

**Conservation Commission Meeting
September 9, 2015
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

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

ATTENDANCE

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

Staff: Ziomek, Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Willson stated we need to re-schedule our next meeting because it's on Yom Kippur and our first meeting in November because it's on Veteran's Day. Willson will send emails with potential new meeting dates. Work on the southern end of Campus Pond will start in the next week. UMASS Facilities is doing the work, will be putting in some aquatic plantings and doing some bank stabilization work. The house on Henry St is under construction. Ziomek said he saw a bobcat hunting in his backyard. We have begun interviews for the new Assistant Land Manager position. Mt. Pollux walk around tour with neighborhood group on Saturday, September 26th at 4pm and then a follow up meeting on October 4th. The neighborhood group would like to form a "Friends of Mt. Pollux" group.

MINUTES

Approved minutes of 11-12-14

Healey moved and Brooks seconded. Commission VOTED (6-0-0) to approve the minutes of 11-12-14.

PERMITS/DISCUSSIONS

7:15 PM Request for Determination – Town of Amherst for improvements to two baseball diamonds at Mill River Recreation Area within Riverfront, Bordering Land Subject to Flooding, and buffer zone to an isolated wetland at 95 Montague Rd. (Map 5A, Parcel 126).

Nate Malloy, Senior Planner Town of Amherst, along with Jonathon Kane, President of Amherst Baseball, Inc., presented the project. Malloy stated that Amherst Baseball applied for CPA funds last spring to improve Mill River Rec. area ball fields. Proposed project includes replacing infield dirt on both fields, replacing the dugouts and batting cages, install an underground water line with spigots, and replace gates. The work was approved by the Design Review Board and will be going before the Planning Board for Site Plan Review next week. Hoping to do the work in October, it should take two to three weeks to complete the work. The work on the southern ball field is within Riverfront. They are proposing erosion control as shown on plan. All work is within areas that are previously developed (ball field, sidelines, etc.), and the property is relatively level. There is a maintenance road used by DPW currently, so already packed down, that a contractor would use for access to the southern ball field. Healey asked if this is a real road, is that much use going to damage the road/trail. Malloy said it is gravel based and using it would result in less rutting and damage than driving across the field. Brooks

suggested flagging or fencing on trees so contractors don't scar them. Malloy said there should not be any stockpiling on site, removal and spreading of dirt will happen at the same time. Brooks asked if excavation for dugouts results in flood storage loss, site is within BLSF. Malloy stated area is only 25 cubic feet of displacement (two dugouts) but project is replacing hard pack areas around dugouts and backstop with loam and seed increasing infiltration and flood storage. Brooks would like erosion control to continue along the 1st & 3rd base lines.

Boice moved and Brooks seconded. Commission VOTED (6-0-0) to close the public meeting and issue a negative determination #2 with conditions to flag the tree along access road, and continue erosion control along the 1st & 3rd base lines.

7:30 PM Informal Discussion – Tom Conte for mowing of common land on Potwine Ln. (Map 23A, Parcel 21).

Tom Conte, property owner, stated that his property is connected to a parcel that is commonly owned by himself and two neighbors. The deed for the property states that the common land shall be mowed once a year which was done up until a few years ago. The deed states the mowing shall be done to prevent the growth of invasives. There is a management plan that includes vegetation management associated with the deed which does not expire. Conte hopes that because this management plan exists he can return to mowing the common land without filing an RFD for the work. Willson presented a map of the property on the overhead showing property and wetland lines. Willson asked if the common land was legally owned by an association. Conte said no, it's just listed as owned by the three addresses.

Angus asked for history of wetland filings. Willson stated an RFD was filed and approved in 2004 for the footing drains for the houses when they were built because they drained into the wetland buffer zone. Conditions of that determination required annual mowing of the common land to prevent invasives, however, that permit expired in 2007. Willson added the owners have not kept up with the annual mowing, the current field looks based on tree size to have not been mowed in at least the last five years.

Healey asked which permit has expired, Conte mentioned a permit that doesn't expire. Willson stated that the Amherst Building Commissioner and Town Counsel have stated that the special permit and associated management plan issued by the ZBA and on record with the deed does not have anything to do with the decisions made by the Conservation Commission. The ZBA and Con Com are two different boards administering two different laws. The determination issued by the Con Com in 2004 has expired.

Angus stated the management plan recorded with the deed has not relevance to decisions made by the Conservation Commission and because the proposed work is within an area jurisdictional under the WPA and town bylaw you must apply for a permit. Willson to look into whether or not all three owners need to sign RFD application.

7:45 PM Informal Discussion – Bluebird Meadow Conservation Area improvements and trail location.

Carol Gray thanked members of the Commission who came to site walk. She stated the name of the conservation area has been determined to be Bluebird Meadow. She stated she received a \$4,000 grant

to improve the conservation area with an interpretive trail, signage, bluebird boxes and benches. The design for the trail is a horseshoe shape starting at the NRT close to bridge over SE St. going out into field then returning to NRT along old farm road across from the Brickyard. The bluebird boxes have been installed and bluebirds have nested in them. She showed on the overhead map where the trail would come along the old farm road and need to cross wetlands to get to the NRT and where the interpretive signs will be placed and where the current kiosk is located. Angus stated the construction of the trail has already been permitted and includes replication for wetland impacts, what are you asking for today? Gray said there is no funding for replication, she suggests that the trail could be as narrow as 2' with bog bridging so less impact and no replication necessary. Ziomek stated there is no money currently in the Conservation Dept. funds for the replication. Boice added a trail with bog bridging is typically at least 6 ft wide. Angus asked wasn't the trail originally going to be wide enough for a tractor? Ziomek it's not the end of the world if the trail is only a walking path, we can access with the tractor along the NRT.

Gray said she needs to know where the trail is going to be located to put on one of the interpretive signs that is being funded by the grant. Ziomek stated the question before the Commission is if a new filing was submitted with less impact would you consider not requiring replication. Willson stated we would submit an amendment to the original OOCs. Angus stated she doesn't think the original OOCs were that burdensome and she agrees with Boice that the trail can't get much narrower. Healey and Brooks provided examples of Amherst trails that are just bog bridging and are 3 ft wide not 8 ft, they would both entertain seeing a new proposal from the Town. Willson asked the Commission if they are requiring a new NOI or allowing an Amendment to the OOCs. They agreed to allow an Amendment.

Gray provided hard copies of draft designs for the interpretive signs. Ziomek stated the best way for the Commission to review them would be for Gray to provide electronic copies that the Commission could review and provide feedback to Willson to make edits.

Miscellaneous Untimed Items:

- Topics not reasonably anticipated 48 hours prior to the meeting

Adjournment

Voted unanimously to adjourn the open meeting at 8:25 PM.