

**Conservation Commission Meeting
June 10, 2015
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Angus, Vice Chair at 7:05 p.m.

ATTENDANCE

Present: Angus, Boice, Allen, Brooks, Clark, Butler

Staff: Ziomek, Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Willson stated open space tour on Friday, 6/12 meet 8am back parking lot of Town Hall. The work to bring the soil pile from Presidential Apts to Colonial Apts starts next week. Should take two weeks to move the soil. Willson walked the wetland restoration areas at former Retreat property off Henry St. with Cows personnel. They're plan is to re-seed, mulch, re-install erosion control and fencing to try and vegetate those areas again. NEE collected a second round of surface water sampling of the Fearing Brook.

Ziomek stated work at Puffer's Pond has begun. Staff starting with work at North Beach, installing coffer dam and removing old cribbing. Ziomek walked around Puffer's Pond with Elizabeth Hamin, former Con Com member, to discuss next steps in achieving goals of Puffer's Pond 2020. Ziomek and staff walked around Mt. Pollux with a couple abutters and discussed management ideas. Have 4.5 people coming on as summer staff. Puffer's Pond breakfast was a success will know soon how much money they made. Not going to be able to sign Epstein land purchase agreement tonight, still waiting on paper work from Town Counsel. Also working on finalizing the Mitchell APR but Con Com doesn't have to sign those documents. Thanks to Kestrel Land Trust for a \$30,000 donation as part of the match for the APR.

MINUTES

No minutes reviewed.

PERMITS/DISCUSSIONS

7:15 PM Enforcement Order – Park's Coop LLC/Andrew & Jocelyn Potter for removal of trees and other vegetation and relocation of a fence within Riverfront and buffer zone to bordering vegetated wetlands at 60 Sunderland Rd. (Map 5A, Parcel 23).

Willson stated the property is just south of North Amherst Motors on Sunderland Rd, it abuts the Mill River. We received a report that work was being done in the back yard without permitting, the entire parcel is in Riverfront and also has wetland areas. An Enforcement Order was issued to cease all work, attend this Con Com mtg and put up additional erosion control. Contractor had removed shrubs and trees and moved a fence.

Andrew Potter, property owner, showed on maps what property looked like prior to work. He stated they removed the arborvitae trees along the property line to decrease shading on North Amherst Motors parking lot. They moved the fence to limit open yard for rental house. Ornamental shrubs had also been removed from west and southwest portions of the property. Willson suggested restoration should include planting a row of shrubs along western edge of yard as a barrier between the open yard and the BVW and having a delineation done to determine where the BVW line is.

Andy Bohn, NEE Inc., presented a preliminary planting plan. Plan had 100' & 200' buffer's for Riverfront and showed that areas of impact were mostly within 100-200'. Planting plan includes native riparian shrubs along the western edge of yard, putting in another 20' or so of fencing to connect existing fence to house on the south, and planting some shrubs along fence. Butler asked if lawn west of fence will continue to be mowed. Potter responded yes, to keep property look nice. Allen stated snow should not be piled into yard from parking area.

Delineation of wetland would be on adjacent property owned by Joe Swartz. Mr. Swartz stated he has operated a farm on that property on either side of the Mill River for 30 years. Stated the Potters have always been responsible property owners and good neighbors, he was happy to hear the Potters were buying 60 Sunderland Rd and he feels they have worked hard to improve the property. Angus stated there is another support letter for the Potters in the Con Com's packet. Willson said we could limit mowing to outside 100' Riverfront. Butler agreed especially if keeping it lawn meant using fertilizers or herbicides. Angus said already lawn so providing infiltration, she's OK with leaving mowing as is. Potter said has no plans to use lawn chemicals.

Boice moved and Allen seconded. Commission VOTED (6-0-0) to ratify Enforcement Order #1.

Boice moved and Allen seconded. Commission VOTED (6-0-0) to issue a second Enforcement Order requiring a delineation of BVW along western area of property and neighboring property be done and added to the figure (planting plan figure). Statement regarding not using lawn chemicals included in planting plan. Applicant to attend June 24th, 2015 Con Com mtg at 7:30pm.

7:30 PM Request for Determination – James Rodrigue for construction of a house, driveway, and associated site work within buffer zone to bordering vegetated wetlands on Henry St. (Map 9A, Parcel 77).

Chuck Dauchy presented the project. The closest point of the house to the wetland is 79' and the clearing and grading extended just past the 50' setback line. Most of the site is wooded, there are some very large sugar maples that Mr. Rodrigue hopes to leave but would like the flexibility to remove what's needed to create the yard he wants. There is an intermittent stream and associated wetlands crossing the property. Erosion control location presented on plans. Willson showed photographs on overhead. Dauchy said soils are extremely permeable so the understory is sugar maple seedlings and Virginia Creeper, not a lot of wetland on either side of the stream. Angus proposed moving limit of work line along the 50' setback instead of 30' in rear portion of property. Butler suggested we have the limit of work permanently marked and no inorganic pesticides, herbicides or fertilizers used. Con Com to develop language regarding no chemical use on lawns. Neighbor stated she hoped largest buffer possible can be used to protect stream.

Boice moved and Allen seconded. Commission VOTED (6-0-0) to close the public meeting and issue a negative determination with conditions that a revised plan be provided to Wetlands Administrator with

new limit of work line prior to clearing, and that language regarding no chemical use on lawn be included in determination.

Miscellaneous Untimed Items:

- Topics not reasonably anticipated 48 hours prior to the meeting

Adjournment

Voted unanimously to adjourn the open meeting at 8:20 PM.