

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Angus, Chair at 7:03 p.m.

ATTENDANCE

Present: Briony Angus, Todd Walker, Harvey Allen, Lindsey Britt
Absent: Paris Boice, Christiane Healey, Robert Brooks
Staff: David Ziomek, Beth Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Ziomek stated he met with LSSE and the Town Manager and advised them not to move ahead with disc golf at Cherry Hill Golf Course. Article 11 (Saul property) did not succeed through fall Town Mtg. Town Mtg. members felt they didn't know enough about the project, the ag ideas seemed different could be expensive, and used to seeing land acquisition projects in the spring. Ziomek would like to bring it back to spring Town Mtg. after meeting and working with some folks. Still waiting to hear about LAND grant on Saul, would like to talk more about it at another meeting before CPAC proposals are due. Closing on the SE St. property. Kestrel has secured a donation of over \$300,000 that will hopefully accompany a state grant to protect over 500,000 acres in the Holyoke Range.

MINUTES

Minutes 1-23-13

No quorum of Commissioners who attended that meeting. No vote.

PERMITS/DISCUSSIONS

7:30 PM Request for Determination – Deborah Robes & Jennifer Kenworthy for installation of a septic system within the buffer zone of bordering vegetated wetlands at 84 High Point Dr. (Map 6B, Parcel 80).

Alan Weiss, Cold Spring Env., in the process of doing the deck work already permitted they found they needed a new septic system. Apply to comply with Title 5 and WPA. Leachfield location is within buffer zone but outside 50' setback, some grading in 50'. Ward Smith did original wetland delineation in July, 2013. Will move silt fence from deck project so it is between work area and wetland.

Britt moved and Allen seconded. Commission VOTED (4-0-0) to close the meeting and issue a Negative Determination #3.

7:45 PM Notice of Intent – William & Helen Zenon for construction of a single family house within buffer zone of bordering vegetated wetlands at Lot 20 Overlook Dr. (Map 6B, Parcel 50).

Walker said he is an abutter at 60 Overlook Dr. but he has no vested interest in the project so he feels he can evaluate and vote on the project objectively. Bob Stover presented, he stated there is a stream with associated wetlands crossing the front of the lot. A cart road exists entering the property. The house and

septic are proposed in the rear of the lot. The house meets the 50' setback, besides driveway no work proposed in the 30' setback. Walker asked how many trees are proposed to come down, subdivision requires some maintenance of trees. Stover said the area where house and septic are proposed is where previous building work started, dirt spoils there, so trees mostly saplings. One to two trees will need to come down along driveway but besides that leaving as a wooded property. Area right around house would have lawn and plantings. Willson stated erosion control will need to be tight where drive goes over stream. She asked if it was decided if the driveway was to be gravel and area around house lawn. Stover said he thinks paved by house and beginning of driveway but not sure in between.

Name (?) (public) stated 1986 delineation shows wetland and she just wants to make sure resource areas aren't impacted. She added it showed the lot was 90% wet. Angus responded we evaluate based on the new delineation and the areas identified as resource areas will be protected. Walker asked how culvert for stream being handled. Stover replied his engineer doesn't think a culvert is necessary, the pavement can be brought down to the road and the water will drain to either side as it does now. Willson asked how long cart path was there. Stover said mid-1980s.

Conditions: Aside from what's needed to construct the driveway no clearing in the 50' setback and between 50' and 100' setbacks only what's required for site grading as shown on plan. Contractor to mark trees before cutting and have Wetlands Administrator check. Silt fence and strawbales used along either side of driveway with snow fence as visual barrier for contractors.

Britt moved and Allen seconded. Commission VOTED (4-0-0) to close the public hearing and issue an Order of Conditions as discussed.

8:15 PM Notice of Intent – Town of Amherst DPW for sanitary sewer and water main improvements within the buffer zones to resource areas along Wildflower Drive and neighboring town owned roadways.

Jason Skeels, Town Engineer, presented project. Proposing approximately 12,800 ft of sewer the whole area is on septic right now. A feasibility study was done and this area of town was identified as moderate need for sewer. Town Meeting voted to put sewer in this area, this is Phase III of the work approved by Town Mtg. Skeels showed extent of project on map. There are a handful of stretches of the new sewer that are within buffer zone, none within wetland areas. Small stream crossing on Larkspur Dr., sewer main goes down center of road at depth of 5' which is above the two culvert pipes. Silt fence and strawbales will go along road edge and catch basins will have silt sacks. There is a stream that runs parallel to Wildflower Dr. and a stream crossing at Foxglove Dr. New pipes all in center of road. Two areas along Station Rd where the work gets within 25' no build but still within paved road. There is a new pump station also within 50' but outside the 25'. Willson asked if all the culverts for the streams were in good shape. Skeels said yes, they put cameras through all of them and they are all sound. They are all concrete which will hold up well.

Name (?) (public) stated she lives on Station Rd. and will she be obligated to tie in? Skeels no, as long as your septic system functions you're fine. They will run a stub line to the house for any future connection. How far along Station Rd will it go? Skeels said it goes to #586. Is there a schedule for this? Skeels hoping to put the contract out to bid in April and get bids in May start project during the summer. Name (?) (public) are the culverts under Station Rd going to be improved under this project? Skeels no not with this project.

Angus stated we can't close the hearing because we don't have a DEP file number but we have all the information we need so Jason doesn't need to come back for the next meeting.

Walker moved and Allen seconded. Commission VOTED (4-0-0) to continue the public hearing until 12/11/13 at 7:30pm.

8:30 PM Request for Determination – Virginia Lewis for construction of a single family house and associated drainage within the buffer zone of an isolated wetland at 129 Gray St. (Map 11D, Parcel 113).

Chuck Dauchy, Env. consultant to Virginia Lewis property owner. Dauchy did a wetland delineation of the property which was previously approved by the Commission. This filing is for construction of a single family house on the property. The plan shows a work limit that is over 30' from the wetland boundary and a building location that is over 50' from the wetland boundary. The impervious area draining towards the wetland is less than 3,000 sq ft. Although a single family house project does not require a drainage analysis, due to concerns expressed at the ZBA hearing, applicant did a drainage analysis and design to assure that using the rain gardens and grading correctly there is no increase in volume or peak rate during 2, 10 & 100 yr storms. Applicant stated that there is no impact to the wetlands or the abutters from this design. Recognizing that there needs to be some flexibility with house construction and grading options, applicant requesting Commission approves the plan with attached notes. Dauchy read the notes.

Jason Skeels, Town Engineer, said he reviewed the plans and narrative in regard to stormwater. It all meets stormwater standards for the 2, 10 and 100 year storms. He asked where the lower rain garden discharges to Dauchy showed on the plan where discharge will go.

Neighbor (name?) we just got the plans today so haven't had much time to look at them. This project is before the ZBA right now and has not been decided to be built yet. The concerns brought about by neighbors have been regarding drainage and screening. From this plan it looks impossible to screen because rain garden is along southern boundary. Suggest Con Com doesn't make a decision until ZBA decides if the lot is an appropriate building lot.

Willson stated the ZBA has told the applicant that they need to provide more information on drainage, so the applicant and their consultant decided this application to the Commission was one way to put that information together. Neighbor (name?) said he felt this filing was premature and that what the ZBA is looking at in terms of the projects impact on the neighbors is outside Con Com jurisdiction. He added the ZBA may change the design and then the Con Com would need to vote again.

Steve Schreiber, abutter, architect and member of the Planning Board. Problem with application is that it is theoretical with an asterisk that the design could change. Any addition or modifications don't need further review. This is just a potential design, the house could actually be much larger. Asking for the application to be deferred until there is an actual design. The stormwater calculations work for what's shown but really should see calcs for full build out. Angus stated we're being asked to approve what's in front of us and we can condition it to say any changes have not been approved. She summarized the notes on the plan as saying: the layout presented on the plan may change without coming back before the Commission provided that

1. the locations, elevations, & setbacks meet all applicable laws & regulations

2. limit of work, max & min distances shown on plan are observed
3. overall grading & drainage patterns are as on plan
4. total areas of house & driveway are no bigger than what's shown on plan

House could be reconfigured or layout could change as long as minimum distances are observed. Schreiber stated many of the drainage issues in neighborhood stem from the swale next to 129 Gray St. Angus replied all Con Com can do it make a determination of whether the proposed work meets the state and local regs.

Linda Tolinko, lives on N. Whitney St., does this plan for drainage accommodate for a basement, utilities, or for a larger house? Dauchy the house is not intended to have a basement considering there is a high water table in the area. To raise the house high enough for a basement would require a lot of fill, not proposed. The utility services are not on the plan, they will be trenched out to Gray St. those will not impact the drainage. Tolinko stated all the abutters have issues with pooling water in their yards and some basements. Dauchy said design takes all runoff from impervious services and directs it toward the rain gardens where it infiltrates. Tolinko said so a buyer would know they can't have a basement. Dauchy if a builder wants to build a basement it's up to them but it would not be wise.

Carol Sherer, abutter across the street, hearing alot about runoff more concerned with water table. Design says typical house and most people think a typical house has a basement. A basement would affect the amount of water being pushed to abutting properties. Angus said it does say no basement and typical. Schreiber said there is nothing saying which way the roof will be sloped. Dauchy calcs are based on gutters from one half of the house roof drainage flowing to one rain garden, so calculating max that would come to the south.

Willson stated we could just approve the plan without the notes, then any change within Con Com jurisdiction would need to come back before the Commission. Dauchy said could require any final plans to be reviewed by Wetland Adm to see if they meet notes. Willson said the bylaw states anything done in the 100 buffer needs to come before the Commission, what if they build a fence, or shed within the 100' but meeting the setbacks we're giving them a free card to do that which others don't get.

Sherer no basement? Angus the plan says no basement but we can re-state that in the conditions. Schreiber said the calcs are forcing a certain design or look and that the design should come first with drainage calcs saying whether it would work. To lock this vague design in place not a good road to go down. Angus stated similar to all projects we permit if changes arise the applicant will call Wetlands Administrator and if impacts to resource areas or distances are less than there's no need to re-apply. If they increase they need to come before the Commission again. Dauchy changes outside the 100' are not subject to Commission review.

Walker moved and Allen seconded. Commission VOTED (4-0-0) to close the meeting and issue a Negative Determination #3 for the project as shown on the plan but NOT including the provisional notes. Applicant to provide revised plan without notes.

Miscellaneous

- Request for Certificate of Compliance – Owen's Pond

Willson said this is a request for a partial Certificate of Compliance. Majority of the work is complete, construction of stream, bridges, invasives removal and habitat enhancement. Monitoring of floodplain plant growth and health and stream stability is not complete. Dave Pickart, VHB, stated the physical aspects of the project are working and they would like to release the contractor's contract so they are looking for a partial COC. There was close to a 25 yr. storm in August and stream held up. Still determining with DEP how many yrs to monitor vegetation growth. Permit with the Army Corps calls for ten years of monitoring. Willson stated the NOI included long term monitoring but that has been changed (lengthened) due to the Enforcement Orders. Willson shared photos.

Walker moved and Britt seconded. Commission VOTED (4-0-0) to issue the Partial Certificate of Compliance for Owen's Pond project.

- Re-issue of Certificate of Compliance – 49 Owen Drive

Willson stated the original Certificate of Compliance was never recorded so we need to re-issue so they have a signed original copy to take to the registry for recording.

Walker moved and Britt seconded. Commission VOTED (4-0-0) to re-issue the Certificate of Compliance for 49 Owen Dr.

- Accept South East St. parcel for conservation

Ziomek Con Com needs to accept care and control of the property. Ziomek handed around form from town counsel to be signed. Angus read the language from the form.

Walker moved and Allen seconded. Commission VOTED (4-0-0) to accept the SE St. parcel for conservation.

- Topics not reasonably anticipated 48 hours prior to the meeting.

ADJOURNMENT

VOTED unanimously to adjourn the open meeting at 9:30 p.m.