

CONSERVATION COMMISSION MEETING MINUTES
APRIL 28, 2021
7:00 PM

Present: Brett Butler, Jenn Fair, Ana Devlin-Gauthier, Laura Pagliarulo, LeRoy Gaynor, Lawrence Ambros, Fletcher Clark, Erin Jacque (Wetlands Administrator), and David Ziomek (Director of Conservation & Development/Assistant Town Manager).

Butler opened meeting at 7:00 PM.

Comments from the Chair (Brett Butler) – Noted he didn't have a chance to review updated materials.

Director's Report (David Ziomek) – None.

Wetland Administrator's Report (Erin Jacque) – Jacque jumped into other business.

Approval of Minutes tabled to 5/12/21.

Land Use Applications –

(1) Mount Pollux star gazing

Tabled pending more information: Board asked for a specific day of the week that the stargazing will take place or dates (from-to dates, times and an endpoint) that the stargazing will take place. Ziomek noted that Conservation Areas are closed after dark, so once we know the specifics we will notify the Police Department so their time is not wasted responding if there is a complaint.

(2) Mount Pollux Wedding

Moved by Devlin Gauthier to approve the wedding request on August 14, 2021, 2 pm understanding the space is open to the public and parking is limited to two cars. Seconded by Clark. All in favor.

Butler recommend that the applicant provide a rain date.

(3) Hitchcock Center

Moved by Devlin Gauthier to approve the Hitchcock Center walks scheduled for May 1st 10-11 AM Harkness Conservation Area, and May 8th 1-2 PM Wildwood Conservation Area. Seconded by Ambros. All in favor.

Staff recommended an internal meeting to discuss the signage offline. Ziomek noted that proposals should be discussed amongst staff in advance of the meeting so a recommendation can be made. Ziomek noted branding challenges and that people need to know who owns and manages the land they are visiting. Ziomek noted the signage if approved would be temporary, not permanent.

Brett asked staff to report back to the Commission on the status. Devlin Gauthier asked for a report on standardizing signage processes.

Moved by Gaynor to approve the temporary Hitchcock Center signage for spring and summer placement at the Harkness Conservation Area and Wildwood Conservation Area in with coordination with Town Staff. Seconded by Devin Gauthier. All in favor.

7:25 PM Notice of Intent (cont. from 3-24-21) – Haines Hydrogeologic Consulting for Amherst Poor Farm, LLC for wetland restoration in both the Riverfront and Bordering Vegetated Wetland resource areas and agricultural activities in the buffer zone of bordering vegetated wetlands. Located at 214 Pomeroy Lane (Map 20C, Parcel 23).

Moved by Gaynor to continue the public hearing for 214 Pomeroy Lane to 5/12/2021 at 7:30 PM. Seconded by Devlin Gauthier. All in favor.

7:35 PM Notice of Intent (cont'd from 10/9/19)– 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 10/9/19)– 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 10/9/19) – 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 10/9/19) – 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 10/9/19) – 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 10/9/19) – 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).

Moved by Ambs to continue Tofino & Associates Inc. hearings for lots #1, #2, #5, #6, #7 & #8 to 5/26/21 at 7:35 PM. Seconded by Devlin Gauthier. Butler, Fair, Devlin Gauthier, Gaynor, Ambs, Clark in favor. Pagliarulo abstained.

7:40 PM Request for Determination – Kathryn Ellis requests removal of 19 hazard trees and a 10’x10’ deck off existing home within the buffer zone to Bordering Vegetated Wetlands at 392 West Street (Map 20C, Parcel 5).

Applicant not present. Jacque presented the work on behalf of the applicant.

Moved by Clark to issue a Negative Determine under the Wetlands Protection Act, and a Positive Determination under the Wetlands Bylaw (approving the work to proceed). Conditions include (1) minimizing impact to wetlands during felling of the trees (2) flagging of Bordering Vegetated Wetlands for the tree workers to identify the work limit. Seconded by Laura. All in favor.

7:45 PM Request for Determination – Keith Morris for New England Central Railroad for determining whether the sensitive area boundaries delineated on submitted plan are accurate (New England Central Railroad right-of-way).

Applicant not present. Jacque presented application and desktop review of sensitive areas.

Moved by Pagliarulo to continue the hearing to better delineate the wetlands pending 3rd party review to 5/12/2021 at 7:35 PM. Seconded by Ambs. All in favor.

Miscellaneous

Other Business

Enforcement Orders:

Carver Ave Enforcement Order, correspondence from Town Council uploaded for the Commission in OneDrive. Jacque said the flags had been placed on the site and several site visit times/dates were offered. Jacque asked if the board would like to schedule an executive session at the next meeting or do a site visit. Butler and Ambs requested a site visit. Site visit scheduled for 5/7/21 before 10 AM.

Certificates of Compliance:

Request for Certificate of Compliance submitted by 7 Potwine Place. Jacque stated that she facilitated some material getting taken off site and wood chips being spread. Jacque recommended a complete certification.

Moved by Devlin-Gauthier to issue a Complete Certificate of Compliance for 7 Potwine Place DEP# 089-0139. Seconded by Ambs. All in favor.

Extensions of Orders of Conditions:

Jacque requested on behalf of the Conservation Department to extend the Amethyst Brook Bridge replacement NOI for 3-years.

Moved by Clark to extend Order of Conditions DEP# 089-0641 for an additional 3-year period. Seconded by Gaynor. All in favor.

Correspondence from resident at Winston Court:

Discussion on request made by Jorge Cabanas of Winston Court requests to remove Multiflora Rose that has taken over a vegetated buffer along the driveway on the north side of the property. Board discussed

and asked for a formal correspondence to be issued approving the work subject to the following conditions:

- 1.) Invasive Multiflora Rose is the only species permitted to be cut and removed
- 2.) Cutting must be done with hand tools only
- 3.) Cut material must be bagged and disposed of at a land fill
- 4.) No herbicides are permitted to be used
- 5.) The board encourages that multiflora rose be cut annually with hand tools only, and that cuttings are removed from site and disposed of at a land fill
- 6.) No cutting of native plant species is permitted
- 7.) Anything beyond cutting with hand tools will require a permit filing (Request for Determination)
- 8.) If machinery is used for cutting the site will be subject to Enforcement by the Commission

Poetry Box:

The board discussed the change to the location of the proposed poetry box from the approved location at Groff Park to the other end of the Emily Dickinson trail. Jacque noted the location where the box was requesting to be relocated was on Amherst College property. Board stated they could not approve placement on Amherst College land. Noted that placement of the box on town land would be temporary.

Moved by Devlin Gauthier to adjourn at 8:56 PM. Seconded by Clark. All in favor.