

**CONSERVATION COMMISSION  
MEETING MINUTES  
December 22, 2021  
7:00 PM**

Members Present: LeRoy Gaynor, Ana Devlin Gauthier, Laura Pagliarulo, Fletcher Clark, Michelle Labbe

Members Absent: Jenn Fair

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

Review and approval of Minutes

*Moved by Devlin Gauthier to approve 2/12/2020 Minutes. Seconded by Clark. All in favor.*

*Moved by Devlin Gauthier to approve 9/22/2021 Minutes. Seconded by Labbe. All in favor.*

*Moved by Devlin Gauthier to approve 10/13/2021 Minutes. Seconded by Labbe. All in favor.*

*Moved by Devlin Gauthier to approve 11/10/2021 Minutes. Seconded by Pagliarulo. All in favor.*

*Moved by Devlin Gauthier to approve 12/8/2021 Minutes. Seconded by Pagliarulo. All in favor.*

Certificates of Compliance

*Moved by Pagliarulo to Issue a Certificate of Compliance for 089-0527 checking box for Invalid Order of Conditions (order of conditions never commenced/lapsed). Seconded by Clark. All in favor.*

*Moved by Pagliarulo to Issue a Certificate of Compliance for 089-074 checking box for Invalid Order of Conditions (order of conditions never commenced/lapsed). Seconded by Clark. All in favor.*

Jacque noted stability issues on the lot that need to be addressed before issuing a Certificate of Compliance for DEP #089-0626.

Ziomek noted that a small parking area was installed for Open Space Access at Vista Terrace. Labbe asked which parcels on the subdivision were being accepted by the Town. Ziomek noted only the large one on the south side of the subdivision.

Ziomek also noted that DCR approved the parking lot at Sweet Alice with the Condition that the Town abandon roadside parking on Bay Road. Ziomek stated he is working with IT to update the town GIS layers with correct state CR data.

Reassign CPA Liaison

*Moved by Devlin Gauthier to appoint Pagliarulo to the Community Preservation Act Committee. Seconded by Gaynor. All in favor.*

**7:30 PM** Abbreviated Notice of Resource Area Delineation – The Berkshire Design Group for Zbylut Realty, LLC. For confirmation of resource area boundaries at 398 & 406 Northampton Road (Map 13D, Lot 47 and Map 13D, Lot 48).

Rachel Loeffler and Jess Schoendorf of Berkshire Design Group were present on behalf of the applicant. Jacque shared photos and was fine with the Delineation as long as Bordering Vegetated Wetland was the only resource area being approved. Jacque noted that the form did not include the linear feet of BVW. Loeffler said 242 feet.

*Moved by Pagliarulo to issue an Order of Resource Area Delineation approving the boundary for Bordering Vegetated Wetland only. Seconded by Gaynor. All in favor.*

**7:35 PM** Request for Determination of Applicability – Lerner Consulting for Amir Mikhchi for selective thinning of trees and vegetation within the 100-foot buffer zone at 11 Trillium Way (Map 21D, Lot 70).

Erica Larner, Larner Consulting was present on behalf of the applicant. Noted “no take issued by NHESP. Labbe asked which species were mapped. It was agreed approval would be shared off line, since endangered species are not public information. Devlin Gauthier noted a typo on the RDA form.

Wei Lu – 15 Trillium Way expressed concerns about the amount of clearing. Stated there are only a few oak trees remaining when all of the pines are removed.

Plan was shared showing only a small amount of the property had buffer zone at the rear of the lot. Larner stated she would speak to the owner to try to preserve the privacy buffers on either side of the proposed house lot.

Noted conditions:

- (1) Erosion controls must be placed at the limit of work and inspected prior to the start of work.
- (2) area must be stable and inspected prior to removal of controls.

*Moved by Clark to issue a Negative Determination of of Applicability under the Wetlands Protection Act (Box 3) and a positive Determination (Box 5) under the Town of Amherst Wetlands Protection Bylaw with conditions. Seconded by Labbe. All in favor.*

Other Business

Jacque will contact owner of 1107 North Pleasant Street regarding several large diameter trees cut along the bank of an intermittent stream in violation.

#### Appointments to Wetlands Bylaw Regulation Review Subcommittee

*Moved by Clark to appoint Gaynor and Labbe to the Wetlands Bylaw Regulation Review Subcommittee. Seconded by Devlin Gauthier. All in favor.*

*Moved to adjourn by Devlin Gauthier at 8:18 PM. Seconded by Pagliarulo. All in favor.*