

CONSERVATION COMMISSION MEETING MINUTES
November 13, 2019
TOWN ROOM, TOWN HALL
7:00 PM

Conservation Commission members present: Brett Butler, Chairman; Jenn Fair, Vice-chair; Fletcher Clark, Ana Devlin Gauthier, Lawrence Ambs.

Chairman Butler opened the meeting opened at 7:07pm.

Comments from the Chair (Brett Butler)

- Re-evaluate days site visits are held.

Director's Report (Dave Ziomek)

- Brad and Tyler working on mowing in North Amherst and other locations.
- Larch Hill large pine tree down on Jeffrey Lane. Looking to use DPW bucket truck to remove.
- During the colder months hoping to have Brad and Tyler (Land Managers) do a summary of the work completed over the season, and go over plans for next year.
- Dog Park bids, January. Parking, fencing and water. Dealing with/working around natural heritage issues.
- Hickory Ridge hearing December 16th at 6:30 pm.
- Ag. RFP 4:30 Friday. Meet late afternoon on the 25th to go over the bid?
- Asked Erin to inspect erosion controls at Groff Park.
- Noted state street mitigation plan in packets for the commission to review and comment on.
- Blue Bird Meadow. Signs have gone to print. The town will store them over winter and install 2020. Noted a very small trail opening was permitted on the property and there is a lot of poison ivy.

Wetland Administrator's Report (Erin Jacque)

- Erosion control inspections: 55 Lilac Lane, 85 University Drive, erosion control monitoring on multiple sites.
- Noted change to Eversource pole footings, field visit conducted. Requested photos as the close of the work.
- Shared monitoring reports for multiple sites, ENF for landfill, Water Quality Certification. All uploaded to OneDrive.

No minutes for approval

Hearing/Public Meetings

7:30 PM Request for Determination of Applicability – Amherst College proposed work includes a small area of grading (approximately 2,500 square feet) for a landscape berm within the buffer zone to Bordering Vegetated Wetlands related to field renovations at Gooding and Hills Fields at 212 Northampton Road (Map 14C, Parcel 13/14).

Megan Buczynski, PE of Activitas introduced the project and outlined the proposed field renovations. She noted existing paved driveway access between the work area and the wetland. The plan is to remove the existing top soil from fields and build up berms in the area indicated on the plans (right of the fields, left of driveway). There will be no work beyond the asphalt. Silt sacs and erosion controls will be used as shown on plans and monitored on site. Jacque recommended an erosion control inspection prior to the start of work, and after stabilization, prior to removal of erosion controls.

Moved by Ambs to issue a negative determination with conditions (checking box 3), as drafted with noted conditions. Seconded by Clark. Vote 5/0.

Request for Determination of Applicability – Amherst College proposed work includes the installation of (3) track and field cement/concrete throwing pads, along with installation of a stone dust throwing sector for shotput event, portions of the proposed work are located within the buffer zone to Bordering Vegetated Wetlands at 266 South Pleasant Street (Map 14C, Parcel 67)

Megan Buczynski, PE of Activitas presented project. Noted all work is on existing maintained grass areas. A small portion is located within the 50-foot buffer. There will be no tree removal as part of the project. Jacque requested an additional line of erosion controls be added to the low point in the grassy area closest to the wetland. Butler confirmed the material used for structures: stone dust and 10x10 concrete pad (outside of the 50-foot buffer). Butler noted that the Amherst College Zamboni dumps ice from the ice rink into the wetland near this site. Asked the Megan to discuss that with Amherst College. There was concern expressed about chemicals in the water being dumped in a “no disturb” area.

Moved by Clark to issue a negative determination with conditions (checking box 3), as drafted with noted conditions. Seconded by Ambs. Vote 5/0.

7:45 PM Abbreviated Notice of Resource Area Delineation (cont'd from 10/09/19) – UMASS Campus Planning for confirmation of resource area boundaries on Massachusetts Avenue (Map 8C, Parcel 13A).

Applicant's representative requested a continuance to the 12/11/2019 meeting.

Moved by Devlin Gauthier to issue a continuance of the public hearing to 12/11/2019 at 7:30 pm. Seconded by Clark. Vote 5/0.

8:00 PM Notice of Intent (cont'd from 10/09/19) – Tofino Associates Inc. for construction of a single family house with associated driveway, utilities, and landscaping within buffer zone to bordering vegetated wetlands at Lot #1 Concord Way (Map 21D, Parcel 139).

Notice of Intent (cont'd from 10/09/19) – Tofino Associates Inc. for construction of a single family house with associated driveway, utilities, and landscaping within buffer zone to bordering vegetated wetlands at Lot #2 Concord Way (Map 21D, Parcel 138).

Notice of Intent (cont'd from 10/09/19) – Tofino Associates Inc. for construction of a single family house with associated driveway, utilities, and landscaping within buffer zone to bordering vegetated wetlands at Lot #5 Concord Way (Map 21D, Parcel 135).

Notice of Intent (cont'd from 10/09/19) – Tofino Associates Inc. for construction of a single family house with associated driveway, utilities, and landscaping within buffer zone to bordering vegetated wetlands at Lot #6 Concord Way (Map 21D, Parcel 134).

Notice of Intent (cont'd from 10/09/19) – Tofino Associates Inc. for construction of a single family house with associated driveway, utilities, and landscaping within buffer zone to bordering vegetated wetlands at Lot #7 Concord Way (Map 21D, Parcel 133).

Notice of Intent (cont'd from 10/09/19) – Tofino Associates Inc. for construction of a single family house with associated driveway, utilities, and landscaping within buffer zone to bordering vegetated wetlands at Lot #8 Concord Way (Map 21D, Parcel 132).

Applicant's representative requested a continuance to the 12/11/2019 meeting.

Moved by Devlin Gauthier to issue a continuance of the public hearings for lots 1,2, 5, 6, & 7 to 12/11/2019 at 7:35 pm. Seconded by Clark. Vote 5/0.

8:15 PM Abbreviated Notice of Resource Area Delineation (cont'd from 9/25/19) – Raymond Szala for confirmation of resource area boundaries on Sunderland Road (Map 2A, Parcel 7).

Meredith Borenstein of SWCA provided an update of the revised plan and process of plan revision with Emily Stockman.

Jacque recommended any approval include the noted conditions:

- (1) Include reference to Emily Stockman's correspondence dated 11/12/2019 (specifically items #1, #2 and #3)
- (2) Reference 11/12/2019 plan revision
- (3) Bordering Land Subject to Flooding not approved since changes to the floodplains are underway for the Town
- (4) Boundaries are not approved under the Town of Amherst Wetlands Protection Bylaw

Moved by Clark to issue an Order of Resource Area Delineation to include the items listed by Jacque. Seconded by Ambs. Vote 5/0.

8:30 PM Notice of Intent – Jonathan Gurfein for construction of 30-foot by 60-foot greenhouse on an existing parking lot, security fencing, and associated site work within buffer zone to bordering vegetated wetlands at 555 Belchertown Road (Map 233, Parcel 57).

John Gurfein was present representing himself. Gurfein presented the project proposal and addressed comments from DEP regarding tree removal that was done one site in violation of state and local bylaws. Commission members considered how to address the tree removal (restoration versus leaving cut materials down to demarcate a permanent "no-disturb" area). Commissioners decided to require the vegetation be left in its current state. Applicant was told that future cutting or work beyond the existing down vegetation would require permission from the Commission.

The location of the compost was discussed, as was how the compost was proposed to be contained. Due to there being no plan to contain the compost the Commission was in agreement that

- (1) The proposed compost pile on the northwest side of the lot (just west of parking spots 3, 4, and 5 must be eliminated from the project.
- 2) The compost pile on the south side of the existing structure had to re-located to the east to be outside of the 100-foot buffer zone, or identified on a plan revision as being outside of the 100-foot buffer zone.

The Commission required:

(3) Permanent markers placed at the limit of the tree cutting that was done in violation. It was agreed with the applicant that boulders would be used at 5-foot intervals to mark a permanent (in perpetuity) no-disturb boundary.

(4) Staked straw bales to be installed along the entire west side of the existing pavement (along the western perimeter of the proposed fence line).

(5) Standard boilerplate conditions should be included, but noted that an erosion control monitor would not be necessary.

Moved by Ambs to issue an Order of Conditions with the noted adjustments (1), (2), (3), (4), (5) and a revised plan showing the 100-foot buffer zone from the bordering vegetated wetlands. Seconded by Fair. Vote 5/0.

Miscellaneous

Enforcement Follow up: 133-145 South East Street

Jacque recommended keeping the enforcement order in place until (1) an erosion control monitor is assigned, (2) all permits from other town departments are in-hand, and (3) a pre-construction meeting has been scheduled.

The commission granted Jacque the authority to lift enforcement if all ongoing issues were addressed prior to the next meeting.

Moved by Fair to allow Jacque to lift the Enforcement Order at 133-145 South East Street pending compliance with the permit. Seconded by Ambs. 5/0.

Request for Certificate of Compliance – Montague Road Solar Array DEP #089-0636

Jacque shared site visit photos, had no issues. Applicant's representative Kevin Midei provided the check for the town's replacement kiosk on the property.

Moved by Devlin Gauthier to issue a Certificate of Compliance with the noted ongoing conditions. Seconded by Clark. 5/0.

The Commission reviewed Monitoring Reports

Jacque provided an update that Eversource (DEP# 089-0655) requested a field modification to pole footings. Jacque had no issue with the adjustment and required that photos be provided at the completion of the work.

Meeting Adjourned.