

**Conservation Commission Meeting
September 24, 2015
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Boice, Vice Chair at 7:07 p.m.

ATTENDANCE

Present: Boice, Clark, Allen, Brooks (late)

Staff: Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Boice opened the meeting and welcomed students from the Southeast Asia Leadership Initiative Program who through UMASS are in Amherst for a month studying how local governments operate in the US. Willson stated she visited the old Retreat property on Henry St. with employees of Cowls, Inc. and the restoration areas have grown in with native vegetation to greater than 75%. Enf. Order #4 stating they have met the restoration goal will be brought to our next meeting for the Commission's review. Interviews for Assistant Land Manager are complete and we have three candidates and we're checking references.

Dave, Brad & Beth met with neighbors of Markert's Pond to discuss management ideas for the Conservation Area. Willson stated the pond outflow structure needs replacement, we will discuss this later in the meeting under Miscellaneous. Vince O'Conner, public, stated the money needed to do all the things the neighborhood group would like to see could come out of CPA. There is a walk around at Mt. Pollux with a neighborhood group at 4pm this Saturday, 9/26. Flyer about walk around is in Con Com packet and also lists date of second mtg in October. O'Conner stated he believes there is one un-built house lot adjacent to Mt. Pollux, he think the Town should look into buying it.

Vince O'Connor stated the Mill St. bridge is in the design process and he and other residents have concerns about it being a "state" built bridge. He stated the bridge abutments probably date back to immediately after the bridge was washed out in 1869 and they are substantial. He estimates they go back 30 ft and spread out as they reach the bank. He thinks the bridge and abutments are in keeping with the area. Would like to see the Commission or a subcommittee take a look at the plans. He stated the new abutments would need to be 150% the stream width. The current abutments are granite blocks, the only thing the state found wrong with the abutments is that the concrete face by the water has been scoured. Willson said she would bring the idea of a subcommittee to the Conservation Director. O'Connor said he is an advocate of rebuilding the bridge as was done in 1983 but with better materials (a 50-75 yr bridge) but leaving the abutments.

Allen stated the foundation is in for the new Hitchcock Center building. The site has tours for the public every Friday from 12:30pm to 1:30pm.

Mickey Marcus, NEE, Inc. provide an update on the UMASS Campus Pond project and the Trolley Barn project, he provided the most recent monitoring reports for both projects. Both projects have been monitored for two years and the re-vegetation has gone well. Marcus stated that one condition of the Trolley Barn Project was to permanently mark the wetland boundary, however, the majority of the

boundary is on Stan Ziomek's property with just a short tale of the line on the Trolley Barn site. Willson stated they should mark just the portion that is on the Trolley Barn property. Marcus stated they would like to submit requests for Certificates of Compliance if the Commission feels the sites are ready. The Commission agreed that the sites looked like they had re-vegetated well and that requests for COCs should be submitted.

MINUTES

Approved minutes of 11-25-14

Brooks moved and Allen seconded. Commission VOTED (4-0-0) to approve the minutes of 11-25-14.

PERMITS/DISCUSSIONS

7:15 PM Request for Amended Order of Conditions – Town of Amherst Conservation Department for mowing of a trail through bordering vegetated wetlands on Southeast St. (Map 17D, Parcel 63).

Willson stated at our last meeting the Commission recommended that the width of the trail be narrowed to lesson wetland impact. Willson stated the plan was revised with the width of the trail narrowing from 6 ft wide to 4 ft, which decreased wetland impact to 328 square feet and impact to buffer zone to 920 square feet. Boice added that the AMC trail guide recommends trails be 4 feet wide. Clark asked if the whole length will be bog bridging. Willson responded bog bridging will only be placed where needed, some areas may be dry enough for just cleared trail. Willson added that the Commission had previously asked to be updated with the amount of bog bridging needed. Brooks said it's going to be a foot path not a tractor road.

Brooks moved and Clark seconded. Commission VOTED (4-0-0) to amend the Order of Conditions based on the new trail design of 4 ft wide with the following conditions: trail must be first cleared and maintained at 4 ft, replication is NOT necessary, and come back to the Commission with the amount of bog bridging.

7:30 PM Request for Determination (cont'd from 7-22-15) – Amherst-Colonial Village, LLC/Allen Cohn for determination of resource area boundaries and jurisdiction at Colonial Village Apartments, 200 South East St. (Map 15C, Parcels 10 & 16).

Mickey Marcus, NEE, summarized what was discussed at last meeting. There is an approximately 1700 square foot isolated wetland in the NE corner of the property (Area 1). Agreed at last meeting that this is a wetland, and is an isolated wetland so only regulated by the Town not state. He presented additional soil pit data collected since last meeting on wet area in the center of the mown field. He provided a map showing 30 soil pit locations. He identified 4 small isolated wetland areas with both hydric soil & veg, however, largest is 276 square feet. He stated they don't appear to connect, on plan can see area where there is actually a berm separating them. Willson asked if there were locations with hydric soil but not veg. Marcus said no. Clark asked if there is a plan for this area. Marcus said to stockpile soil, then eventually spread the soil and in the long term finish the original design for another apt building in this area. Allen asked where will water go if a building is built. Marcus said Commission would need to require a stormwater management plan with filing for construction of the building.

Marcus summarized that in his opinion there are no state regulated wetlands on the site, that the area in the NE corner (Area 1) is an isolated wetland regulated under the Town, but that the area in the middle of the field (Area 2) consists of very small isolated wetlands that are under 500 square feet so Commission can vote that they are not jurisdictional.

Clark moved and Brooks seconded. Commission VOTED (4-0-0) to close the public meeting and issue a positive determination for Area 1 that it is jurisdictional under the local bylaw but NOT the state, and a negative determination for Area 2 that it is not jurisdictional under the state or local bylaw.

Miscellaneous Untimed Items:

- Certificate of Compliance - 128 Snell St.

Willson provided a map of the site, the project is a single family house completed in 2006. The driveway went over two intermittent streams so the project involved wetland replication. Members of the Commission conducted a site visit this morning. There was still some silt fence left at the site which the COC could ask to be removed. Brooks said if the silt fence is removed that will loosen soil. The replication areas looked well vegetated with a mix of native wetland plants and invasives. No dumping or encroachment observed.

Brooks moved and Allen seconded. Commission VOTED (4-0-0) to issue the Certificate of Compliance with the condition that the erosion control be removed carefully to not disturb the soil.

- Emergency Certification - Gull Pond beaver dam breach

Willson stated the beaver deceiver under Cross Brook Dr. failed causing the water level to rise and threaten residents basements and DPW groundwater collection system overflow. DPW and Conservation staff removed the beaver deceiver mesh and piping and a lot of debris (beaver dam) last week. The water levels have receded and Cons Dept is looking into funding a new beaver deceiver.

Brooks moved and Clark seconded. Commission VOTED (4-0-0) to ratify the Emergency Certification.

- Markert's Pond Emergency Certification

Willson stated that the outflow structure at Markert's Pond, which is from the 1930s, has been failing for a while and not holding back the water sufficiently to create a pond. In addition, the concrete and metal structure is jagged and a danger to the public. The Emergency Cert is to remove the outflow structure for safety reasons and to allow Cons Dept staff to see where the water is flowing, if it's currently going under the culvert, etc. in order to design a replacement structure.

Clark moved and Brooks seconded. Commission VOTED (4-0-0) to ratify the Emergency Certification.

- Topics not reasonably anticipated 48 hours prior to the meeting

Adjournment

Voted unanimously to adjourn the open meeting at 8:49 PM.

