

**Conservation Commission Meeting  
December 10, 2014  
Town Room, Amherst Town Hall**

**MINUTES**

**CALL TO ORDER**

Meeting called to order by Ms. Angus, Chair at 7:00 p.m.

**ATTENDANCE**

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

Staff: Willson, Ziomek

**CHAIR, DIRECTOR & WETLANDS ADM REPORTS**

Willson stated there will not be a second Conservation Commission meeting in December. The DEP workshop on revised regulations went well. A number of Commissioners attended. Willson walked portions of the Fearing Brook with NEE who is starting the watershed assessment. Willson went to a pre-construction mtg for the UMASS duct project along Eastman Ln. Willson said the Ag Commission is interested in doing some farm related workshops with the Conservation Commission. May have a workshop in February on wetland regulation and farming. Ziomek suggested having someone from NRCS present at a workshop.

**MINUTES**

No minutes reviewed.

**PERMITS/DISCUSSIONS**

**7:15 PM Notice of Intent (cont'd from 11-25-14 mtg)** – Barre Tozloski, Pocomo Road Nominee Trust, for construction of a seven lot subdivision within Riverfront and buffer zone to bordering vegetated wetlands on Leverett Rd. (Map 3A, Parcels 17, 18, 19, 20, 21, 22 & 23).

Steve Riberdy, GZA Inc., we still don't have the official response from NHESP for the project. They did provide some comments on the NOI which GZA has responded to and submitted changes but have not heard back from NHESP yet on those changes. In response to comments from the last Con Com mtg on Riverfront impacts in Lot 1, the building footprint has been moved southerly decreasing square footage within Riverfront. The limit of work didn't change, so still grading in Riverfront, but much of that Riverfront impact is turtle nesting habitat enhancement (Riverfront improvement). GZA looked at relocating the driveway between the isolated wetlands that leads to Lot 5, couldn't find an alternative location that would still allow Lot 5 to be buildable. Proposing buffer zone enhancement around the isolated wetlands consisting of dense shrubs, willows, mountain laurel, to create a screen to people won't go down into the wetlands. Also raise the elevation of the driveway and put in a culvert so wetlands connect to create a pathway for amphibians and water invertebrates. Tightened up lines so none of the limit of work is within the 30' buffer. Can have protected areas permanently marked in the field and put on deed if Commission puts that as a condition. Commission can decide what lines to mark.

Healey asked why turtle impact numbers change?. Riberdy stated he had called the whole field limited nesting habitat, about 5 acres, and it was 10% usable for nesting so project impact was 0.5 acres. NHESP still thought of it as 5 acres which you can't do so GZA went back and divided field into nesting vs non-nesting habitat. Haven't heard back from NHESP on this.

Boice stated we should condition for the protected areas to be marked in the field and in deed. Ziomek asked who would hold the deed restriction a home owners association and manage the turtle nesting habitat? Riberdy said it hasn't been decided yet, working with NHESP on that. Will have more info regarding deed at next mtg.

**Boice moved and Clark seconded. Commission VOTED (6-0-0)** to continue public hearing until January 14, 2015 at 7:45 PM.

### **Miscellaneous Untimed Items:**

- Certificate of Compliance – 22 Hawthorn Rd.

Willson stated an Enforcement Order was issued to this home owner for clearing within the buffer zone to BVW. The Enforcement Order required them to file an NOI, which they did and they've done the work which consisted of re-planting the buffer zone. Now they are looking for a Certificate of Compliance. Commission did a site visit this morning. Willson provided photos. Andy Bohn, NEE, project consultant stated the plantings included a number of evergreens along the northern side to screen the neighbors. Plantings included balsam firs, white pine, red spruce, dogwoods, mountain laurel for a woody feel. Commissioners who went on site visit said it looks good, growing in nicely.

**Boice moved and Allen seconded. Commission VOTED (6-0-0)** to issue the Certificate of Compliance.

- Sign LAND Grant forms

Ziomek stated that in Con Com packets is a letter from Office of Env. & Executive Affairs regarding Hall LAND grant. We did stop at this property on our tour, includes southern part of Owen's Pond and land next to Gull Pond. We received a LAND grant for \$235,000 and are going before CPAC for \$105,000. Con Com being asked to sign the grant contract agreement with the state.

Ziomek stated the open space projects coming before CPAC for this year are Hall - \$105,000, Hoerle - \$50,000 for APR match, and due diligence money - \$25,000. Presented maps of properties on overhead.

**Healey moved and Brooks seconded. Commission VOTED (6-0-0)** to sign project agreement between the Commonwealth & Conservation Commission for the LAND grant.

-Topics not reasonably anticipated 48 hours prior to the meeting

### **Adjournment**

**Voted** unanimously to adjourn the open meeting at 8:00 PM.

