

**Conservation Commission Meeting
January 28, 2015
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, Brooks, Clark, Butler

Staff: Willson, Ziomek

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Ziomek stated mtg with Joint Capital Planning Committee only request this year is a new tractor for about \$85,000. Current tractor 14 yrs old and seen many miles. Brad and Chet putting together DCR grant proposal. Proposed projects to be funded by the grant include re-route and elevation of section of KC trail off Potwine Ln, a raised wildlife viewing platform at Brickyard Cons Area, and purchasing a four wheeler with brush hog attachment. Ziomek went to MMA (Mass Municipal Assoc.) Conference, very informative talked to other town officials about liability of ice skating on ponds, ADA accessibility to Cons Areas, etc. Brad and Chet working in the watershed and will be putting together permitting applications for next season's field work.

Willson and Ziomek met with members of the Ag Com to discuss topics and timing for upcoming workshops. The first workshop will be on March 2nd, and the topic will be wetlands and wetland regulations. We need to decide on speakers. Looking to have someone from DEP and NRCS. Also have scheduled a Ag Com/Con Com get together before our March 11th Con Com mtg.

Willson said DEP issued an Emergency Declaration for yesterday's storm a copy is in Commission's packet. Basically allows certain work related to storm damage to be done in resource areas without permitting for the next month. They must have a letter describing the work submitted to the Commission by next week.

MINUTES

No minutes reviewed.

PERMITS/DISCUSSIONS

7:30 PM Notice of Intent (cont'd from 1-14-15 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).

Angus stated in Commission's packet there are letters from NHESP and GZA. Steve Riberdy, GZA, stated the letter from GZA answers questions from the last Con Com mtg. NHESP has approved the project with conditions, all presented in the letter. Angus asked if protected areas will be protected

through the deed restriction? Riberdy said yes. Ziomek stated it's confusing because a deed restriction is not perpetual, it's only for 30 yrs. Riberdy said he's seen that language (use of perpetual) on deed restrictions before even though they are only for 30 yrs. Ziomek asked Willson to look into the language with NHESP. Riberdy said language can be changed.

Conditions:

- GZA provide draft of deed restriction
- Must meet all conditions of NHESP
- If the developer comes in with different footprint for Lot 1 will have to come back before Commission, developer must put house as far from Riverfront as possible.
- Send copies of Turtle Protection Plan and Boundary Marker Plan to wetlands administrator.

Boice moved and Allen seconded. Commission VOTED (6-0-0) to close the hearing and issue the Order of Conditions as stated.

7:45 PM Notice of Intent – (cont'd from 1-14-15) Sigrid Miller Pollin for construction of an office/conference room building within buffer zone to bordering vegetated wetlands at 418 North Pleasant St. (Map 11A, Parcel 30).

Jerry Epstein, Prof. of Economics UMASS and officer of the Research Support Fund. Construction will be done entirely by union labor. Introduced Jim and Pat Crotty and other professors associated with the project and their lawyer. Sigrid Miller Pollen, architect, summarized the project. One question from last mtg was how much existing parking being removed, Miller-Pollen said existing paving within buffer zone is 4,195 sq ft, proposed paved parking to be 2,577 sq ft, so amount removed equals 1,618 sq ft. The area of building that will be within the 75' setback is 206 sq ft. She stated they did talk with the Town engineer and respond to all his comments via plan changes. Mike Liu, Berkshire Design, stated plans are stamped and signed. The dumpster and stone outlet from stormwater basin out of 30' setback. Nothing but some grading and planting within 30' line.

Angus asked to hear more on planting plan. Liu stated where there used to just be a line of plantings along the limit of work just east of the wetland, there is now twice as many plantings going all the way to the wetland line. Area will have an understory of ferns. This is the area that was originally going to be lawn (portion of parking area where pavement is being removed and area going west to wetland line). The area along the south boundary of the property will also be planted with native shrubs and an understory of grasses/sedges.

Angus asked what the decision on the gravel strip along the parking area was. Miller-Pollen said after talking to landscape architect and discussing they decided there were enough plantings that a gravel strip wasn't necessary for infiltration. Butler asked if plantings of ferns, etc. will be plants not seeds. Liu said they come as 2-4" plants. Butler said may have more success with a seed mix. Liu said ferns are usually not hard to establish but happy to swap ferns for seed mix. Will discuss with landscape architect.

Jim Turner, abutter, you mentioned removing trash from western section of property but that whole area is landfill. It might be better to leave it so you don't disturb what's buried. Angus said we referred to debris meaning garbage on top or easily removable. Not doing any digging. Turner stated that at the last mtg someone asked about where the green corridor went. He provided some pictures. Angus said the Con Com is interested in microenvironments in downtown Amherst but they only have jurisdiction over wetlands and their buffers. Mr. Turner just providing the photos because someone asked.

Conditions: Remove debris (trash) from buffer zone pre-construction. Add language on invasives to landscape plan and submit to Wetlands Administrator. Follow O&M plan.

Allen moved and Brooks seconded. Commission VOTED (5-0-0, Boice left) to close the public hearing and issue the Order of Conditions as stated.

Miscellaneous Untimed Items:

- CPA Projects Update

Ziomek said we have three proposals to present to the CPAC on February 10th. Commission has copies in their packets of the three proposals. CPAC has 1.7 million to spend and roughly \$800,000-900,000 in proposals. Three Open Space proposals are: \$25,000 for due diligence; \$105,995 for Hall property (local match for LAND grant); and \$50,000 for Hoerle property (local match for APR 80/20). Allen asked about the portion of the Hoerle property between the NRT and the railroad. Ziomek said the Town is talking to Mr. Hoerle about potentially gifting that to the Town. Ziomek said looking for Commission's endorsement of these projects to be presented to CPAC. Brooks asked if the Hoerle property was not a done deal with the APR program. Ziomek said yes, APR and Mr. Hoerle are still negotiating but the numbers presented tonight and to CPAC on 2/10 are reasonable for the property. If negotiations fall through CPAC application will get pulled and maybe come back in the fall.

Allen moved and Brooks seconded. Commission VOTED (6-0-0) to endorse the three proposals for CPAC.

- Topics not reasonably anticipated 48 hours prior to the meeting

Adjournment

Voted unanimously to adjourn the open meeting at 9:30 PM.