

**Conservation Commission Meeting
August 13, 2014
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Angus, Chair at 7:04 p.m.

ATTENDANCE

Present: Angus (C), Boice (VC), Allen, Healey, Brooks, Butler, Clark

Staff: Ziomek, Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Willson stated mitigation completed at Lewis project so far includes on-site plantings along slope to Mill River, woodchips on trail, and rebuilt drainage outlet (step pool). Still need to do bank stabilization & fencing along State St. by Cushman Brook. Tennis courts at Amherst College in construction. Norwottuck Rail Trail completed to S. Pleasant St., wetland replication area complete. Contractors working now on drainage east of S. Pleasant, installing new culverts. Meadow St. owner (Ron LaVerdiere) asking to install permitted sewer lines. Haying being done on Potwine Ln. 3rd party review committee met and chose consultant, contract not in place yet but will be by next meeting.

Ziomek stated Beth was persistent and succeeded to having dumped debris removed from Conservation area on Mt. Holyoke Dr. Trail crew finishing up, also wrapped things up with Amherst College interns. Trail crew painting, weatherizing building, roof on kiosk, and repaired the Pop Corn Shack at Hitchcock Ctr. Brad working with Orchard Arboretum Committee at Applewood to expand ADA accessible walkway. Contracting with Taylor Davis Landscaping to build walkway extension.

MINUTES

Minutes of 5/14/14 reviewed & approved.

Butler moved and Healey seconded. Commission VOTED (7-0-0) to approve minutes of 5-14-14.

PERMITS/DISCUSSIONS

7:15 PM Informal Discussion – Trail design for South East St. conservation land

Ziomek stated this is the new Conservation Land adjacent to the Norwottuck Rail Trail that we just put a Conservation Restriction on. Parcel is about 5 acres, purchased in cooperation with South Amherst Conservation Association, Kestrel Trust, DCR and Town of Amherst. There are two lots carved off for development. When purchasing the parcel the Town had envisioned a trail going from Southeast St. across the parcel and connecting with the rail trail following the path of an old farm road.

Looking for Commission's thoughts on formalizing a trail where the old farm road is that would be used by pedestrians and Conservation dept staff. Staff currently does not have access to maintain the

Brickyard Conservation Area, this trail would provide access. DCR has allowed staff to access via the rail trail, however, they have concerns regarding liability, etc. and could deny access at any time. Ziomek showed vernal pool and wetland areas and their setbacks on the overhead. Healey asked if trail could meet rail trail further south in between isolated wetlands versus going through wetland. Ziomek said he thinks the least impactful way is using the old farm road because there is already a culvert there and it has previously been an access point (road). Willson showed where old road and potential trail location go over delineated wetlands and buffer zone.

Ziomek stated looking for Commissions feedback on establishing and maintaining a trail where the old farm road was. Maintaining it would mean brush hogging it twice a year, allowing people to walk from Southeast St. to rail trail along it, and staff driving tractors along it to access Brickyard Conservation area once a year. Butler asked if parking is proposed. No, enough parking on Mill Ln. Angus asked when was last time maintained. Ziomek said about 5 years. Angus asked how is Conservation Dept. proposing to permit this, replication for wetland impact? Willson said impact is mowing & bog bridging. Healey stated we asked Kestrel Ln residents to file NOI for mowing in wetland. Ziomek said we have feedback before we discuss again Con Com can do a site visit. Angus stated if there are wetland impacts an NOI is needed and the performance standards must be met.

7:30 PM Request for Determination - Michelle & David Hammer for replacement of a porch with a house addition in buffer zone to bordering vegetated wetlands at 36 The Hollow (Map 18C, Parcel 134).

Bruce Griffin, New England Env. presented the project. Project is to extend house into area that is currently a screened in porch. Porch and chimney removed, replace by 6.4 x12' house extension. A steep slope exists next to the porch that has rhododendron growing on it and it slopes down to an isolated wetland. Asking for house extension within same footprint as porch within 10-15' of wetland. Silt fence will be installed around the work area. The addition will be built on piers that will be hand dug. Brooks asked if gutters were going to be added to the addition. Contractor responded they were going to use a rain barrel.

Healey moved and Brooks seconded. Commission VOTED (7-0-0) to close meeting and issue Determination #3 with no conditions.

7:45 PM Request for Determination (cont'd from 7-23-14 mtg) - Town of Amherst Conservation Department for repairs to the Eastman Brook bridge along the Ellsworth Barnard Trail (Map 2B, Parcel 2).

Ziomek stated the Conservation Department would like to withdraw the application. Following further discussion with the owner and MADEP it was determined the work is agriculturally exempt. The Conservation Commission does hold a Conservation Restriction on the land.

Angus stated that the withdrawal of the application is approved. NO VOTE.

7:50 PM Notice of Intent (cont'd from 7-23-14 mtg) – Town of Amherst Conservation Department for replacement of cribbing, installation of fencing & trail repairs within resource areas at Puffer's Pond Conservation Area (Map 5B, Parcels 16, 129 & 130 and Map 2D, Parcel 8).

Ziomek stated the Conservation Dept. would like to continue this until the second mtg in September.

Brooks moved and Healey seconded. Commission VOTED (7-0-0) to continue the public hearing until September 10th at 8:00pm.

7:55 PM Request for Determination (cont'd from 7-23-14 mtg) – Town of Amherst Conservation Department for construction of a crushed stone parking area and installation of a fence and gate within buffer zone to an isolated wetland at the Wentworth Farm Conservation Area (Map 18A, Parcel 46).

Ziomek stated the Conservation Dept has put together additional information for the project as requested by the Commission. Goal is to fix current parking problem where cars are parking along road, in front of emergency access, in wetland, and over sidewalk. Proposing to create formal parking area to the north of the entrance and fence off area where people are currently parking. New gravel parking area 25'x50' with split rail fence and grass berm around. Parking area is between two isolated wetlands, place 25' from each. Plan includes re-vegetating areas near entrance where people have been parking.

Healey asked how wetlands were delineated. Willson said wetlands don't show up on GIS, she and other Conservation staff marked the wetlands. Willson stated wetland adjacent to entrance will be improved by the work because cars will no longer park on it and less sand/dirt will be eroded into it. She added wetlands under 500 square feet are not required to meet performance standards. Boice suggested extending the split rail fence to the north and south of the proposed parking area to keep people out of the wetlands. Brooks asked that future town projects show buffer zone lines on plans. Butler said fence to the north should be far enough from road so people can park there.

Brooks moved and Clark seconded. Commission VOTED (7-0-0) to close the public hearing and issue a Negative Determination #3 with conditions that buffer zone lines are added to the plans and that the split rail fence is extended to the south and north.

8:10 PM Request for Determination (cont'd from 7-23-14 mtg) – Town of Amherst Conservation Department for re-grading of the trailhead, construction of drainage ditches, and installation of a gate and kiosk at the Amethyst Brook Conservation Area (Map 15B, Parcel 87).

Ziomek stated the Conservation Dept has put together additional information as requested. Currently water drains down Pelham Rd, across the Conservation area parking lot trailhead eroding dirt into the nearby wetland. We met a number of times at the site with the Town Engineer. The black line indicates the estimated wetland line which is very close to the parking area and Pelham Rd. Proposing to channel road drainage just east of parking area to where a current stormwater outfall exists. Plan is to improve

that outfall area with rock to slow water velocity and increase sedimentation prior to water entering wetland. Proposing to put in an asphalt berm (speed bump) along the parking entrance to channel water along Pelham road vs entering parking area.

Clark moved and Allen seconded. Commission VOTED (7-0-0) to close the public hearing and issue a Negative Determination #2.

Miscellaneous Untimed Items:

- Ratify Enforcement Order #4 - Landmark Properties (Retreat)

Boice read EO. EO stated Landmark & consultants shall implement final restoration plan dated July 29, 2014, work progress shall be reported to Conservation Commission, and restoration activities shall be completed by August 29, 2014.

Healey moved and Allen seconded. Commission VOTED (7-0-0) to ratify Enf. Order.

- Review/approve Memorandum of Understanding - Cowls, Inc. (Retreat)

Healey stated on page one “work as expressly permitted” changed to “to be permitted” so clear that it’s to permitted in the future. On #2 should require calling 48 hrs ahead not 12 hrs. Willson stated we don’t need to vote, we already voted to require them to create the document they were just providing us with a draft to make comments on. They will not finalize, both sign and provide Commission copy.

- Topics not reasonably anticipated 48 hours prior to the meeting

Adjournment

Voted unanimously to adjourn the open meeting at 8:40 PM.