000 square feet of upland to be buildable. Resident asked if there will be a separate Planning Board hearing regarding the project. Ziomek said that is still being discussed, whether or not there needs to be a hearing regarding the ANR. Resident asked if abutters will be notified of the ANR hearing. Sparkle said probably not.

Clark moved and Gauthier seconded. Commission VOTED (5-0-0) to continue the hearing to 9/25/19 meeting at 7:30pm.

8:00 PM Request for Determination - Anne Puffer Maxson for a septic system repair within buffer zone to an intermittent stream at 435 Market Hill Road (Map 3D, Parcel 42).

Alan Weiss, Cold Spring Environmental, presented the project. This is a septic system repair project, the leach area is being moved to the north and further away from the resource area. There is a culvert that runs under the driveway and drains into a small wetland area, and then leaves the site as an intermittent stream. He has moved the leach field as far from the resource areas as possible. The septic tank is essentially in the same location. The piping is on the opposite side of the driveway from the resource area. Erosion control is included in the plan. Fair asked if there could be any erosion issues to the wetland to the west, Weiss said he doesn't expect any based on the site topography. Willson provided pictures from the site visit.

Ambs moved and Gauthier seconded. Commission VOTED (5-0-0) to close the public meeting and issue a Negative Determination #3.

8:15 PM Request for Determination – Lucinda Nuthmann for a septic system repair within buffer zone to an isolated wetland at 64 High Point Drive (Map 6B, Parcel 43).

Alan Weiss, Cold Spring Environmental, presented the project. He said the property owner has a rain garden that looks like it's in a former wetland. The site is very tight, there really is no other location for the leach field. The leach field is on the other side of the driveway from the wetland, and is over 50 feet from the wetland. Willson asked where the old leachfield was? Weiss said basically the same location, just been rotated. Willson provided photos from the site visit.

Gauthier asked if the garden area was once a wetland. Willson said probably, at this point it has been too long ago for enforcement. Ziomek suggested Willson have a conversation with the property owner about the impact to the wetland from her landscaping.

Clark moved and Ambs seconded. Commission VOTED (5-0-0) to close the public meeting and issue a Negative Determination #3.

Miscellaneous Untimed Items

- Certificate of Compliance – 18 Wildflower Dr. (Map 21D, Parcel 8)

Willson stated this is right next door to 26 Wildflower Dr. that we issued at our last meeting. The Order of Conditions is from 1981, we don't have a file for it, and it was for the delineation and infrastructure for Amherst Woods.

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

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

Adjournment

Voted unanimously to adjourn the open meeting at 8:30 PM.