

CONSERVATION COMMISSION MEETING MINUTES  
January 8, 2020  
TOWN ROOM, TOWN HALL  
7:00 PM

**Conservation Commission members present:** Brett Butler, Chair; Jenn Fair, Vice-chair; Fletcher Clark, Laura Pagliarulo, and Ana Devlin Gauthier.

Meeting opened by Butler at 7:03 pm.

**Comments from the Chair (Brett Butler):** None.

7:10 PM Conservation Land Management – Application submitted by Adrian Atwood for an event on Mt. Pollux - *Withdrawn*

**Minutes:** Review of minutes from 12/11/2019 meeting.

Motion: Moved by Devlin Gauthier to approve the 12/11/2019 meeting minutes, seconded by Pagliarulo. Vote 5/0.

**Director's Report (Dave):**

- More information on the agricultural license at Amethyst Brook to come.

Land Management items in the next few months:

- Former Hitchcock Center Building: Common School would like to lease the building, this should take about 15 minutes of the Commissions time, expect in April or May of 2020. Ziomek expects he will have a favorable recommendation.
- Request from Station Road Farm (re: 30 year lease from Town Meeting) in a few weeks.
- January 16<sup>th</sup> at 6:40 CPAC: Money for trails, due diligence money.
- Fort River Watershed Group, Ryan Yellen of UMass contract with Conway School to create a Watershed Study – Presentation in March or April.
- Beth Willson – Fearing Brook: First Step Fort River Watershed Study (Quality, quantity) – March Presentation
- Kestral Land Trust – 50 year anniversary, wants to hold events on town land
- 50k Robert Frost Trail work and permitting
- Szala Property – Ch. 61: Buy property or waive right of first refusal? Next meeting Ziomek will have more background.

Clark asked about Forest Cut being done by the town in Watershed Land. Ziomek said cut was in Town of Pelham.

Headcount for January 22<sup>nd</sup>. Quorum anticipated.  
Inquiry about open con com position.

**Wetland Administrator's Report (Erin Jacque)**

**Certificate of Compliance:**

Jacque explained that she inspected 417 West Street, and noted that there is another open Order of Conditions on the site. Noted that the current site conditions differ from original permit, since additional work and structures were permitted since the original permit was issued. Jacque suggested greater scrutiny on the later COC to make sure “as-built” correctly identify the approved locations of structures.

Moved by Pagliarulo to issue a Certificate of Compliance (DEP#089-283) to 417 West Street/433 West Street. Seconded by Clark. Vote 5/0.

**7:30 PM Request for Determination** – *Confirm whether resource area boundaries depicted on the submitted plans are accurate under the MA Wetlands Protection Act and Town of Amherst Wetlands Protection Bylaw Regulations at 214 Pomeroy Lane (20C, Parcel 22 & 23).*

Liu explained the applicant that the applicant only wishes to have the “A” “B” “C” and “HW” series flagging confirmed. Jacque noted she walked the site with Mike Liu and all areas of concern identified were addressed. Butler confirmed that the new flagging is pink and black. Butler noted that he visited the site and had concerns about the “A” series, there is a small piece adjacent to the road/driveway. Butler also noted several areas dominated by speckled alder (FACW+) and silky dogwood (FACW) in the “C” series. It was decided that the Commission members join Ward Smith (who completed the delineation), and Mike Liu on site to review the areas of concern. Jacque was asked to contact Smith and arrange a site visit.

Moved by Devlin Gauthier to continue the public hearing for 214 Pomeroy Lane to 8:20 on January 22<sup>nd</sup>, seconded by Pagliarulo. Vote 5/0.

**7:45 PM Abbreviated Notice of Resource Area Delineation** – *Confirm whether resource area boundaries depicted on the submitted plans are accurate under the MA Wetlands Protection Act and Town of Amherst Wetlands Protection Bylaw Regulations at Shutesbury Road (Map 9B, Parcel 11 & 12; Map 9D, Parcel 27).*

Maria, TRC delineation completed over a 4-day period in October. Jacque also pointed out that reviews are taking place on Pelham and Shutesbury parcels. Jacque suggested a peer review and said it may streamline things to do a review for all sites at once. Maria would like to proceed with the review if appropriate conditions exist.

**Public Comment:**

Tim Lang of Shutesbury Road noted that wetness on the site varies by season. He noted in the spring there is lots of water. Lang noted that the delineation was completed in October and noted that we had a dry fall. Lang reinforced support for a peer review noting that it should be done during the appropriate season.

Shane Baginosi of Cows was present and confirmed road access locations to the lots.

Lang asked if he could walk the site and question the delineation.

Butler said the site visits are for the Commission and it is not a meeting for discussion, and it is up to the landowner.

Lang asked if he could walk it independently, and if he finds things, if he could bring them forward.

Maria requested contact information and said she would request permission from the owner to share details on proposal.

David Ziomek noted that late this afternoon a letter was emailed to the Conservation Commission from Cinda Jones noting that Cowls is pursuing a solar project on the property.

Evan Turner requested that Jacque be empowered to hire a peer reviewer in between meetings to get the process in motion.

Moved by Fair to continue ANRAD to 7:30 PM on February 12, 2020, and authorize the Wetlands Administrator to select a 3<sup>rd</sup> party reviewer for the wetland delineation and authorize Jacque proceed with financial and administrative paperwork. Seconded by Clark. 5/0.

**Other Business:**

Bucky Sparkle for Echo Hill/Winston Court requested that a Request for Determination be acceptable for a repaving project on site that will not expand impervious surface. Sparkle said the only change is directing the roof leaders underground to infiltrate and prevent ice on sidewalks. Sparkle wanted to request the RDA for the project. Work will take about 2-weeks. The Commission asked that existing drainage be directed to stormwater systems. Sparkle proposed directing stormwater toward existing catch basins, and add filters in the catch basins to assist with nutrient reduction. The Commission also requested a maintenance plan.

Amir Mickchi and Mike Liu were present for Southeast Commons presenting plan changes made at Planning Board meeting. Liu identified the areas (in red) where changes were made to the plans previously approved by the Conservation Commission. Liu noted areas where additional parking was added and a grassed lawn area was added. Butler asked if impervious was being added to the site. Liu said no. Jacque asked if there were changes to the stormwater system. Liu said no. Jacque asked with the redesign if the 30 foot no disturb is being preserved, Jacque asked to confirm how much closer the pavement was coming to the wetland. Jacque said the previous plan was at about 50-feet and the new plan is at about 30-feet. Jacque also noted the limit of work was previously outside of 50-feet for the building and grading, and now the lawn is almost up to the 30-foot. Butler expressed concern with the size of the building. Ziomek suggested a meeting with the Planning Director. Devlin Gauthier is concerned with the parking and the lawn. Butler is concerned that the wetland was destroyed, noted he did not vote in favor and will not vote in favor of these changes. Clark suggested changes to improve the site. Pagliarulo suggested pollinator habitat, didn't see much value in the lawn space. Jacque and Ziomek plan to meet with Chris Brestrup, Planning Director, the owner, and owners representative to find a solution.

325 Sunderland Road – Eversource request for minor administrative change to add swamp mats at access road and adjacent to the substation to facilitate crane access.

Moved by Fair to approve the addition of swamp mats for crane access as a minor administrative change to permit (DEP#-667). Seconded by Pagliarulo. Vote 5/0.

Moved by Clark to adjourn at 9:30 PM. Seconded by Devlin Gauthier. Vote 5/0.