

MINUTES

CALL TO ORDER

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

ATTENDANCE

Present: Angus (C), Allen, Hamin, Walker  
Absent: Boice (Muska)  
Staff: Ziomek,

CONSERVATION COMMISSION'S ACTION

Approve Minutes

**Hamin moved, Walker seconded. Commission VOTED (3-0-1;** Allen abstained) to approve the minutes of June 21, 2011 with minor edits by Angus.

PERMITS/CERTIFICATES

**Request for Determination (cont'd from 6/21/11 mtg)–Amherst Survival Center for the demolition and construction of a new community facility in the buffer zone of a town jurisdictional intermittent stream located at 138 Sunderland Road (Map 5A, parcel 26).**

- Opened the public meeting at 7:32 p.m.
- Closed the public meeting at 7:43 p.m.

Angus opened the public meeting. A review of the site plan application letter from Jason Skeels to Chris Brestrup was distributed to members. Sara Campbell presented on behalf of the applicant. Plans with calculations of project impacts to the buffer zone were distributed to members.

Ms. Campbell also distributed a letter to Jason Skeels in response to his letter and an erosion control plan – both dated July 19, 2011 to Commission members.

**Walker moved, Hamin Seconded. Commission VOTED unanimously (4-0-0)** to issue a Negative Determination of Applicability for work in the buffer zone under the Town of Amherst Wetlands Protection Bylaw.

**Request for Determination – Town of Amherst Conservation Department for installation of a bridge at Amethyst Brook Conservation Area located off Pelham Road (Map 12C, parcel 5 & Map 15B, parcel 87).**

**Note: Applicant withdrew the application.**

**Request for Determination – Town of Amherst Conservation Department for replacement of an existing bridge located on the Robert Frost Trail in the Eastman Brook Conservation Area (Map 2B, parcel 8).**

- Opened the public meeting at 8:06 p.m.
- Closed the public meeting at 8:11 p.m.

Brad Bordewieck presented. Proposal is to replace an existing bridge and add a foot on to the grassy area at each end well beyond the bank.

**Walker moved, Allen seconded. Commission VOTED unanimously (4-0-0)** to close the public meeting and issue a Negative Determination for work in the resource area with the following Special Conditions: 1) All work shall be done manually within the existing footprint 2) No disturbance of vegetation 3) work shall be conducted during low flow conditions.

**Request for Determination – Town of Amherst Conservation Department for installation of a bridge at Puffer’s Pond located off State Street (Map5B, parcel 129).**

- Opened the public meeting at 8:12 p.m.
- Closed the public meeting at 8:20 p.m.

Bordewieck and Ziomek presented. Ziomek stated that this is more of a replacement rather than an installation as there is an existing boardwalk. Raising the walkway will allow for better water and wildlife passage and ultimately reduce resource area impacts.

**Hamin moved, Allen seconded. Commission VOTED unanimously (4-0-0)** to close the public meeting and issue a Negative Determination for work in the resource area.

**Request for an Amended Order of Conditions – Juggler Meadow Farms 260 Leverett Road – to change special condition #3 to allow the bottom of the fencing to be 18 inches from the ground.**

Opened the public hearing at 8:21 p.m.

Steve Riberdy presented on behalf of the applicant. Mesh wire was attached to split rail fencing that went to the ground in violation of the Order of Conditions. The applicant would like to reduce the height requirement. Original Special Condition #3 stated “At a minimum the clearance height on the fence shall be 12 inches at the bottom...” No mention of wire mesh was included in the Order.

Steve stated that ideally they would like 6” of clearance rather than 12” at the bottom which will allow for the passage of box turtles but will prevent small animals from escaping.

Angus inquired about Natural Heritage’s response letter to the original application. She noted that the letter did not reference the fencing at all.

Steve Riberdy suggested that he contact Natural Heritage to get some input from them in writing as to what fence height would be most appropriate for clearance for the species of concern.

**Walker moved, Allen seconded. Commission voted unanimously (4-0-0) to continue the hearing to August 10<sup>th</sup> at a time to be determined.**

**Vote to ratify the Emergency Certification issued to the Amherst Conservation Department for work on the Owen's Pond flow structure.**

Ziomek stated that the flow structure is not fixed entirely and hopefully will be part of the WMECO NOI. **Hamin moved and Walker seconded. Commission VOTED unanimously (4-0-0) to ratify the issuance of the Emergency Certification.**

### **MISCELLANEOUS UNTIMED ITEMS:**

#### **Amethyst Brook – Discussion regarding dogs off leash**

Discussion prompted by recent letters in response to the Letter to the Editor and article in the Daily Hampshire Gazette. Letters from concerned citizens were included in the Commission's packets. Ziomek suggested the Commission slate the dog policy issue as the next focused topic of discussion for the Land Use Policy document. At this point the Commission is not seeking public input, but would like some history and education about dogs and the conflicts that exist on Conservation Land. Allen suggested that Carol Hepburn be invited to the next meeting on August 10<sup>th</sup>.

### **DIRECTOR'S REPORT:**

Ziomek announced that Ciccarello has accepted a new position as the Town's part time Sustainability Coordinator. Challenge is to find a logical transition to her new role but for her to remain working partly on wetlands until a new Wetlands Administrator is hired – hopefully by September 1<sup>st</sup>.

DZ met with Dr. and Mrs. Hess and has requested to continue the application for the Amethyst Brook bridge to a later date. They are concerned with the increasing number of hikers and dog walkers on the Conservation land that crosses their property. DZ will meet with them again to discuss in more detail.

Not much movement or meetings about what's happening with the Norwottuck. Rail Trail. September 8<sup>th</sup> is the next meeting of the Norwottuck Rail Trail Advisory Commission per Stephanie O'Keefe.

DZ distributed copies of the park grant that was submitted for Puffer's Pond. The project cost of \$370,000 was put together as a design/build. Year one, beginning in January, 2012, will be focused on design (\$25,000), the remainder slated for construction. The other grant was for the War Memorial pool and was also in the vicinity of \$300,000. For both grants

there will need to be a match. Will need to work on the warrant for fall Town Meeting as to where that money will come from.

In response to an inquiry from Hamin, Ziomek clarified that CPA funding cannot be used for improvement projects as the match funding if the land wasn't purchased with CPA funds.

Ziomek acknowledged the work done by Nate Malloy on the grants the Town received.

Ziomek noted agricultural work on a parcel on Summer Street which may be in violation. Ciccarello will follow up with the property owner.

**ADJOURNMENT**

**VOTED** unanimously to adjourn the open meeting at 8:41 p.m.