

**Conservation Commission Meeting  
September 23, 2014  
Town Room, Amherst Town Hall**

**MINUTES**

**CALL TO ORDER**

Meeting called to order by Ms. Angus, Chair at 7:02 p.m.

**ATTENDANCE**

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

Staff: Ziomek (late), Willson

**CHAIR, DIRECTOR & WETLANDS ADM REPORTS**

Willson stated we have an item that has come up in the last 48 hrs, researcher for study at Puffer's Pond. Norwottuck Rail Trail - monitoring report from NEE is in packets, currently working on bridges and have torn up pavement between South Pleasant & Southeast St. Plan to pave that section before shutting down for the winter. Allen concerned about working to Station Rd in the spring when amphibians and reptiles breeding. This has been expressed to DOT, however, this is a good stopping pt for winter.

Willson conducted site visit to Tillson Farm Substation project (showed pictures). Erosion control in place, 150' wide ROW has been cleared. Temporary detention pond installed, matting down, casings being installed and cement pads being poured now, poles will be installed in spring. They will have to re-mat to install poles.

The RFP for environmental consultant for Fearing Brook project went out today. Work will include watershed study and surface water sampling.

**MINUTES**

No minutes reviewed.

**PERMITS/DISCUSSIONS**

**7:15 PM Informal Discussion – South East St. parcel**

Ziomek said this is the property that the SE St Association worked hard to preserve and part of their plan included a trail from SE St. to the railtrail. The trail would cross a wetland near the railtrail. The trail would follow an old farm road. Proposing a 6 foot wide trail for people to walk from SE St. to the railtrail and for Conservation staff to bring a tractor through once or twice a year to mow Brickyard Conservation Area. We are using the delineation done by Berkshire Design Group for the original development that never happened. Willson showed pictures from site visit. Due to vernal pool this is the only location to connect trail to railtrail. Willson showed areas of wetland and buffer zone impacts on figure. Since last meeting we have narrowed the trail to 6 ft, which results in 490 square feet of wetland impact below the 500 square foot limit so can be permitted without replication. Ziomek asked if Commission good with Town coming back with NOI and 490 square feet of impact. Angus said she

looked at regs and Willson is correct this meets other standards and is under 500 square feet so Town can come in with application that does not include replication and Commission will review.

**7:30 PM Abbreviated Notice of Resource Area Delineation (cont'd from 9-10-14 mtg) – Retreat at Amherst, LLC for confirmation of resource areas and their boundaries at a property bounded by Henry St. and Flat Hills Rd (Map 6A, Parcels 84, 91, 95 & 96).**

Tom Reidy, attorney with Bacon Wilson, representative to Landmark Properties. Currently Landmark and Cows are in discussions about who gets what in terms of the due diligence work completed prior to canceling the project. This ANRAD part of that discussion. MADEP seems OK with potential transfer of ANRAD to Cows. Looking to continue ANRAD public hearing for two to three months until it's determined whether ANRAD will be completed by Cows. Jack Hertz, public, asked for further description of what is going on. Willson responded that Landmark withdrew their application for Retreat project from Planning Board but has not withdrawn ANRAD application. Cows, property owner on application, has expressed interest in continuing ANRAD process on their own but is still in discussions with Landmark as to who owns what. Brooks asked if we would still have third party review. Willson said Commission always has the right to third party review. We have a consultant under contract, depending on how long before it's determined if Cows will continue consultant may still be willing to do work. Janet, public, didn't have confidence in delineation and wonders why new filing with new delineation wouldn't be required. Boice we barely got into delineation, we were going to have 3<sup>rd</sup> party review and if ANRAD is continued much further analysis of delineation would still be done. Sean Burke, do we have all information/data at this point to approve anything. Willson said, no, for Con Com to make decision on what's been submitted would require 3<sup>rd</sup> party review and discussion.

Boice 3 month extension makes sense, that brings us to Jan 14, 2015.

**Brooks moved and Butler seconded. Commission VOTED (5-0-1 Angus abstained) to continue hearing until January 14, 2015 at 7:30pm.**

**7:45 PM Notice of Intent (cont'd from 9-10-14 mtg) – The Brook at Amherst Green C/O Classic Management for drainage improvements and paving of parking areas within Riverfront and Bordering Land Subject to Flooding at 170 East Hadley Rd (Map 16D, Parcel 14).**

Angus stated since last meeting Con Com did site visit and we received MADEP file number and comments. Jeff Squire DEP major concerns delineation of BLSF and Riverfront (mean high water line). Jeff spoke to them and because no water storage being impacted, very small Riverfront DEP OK with current delineation. He had discussion with DEP also about swale being new point source, DEP agreed that swale better than new pipe. Jeff reviewed outlets that were looked at during site visit. Outfall behind swimming pool very clogged with sediment, recommends cleaning out and possibly building check dams between out fall and Fort River to slow water down. Drainage channels eroded and deep as you get closer to Fort River. Suggests hoods/snouts for catch basins. Went through O&M plan, owner amenable to plan with states catch basins cleaned twice a yr. and street sweeping once a year. Level spreader will be turned so no longer discharging into floodplain. Willson provided pictures from site visit. Angus asked if we're talking about delineating outfall area behind swimming pool and doing work in resource area to clean it out? Butler added sediment is already slowing flow, if removed we'll be

increasing existing problem of downstream erosion. Angus putting in check dams is impact and would need a delineation and more description to permit. Leave mitigation as O&M Plan, snouts on catch basins, and cleaning out outfall (no check dams).

**Boice moved and Allen seconded. Commission VOTED (6-0-0)** to close hearing and issue an Order of Conditions with conditions that O&M Plan be issued and followed, snouts be put in all catch basins, the level spreader gets turned so it is no longer within floodplain, sediment from outfall behind swimming pool be removed, no pesticides/herbicides and inorganic fertilizers.

**8:00 PM Notice of Intent (cont'd from 9-10-14 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 these areas of improvement haven't seen work in 20 years. Areas include N & S beaches, perimeter trail, and cliff fencing. Puffer's by far most used Conservation Area. Cribbing has become hazardous, rebar exposed and cribbing rotting. Have a LWCF federal grant and capital money to support. North Beach plan to pull out old cribbing, about 50', and replace as is. Use coffer dam to dewater to work in the dry and protect pond from erosion. Proposing to add second line of cribbing up slope to stabilize sand better and provide new level for sitting. Improvements to trail from parking lot and re-stripping of parking lot. Clark said doesn't like idea of picnic table. Boice asked if any table proposed for South Beach? Ziomek said no. Butler asked what pressure treated wood treated with? Bordewieck responded what they have a Cowl, not as bad as it used to be. Brooks is the pressure treated approved for use in water? Ziomek we will check. Clark added that a picnic table would add more garbage. Ziomek added there is no where to sit at Puffer's currently except the ground. Maybe not picnic tables but nicely done benches. Proposed work for South Beach is more modest. This past summer we pulled out all the old cribbing at S Beach because becoming dangerous. Proposed work is to add two new steps next to handrail, straighten handrail. Proposing replacing approximately 200' of cribbing along perimeter trail. Proposing to repair fence along Sharken property and put in new fence along cliffs and Mill St. side.

Willson we don't have a DEP number or NHESP response so have to continue hearing.

**Boice moved and Clark seconded. Commission VOTED (6-0-0)** to continue the public hearing to October 8, 2014 at 7:45 PM.

### **Miscellaneous Untimed Items:**

- Research at Puffer's Pond – fish trapping

Adrian, UMASS professor, seeking permission to hold class at Puffer's Pond on fish identification and sampling (weight, length, do some fin clipping). Use large net (beach seine) and minnow traps. Also at Mill River using electro sampling, put low charge into water that stuns fish then collect data on them and release back into river. Would like to use electric powered boat this year and drag seine. Class is 4 wks, Tues & Thurs afternoons. Happy to provide data on fish populations in Puffer's. Angus asked if a boat has been used previously? No. Motorboats have never been allowed on Puffer's. Applicant OK with

not using motorized boat. Butler asked how long traps stay in water. Overnight, put in on Monday checked Tuesday removed Thursday. Willson said please explain what you're doing to any public that asks.

**Boice moved and Allen seconded. Commission VOTED (5-0-1 Butler abstained)** to allow proposed research at Puffer's Pond & Mill River with exception of using a motorized boat.

- Topics not reasonably anticipated 48 hours prior to the meeting

### **Adjournment**

**Voted** unanimously to adjourn the open meeting at 9:10 PM.