

**MINUTES**

**CALL TO ORDER**

Meeting called to order by Ms. Angus, Chair at 7:05 PM.

**ATTENDANCE**

**PRESENT:** Angus (C), Kaplan (VC), Allen, Hamin, Stein, Walker

**ABSENT:** Gerber

**STAFF:** Ziomek, Ciccarello

**CONSERVATION COMMISSION'S ACTION**

**Approve Minutes**

**Stein moved and Hamin seconded. Commission VOTED** unanimously (5-0) to approve the Conservation Commission minutes of October 14, 2009 as corrected. (Kaplan not present for the vote- arrived at 7:15 PM).

**PERMITS/CERTIFICATES**

**Walker moved and Stein seconded. Commission voted unanimously (6-0) to ratify the Emergency Certification issued for tree removal in the Mill River Conservation Area.**

**Request for Determination – Amherst Conservation Department** for removal of two trees in the Mill River located at the Mill River Recreation Area 95 Montague Road (Map 5A, Parcel 126).

- Opened the public meeting at 7:45 p.m.
- Closed the public meeting at 8:05 p.m.

Dave Ziomek presented the project to the Commission. He stated that proposed work consists of removal of 4-5 trees which had sloughed off the bank and into the Mill River. He stated that DPW worked with Dave McKinnon and Stephanie Ciccarello to work out a removal strategy from the water channel. The following special conditions were proposed to be included with the Determination:

- 1) Erosion control shall be installed in the stream channel in at least two locations downstream of the work area and shall consist of silt fencing and strawbales.
- 2) The upended root balls which have fallen into the channel shall also be removed.
- 3) All debris from tree removal shall be removed and located beyond the buffer zone and resource area(s).
- 4) The Wetlands Administrator shall be on site when work occurs and shall have the authority to stop work if at any point it appears that the work will threaten the integrity of the resource area(s).
- 5) The Wetlands Administrator shall be notified upon installation of the erosion control prior to work
- 6) No work may proceed until the Wetlands Administrator has inspected the erosion control
- 7) All sediment which has accumulated by the erosion control barriers shall be manually removed to an upland location prior to removal of the erosion control.
- 8) Work may only occur during low flow conditions.

**Hamin moved and Walker seconded. Commission VOTED** unanimously (5-0) to close the public meeting and to issue a Negative Determination for the work. (Kaplan left at 8:00 PM and was not present for the vote).

**Notice of Intent (Cont'd from 5/27/09)– Amherst Department of Public Works** for roadway reconstruction and drainage improvements partially in, and in the buffer zone of, bordering vegetated wetlands and bank resource areas (Route 116 - Atkins Corner adjacent to Map 25B, Parcel 5).

- Opened the public hearing at 8:06 p.m.

**Stein moved Hamin seconded. Commission VOTED** unanimously (5-0) to continue the hearing to Tuesday, November 17<sup>th</sup> at 7:30 PM at the applicant's request.

**MISCELLANEOUS UNTIMED ITEMS:**

**Rail Trail Meeting**

Briony reported that she and Dave attended the meeting regarding the proposed rail trail improvements. Dave Ziomek forwarded comments from Judy Eiseman. DCR's proposal maintains increasing the trail width to ten feet along the entire length.

**Director's Report**

**Land Manager Search:**

Dave stated that the Land Manager search has proceeded. There are a few finalists at this stage. Dave has made a case for maintaining this position. He expects to make an offer by the end of the week. There were approximately 35 applications.

**Article 4:**

Dave had handouts for the Commission members. He stated that the Article would come on Monday evening, November 2<sup>nd</sup>. He asked Briony to attend to voice the Commission's support.

**CPAC:**

Dave and John Gerber have met regarding CPAC land projects. He stated that the proposals are due the first week in December. Dave will have more information on the proposals at the next meeting on November 17<sup>th</sup>.

**Budget:**

The state is proposing \$600,000 in mid-year budget cuts. The schools and the Town will have to absorb them which will have an effect on FY'11. There will most likely be a proposal for an override to maintain level services.

**Gift:**

An anonymous gift is in the works for trails.

**Puffer's Pond 2020**

Elisabeth reported that there was very successful meeting held over the previous weekend. The next meeting is to be held on October 29<sup>th</sup> at 7 PM at the Bangs Center. A full committee meeting will be held once the public meetings are completed.

**ADJOURNMENT**

**Stein moved, Commission VOTED** unanimously to adjourn the open meeting at 8:13 PM