

**Conservation Commission Meeting  
April 8, 2015  
Town Room, Amherst Town Hall**

**MINUTES**

**CALL TO ORDER**

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

**ATTENDANCE**

Present: Angus, Boice, Allen, Clark, Butler

Staff: Ziomek, Willson

**CHAIR, DIRECTOR & WETLANDS ADM REPORTS**

Willson stated our next mtg has been moved to Tues., 4/21, based on email most Commissioners can make it that night. The RFP for farming 3-acre parcel at Wentworth Farm was issued, responses are due 4/15. Need one rep from Con Com for review committee. Will have rep from Ag Com, Bordewieck & Willson on committee. Butler volunteers. Willson stated work on the NRT has started up again, they have started excavating by the parking lot on Station Rd. They will be starting work on the section between SE St. & Station Rd. next week.

Ziomek Town Mtg starts April 27th., will be bringing Hall and due diligence CPA fund requests before Town Mtg for vote. Conservation Dept budget will also be voted on along with capital projects which this year includes a new tractor. Puffer's Pond pancake breakfast is scheduled for June 6. Money goes to hiring summer staff and general maintenance at Puffer's Pond. The work at Puffer's Pond, previously approved by the Commission, will be done this spring. Includes improvements to North Beach, South Beach, fencing and perimeter trail. Work will also be reviewed by DRB and Site Plan Review. Having a public meeting regarding the work Tuesday, 4/14 in Town Room, please attend. We've been getting a lot of calls about the work WMECO is doing along powerlines, work is primarily exempt because utility work but they must still follow BMPs. Willson keeping an eye on it.

**MINUTES**

Review/approve minutes of 7-23-14

**Boice moved and Allen seconded. Commission VOTED (4-0-1, Clark abstained)** to approve the minutes of 7-23-14.

**PERMITS/DISCUSSIONS**

**7:15 PM Discussion** – Conservation Dept. Reed Bridge repairs

Willson stated the Commission has seen this proposed work before. The bridge spans the Eastman Brook in N. Amherst, land is owned by Becky Reed and is used for agriculture. Although the work is exempt from WPA & wetland bylaw because of the ag use, the Town has a Conservation Restriction on the land which requires the work be approved by the Commission. In addition, one of our hiking trails crosses the bridge. Willson presents design by engineer from Leverett and letter from Reed.

Angus does Conservation Restriction have language discussing Commission's jurisdiction or role? Ziomek responds yes, this is a very old CR from 1973 so not as detailed as current CRs, it does list resources that must be protected through BMPs. It's an agricultural restriction meant to encourage farming on the land but at the same time safeguarding the natural resources. Angus added that under WPA work within Land in Ag Use must still not result in erosion or siltation into wetland.

Reed stated bridge was built in the 1970s only repairs were to decking. She said one of the stone abutments is falling apart and crumbling into the stream. Plan is to rebuild abutment by hand and put in longer bridge that will span further over banks. Everything being replaced, new I-beams, concrete abutments further out from bank, new decking and railing. Silt fence and strawbales will be used to prevent erosion into the stream. Would like the work done ASAP. Ziomek added that Conservation staff are lined up to help with the decking. Reed said Bill Saroota and George Kamanski are the designers, Bill is a civil engineer, and will be doing the work. Ziomek stated Willson will inspect silt fence location.

Butler asked if any large equipment would be used. Reed said mini-excavator and tractor will be used.

**Boice moved and Butler seconded. Commission VOTED (5-0-0)** to allow bridge work in accordance with Conservation Restriction.

**7:30 PM Notice of Intent (cont'd from 3-25-15 mtg)** – Catherine & Robert Cann for demolition of a single-family house and barn and construction of a new single family house and workshop within Riverfront at 189 Mill Ln (Map 17D, Parcel 22).

Andy Bohn, NEE, provided a re-cap of what was discussed at last mtg. At last mtg provided updated map and explanation of calculations for restoration and mitigation. Willson stated a site visit was conducted this morning and now that the snow had melted the wetland line could be seen. Willson provided photos from site visit. Willson showed on the map how the invasive removal (mitigation) goes into the wetland and she suggests having it stop at the wetland line and only be in the buffer zone. Proposed square footage of mitigation currently over what's required so could cut some out. Ziomek asked what is removal technique. Bohn said cut stem application of herbicide. Bohn said they will remove woody stems off site in a legal manner and replant with natives. Butler asked what herbicide will be used. Bohn said he doesn't know yet. A licensed applicator will be doing the work.

Conditions: provide Commission with MSDS for herbicide, prior to re-use of temporary sedimentation basins as permanent rain gardens they must be excavated down to native soil (all accumulated sediment removed). Willson to inspect once basins excavated.

**Boice moved and Clark seconded. Commission VOTED (5-0-0)** to close the public hearing and issue the Order of Conditions with discussed conditions.

**7:45 PM Request for Determination** – Pioneer Valley Habitat for Humanity, Inc. for construction of a duplex and associated driveway, parking, grading, removal of a barn, and landscaping within buffer zone to bordering vegetated wetlands at 235 East Pleasant St. (Map 11B, Parcel 54).

Chuck Dauchy presented the project. He stated the Commission previously approved demolition and removal of the house and driveway. Demo work has been done, site is well vegetated. Proposed work is

construction of a two story, duplex house, parking and associated grading and landscaping. Work will also include removal of a shed. Pedestrian easement will be created along southern boundary for access to public property to the east. A new sediment barrier will be installed along 30' line. Old sediment barrier from demolition and debris will be removed. There will be plantings along easement as a screen. The closest point of the building is 50' from wetland line and grading stops just short of 30' setback. A grass swale is proposed for drainage from driveway and parking.

Butler asked who will maintain the easement. Ziomek stated the land to the east and the easement will be owned and maintained by the Town. It's not Conservation land at the moment but is owned by the Town. Angus how is the grading going to be done and still stay out of the 30' setback. Dauchy said it's a 3:1 slope which is doable. Angus said conditions will state that 30' setback is limit of work and equipment can't go over. Dauchy said there is debris, stumps & tree limbs, just over the 30' line that could be easily removed with excavator if Commission wants.

Ziomek stated a neighborhood walk around will be organized to mostly discuss what houses will look like.

**Butler moved and Boice seconded. Commission VOTED (5-0-0)** to close the public meeting and issue Negative Determination #3 with condition that debris from demolition within 30' setback can be removed as long as equipment stays outside 30' (excavator reaches in to remove debris).

**8:00 PM Request for Determination** – Amherst Colonial Village/Allen Cohn for stockpiling of soil within buffer zone to two isolated wetlands at Colonial Village, 200 South East Street (Map 15C, Parcel 10).

Alan Cohn, property owner, and Mike Schafer, Huntley Assoc., presented project. Schafer stated during construction of Presidential Apts they ended up with a lot of clean fill and not a lot of space to store it. Future plans for Colonial Village include will include needing fill so they would like to store approximately 4500 cubic yards of fill there now. Approximately 300x50x8 foot pile. Pile will be outside of the 100' buffer of the two isolated wetlands, delineated based on Town GIS mapping. Will be coming back before Commission with NOI to spread the material once wetlands delineated by consultant.

Proposed storage of fill will go before the ZBA and the Town Engineer has approved the idea. The pile will be surrounded by silt fence and will only sit for the summer, the plan is to have it spread by the fall. Covering it with fertilized fabric mesh and seeding it. Cohn stated that when the Town rebuilt SE St. the slope of the road changed and drained toward his property and created wet areas. Willson provided old aerial photos showing that the wetland had been there since the buildings were built in 1970s.

Willson asked if the silt fence is going to be put up before the trucks start to bring the fill. Schafer said yes. Willson are you going to compact the soil once dumped? Schafer there will be a bull dozer moving the fill once it's dumped. Bull dozer will stay within silt fence. Willson will a gravel pad be built so trucks don't transport dirt off-site. Schafer yes, a pad will be built. Boice asked how long to move fill. Schafer said should take a couple weeks. The pile will be covered with plastic at night.

**Boice moved and Allen seconded. Commission VOTED (5-0-0)** to close the meeting and issue a Negative Determination #3 that work is not subject to Town Bylaw with conditions that until the pile is stabilized with vegetation it must be covered at night and before storms with plastic, pile must be

spread/removed by November 30th, 2016, silt fence will be used around fence with either straw bales or filter tubes, and the ground within the footprint of the pile must be loamed, re-graded as needed, and re-seeded once the pile is spread/removed.

**8:15 PM Notice of Intent** – Mill Valley Estates LTD Partners for sidewalk and drainage system improvements within buffer zone to bank and bordering vegetated wetlands at Mill Valley Estates, 420 Riverglade Drive (Map 19B, Parcel 15).

John Furman, VHB Assoc., presented project. He stated that Mill Valley Estates was built in 1988. There is a large central wetland area and two smaller areas and 5 sedimentation basins. The project is a side walk and ADA accessibility improvement project along with drainage and stormwater treatment system improvement project. The property has not really been improved since 1988, sidewalks are heaving and cracking from drainage issues. Stormwater drainage pipes are broken and clogged and sedimentation basins are full so not taking water. Furman went through plans with Commission. For the entire project adding approximately 13,000 square feet of new impervios surface, 2,000 square feet is within Con Com jurisdiction. Stormater report gives estimates for depth of excavation for each sedimentation basin. Depth are expected to range from 0.5 ft at outlets to 3-4 ft in center. Currently some basins are so full of sediment the water comes and goes right out without an detention time. There are some clogged and damaged pipes that will need repair. Idea is to return the stormwater system back to what it was originally designed to do. Stormwater report includes erosion control measures to be followed during construction and a long term maintenance plan for the stormwater system.

Furman said MADEP comments are asking for in addition to bringing the system back to what it was designed to do also make improvements based on current technology and requirements. Furman suggests adding sediment collection forebays to the basins. VHB will look into that and report to Commission how they will be constructed. Furman stated there could be a scientist on site during construction to identify vegetation on top of the berms and adjacent to the basins that are not impacted the operation of the basin, therefore, don't need to be removed.

Willson asked if detention basins were being increased in size to compensate for increase in impervious area. Furman responded that they can't locate the stormwater report from 30 yrs ago to establish what volume the basins were originally designed for so are just calculating improvement in volume treated from what's happening now by excavating out basins. The 13,000 square foot increase in impervious surface is included in calculations for stormwater treatment after basins are excavated.

Willson provided pictures from site visit. Angus stated we are waiting for Town Engineer and NHESP comments so can't close the hearing. Willson asked if catch basins in parking lots could be improved as part of project. Furman said could add hoods to catch basins.

**Boice moved and Allen seconded. Commission VOTED (5-0-0)** to continue hearing to April 21, 2015 at 7:30pm.

#### **Miscellaneous Untimed Items:**

- Request to Extend OOCs – Ron LaVerdiere for Meadow St. property

Angus stated an OOCs was issued for this property in September 2008. Willson said OOCs was extended through permit extension act so is valid until September 2015. Ron LaVerdiere stated work was not originally done because of the bad economy but now he's got some interest in the property. LaVerdiere is requesting a one year extension of the OOCs so that they could at least do the sewer connection part of the permitted work. Sewer work would be done in the summer of 2016. Angus stated she wanted the Commission to understand that the original order was for much more work than just sewer connection, construction of buildings.

**Allen moved and Butler seconded. Commission VOTED (5-0-0)** to issue a one year extension of the OOCs.

- Topics not reasonably anticipated 48 hours prior to the meeting

### **Adjournment**

**Voted** unanimously to adjourn the open meeting at 9:20 PM.