

**CONSERVATION COMMISSION
MEETING MINUTES
VIRTUAL MEETING
August 25, 2021
7:00 PM**

Members Present: LeRoy Gaynor Acting Chair, Michelle Labbe, Lawrence Ambbs, Fletcher Clark, and Ana Devlin Gauthier.

Members Absent: Jenn Fair, Chair, and Laura Pagliarulo.

Staff Present: Erin Jacque, Wetland Administrator, David Ziomek, Director of Conservation & Recreation/Assistant Town Manager

Comments from the Chair (LeRoy Gaynor) Gaynor asked about water quality at Jump Bridge. Ziomek noted water quality at the site has not been good.

Director's Report (Dave) Ziomek noted the new parking areas at Stanley Street (Wentworth Conservation Area) and Sweet Alice Conservation Area have been completed. Ziomek noted that seasonal staff have wrapped up. Ziomek noted the Hickory Ridge acquisition is moving forward and the remediation is almost complete. Gaynor asked if kiosks would be standardized. Ziomek noted that weatherproofing would be added.

Review and approval of Minutes

Moved by Clark to approve the 8/11/2021 minutes. Seconded by Clark. All in favor.

7:30 PM Abbreviated Notice of Resource Area Delineation –SWCA for Barry Roberts/Stanley Mitchell Life Estate for confirmation of resource area boundaries (Bordering Vegetated Wetland and Bank) at 246 Montague Road (Map 2C, Parcels 1-12, 12).

Gaynor opened the hearing at 7:30 PM. Mickey Marcus, SWCA Thomas Reidy, Bacon & Wilson, and Barry Roberts were present on behalf of the applicant/owner. Marcus presented the delineation. Marcus noted that the flood zone would be located based on elevation. Marcus noted that the flagging had been lost when the hay was cut, but the flags were replaced. Marcus said there was no reason for a third party reviewer. Jacque noted that agricultural fields are particularly hard to delineate due to the soil horizons being disturbed from being tilled and the vegetation not being natural since the land is planted. Clark noted the comment regarding the infrared imagery from DEP.

Public Comment:

Janet Keller, 120 Pulpit Hill Road – Noted that she had been involved in a meeting between David Ziomek and Chris Brestrup to get a better understanding of the Conservation Commission process. Keller asked for more information on what the process will look like.

Devlin Gauthier noted that right now we are looking at the resource area boundaries, and considering a third party review. Noted that we are not at the point of reviewing a design yet. There is no proposal before the board to alter the land right now.

Gaynor noted he is in favor of a peer review. Ambs, Clark, Labbe, and Devlin Gauthier all agreed. Roberts agreed to continue the hearing for 2-weeks to allow the third party review to take place.

*Moved by Ambs to do a third party review of the delineation at 246 Montague Road.
Seconded by Devlin Gauthier. All in favor.*

There was discussion about another site visit, and the Commission getting out on the site collectively. Clark asked if Commissioners could enter the site independently. Roberts said the Commissioners could enter the site, Marcus also offered SWCA to do another site walk.

*Moved by Devlin Gauthier to continue the public hearing to September 8, 2021 at 7:40 PM.
Seconded by Clark. All in favor.*

7:35 PM Notice of Intent – The Zengineer for Historic Renovations & Rental Properties, Ltd. for removal and replacement of existing driveway and landscaping at 300 North Pleasant Street (Map 11C, Parcels 170).

Jacque noted that abutters had not been notified 7-days prior to the hearing. Jacque stated that the applicant requested a continuation to properly notify abutters.

Moved by Devlin Gauthier to continue the public hearing for 300 North Pleasant Street to September 8, 2021 at 7:30 PM. Seconded by Clark. All in favor.

7:40 PM Abbreviated Notice of Resource Area Delineation – SWCA for confirmation of resource area boundaries at 52 Fearing St; 336 & 346 N Pleasant St (Map 11C, Parcels 123, 124, 159, 160, 162, 163, & 164).

Jacque noted that the contract was still being initiated and a continuation had been requested to allow the peer review to proceed.

Moved by Ambs to continue the public hearing for 52 Fearing Street to September 8, 2021 at 7:35 PM. Seconded by Clark. All in favor.

7:45 PM Notice of Intent – Town of Amherst proposes several new footbridges, bog bridges, replacement footbridges and replacement bog bridges as well as associated trail improvements in various locations along the Robert Frost Trail (Robert Frost Trail Right-of-Way).

Jacque noted that the project had been presented at the last meeting and the Commission continued the hearing due to the DEP file number having not been issued at the time. Jacque stated that the DEP file number and comments had been issued. Jacque noted that there were no concerns listed in the DEP comments. Jacque noted that the work was minor and primarily restoration of resource area damage, and resource area improvement.

Moved by Fletcher to approve the Robert Frost Trail Order of Conditions DEP #089-0690 with boiler plate and local wetlands conditions. Seconded by Devlin Gauthier. All in favor.

7:50 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).

David Haines of Haines Hydrogeologic Consulting was present on behalf of the owner.

Jacque reviewed her recommended conditions:

- 1.) Recommend Boiler plate state and local conditions
- 2.) The only activity allowed in the 100-foot vernal pool buffer is hay land/mowing
- 3.) Herbicides permitted for invasive species management
- 4.) Chicken coop must be relocated out of the flagged wetland area.
- 5.) No new encroachments on flagged wetland boundary (includes livestock fencing, and tree clearing)
- 6.) Any livestock fencing must be located outside of the 5-foot buffer established around wetland boundary
- 7.) No storage of composed manure in the buffer. Manure storage should be located in an appropriate up land location.
- 8.) Monitoring reports shall be submitted to the Conservation Commission on an annual basis for the life of the permit.

Moved by Devlin Gauthier to approve the Order of Conditions for 214 Pomeroy Lane with the Conditions noted by Jacque. Seconded by Ambs. All in favor.

Miscellaneous

Other Business

CPA

Devlin Gauthier expressed her enthusiasm for remaining the CPA liaison, but suggested waiting for the full board to be present to make the appointment.

Ziomek noted that CPAC will be very important for maintenance on Conservation Lands, and seed money for trails construction (ex. Hickory Ridge). Ziomek also noted that residents can submit CPA project proposals.

Jacque noted that Labbe expressed need for Atkins Flats Parking Area. Ziomek said he would have to look into this.

Correspondence

Jacque noted changes to the Fearing Brook Floodplain Restoration Plan including the armoring of the settling basin outlet on the Fort River School side of the brook, and proposed changes to the turbidity curtain to include use of staked straw waddles in the stream.

Moved by Clark to adjourn at 9:05 PM. Seconded by Devlin Gauthier. All in favor.