

**Conservation Commission Meeting
January 27, 2016
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Angus, Chair at 7:02 p.m.

ATTENDANCE

Present: Angus, Boice, Healey, Brooks, Butler

Staff: Ziomek, Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Willson stated she went with DCR to look at what was formerly a wetland across the Norwottuck Trail from Amherst Farmer's Supply that had all of a sudden completely drained. It is thought the drainage pipe that had been clogged final unplugged. DCR plans to monitor the area to see if water starts to collect there again naturally, if not they may install an outflow structure at the entrance of the pipe.

Ziomek stated next Monday the new interim Town Manager, Peter Hechenblekner, starts and Ziomek will transition back to Assistant Town Manager/Director of Conservation & Development. We're getting closer to closing on Hall property purchase. The title was more complicated than had been anticipated and that has slowed things down. Ziomek presented to CPAC last night, he presented the Hoerle APR and the Stotz/Stowes land aquisition projects for Open Space projects. The great thing about the Hoerle APR project is that the state is paying 90% of the cost and the local match is only 10%. Still waiting on the Mitchell APR to close, the funding is all in place just waiting to get documents all in place from the lawyers. We're working on draft Land Management Plans. Beth & Brad are working on the NOI for Markert's Pond, that will come before the Commission in the next month. Still waiting on the new tractor.

Willson stated the Town Engineer's review letter and updated plans for the Hampshire College solar project are in the Commission's packets. Information on the MACC conference is in the packets. Ziomek stated he presented the Conservation & Development FY2017 budget last week and budget basically the same as last year.

Boice stated she would like to discuss at our next mtg the proposed Open Space projects being proposed to CPAC and have the Commission rank them. CPAC is voting on Feb 23rd on the applications, please come or send an email in support of the projects. Due to the large number of applications CPAC will probably still be voting at their next mtg in March.

MINUTES

Review/approve Minutes of 6-24-15 & 7-8-15

Butler moved and Healey seconded. Commission VOTED (4-0-1 Brooks abstained) to approve the minutes of 6-24-15.

Butler moved and Brooks seconded. Commission VOTED (4-0-1 Angus abstained) to approve the minutes of 7-8-15.

PERMITS/DISCUSSIONS

7:10 PM Discussion – Matt Kotfila farming at Wentworth Farm Conservation Area

Angus stated that Boice & Butler were on the subcommittee reviewing applications to farm at Wentworth Cons Area. Willson stated an RFP was issued giving about a month for applicants to reply. The proposal review subcommittee consisted of two Conservation Commissioners, two Ag Commissioners, and two Cons Dept staff. One mtg was held to review proposals and a second meeting with Matt Kotfila, applicant, was conducted to ask additional questions about his proposal.

Angus stated the purpose of tonight's meeting is for Matt to briefly present his proposal to the Commission. The Commission already has the recommendation from the subcommittee who heard a more lengthy description of the proposal.

Kotfila stated he would like to farm the 3-acre plot, put two acres into cover crop and plant vegetables in the remaining acre. He would donate the produce to the Amherst Survival Center and Not Bread Alone. He spoke with XX who has agreed to do the tractor work in exchange possibly for growing some asian vegetables on the parcel. Met with UMASS prof regarding coming up with a cover crop cocktail and doing soil testing to determine if fertilizer will be needed. Researched getting composted manure from farms and just buying inorganic fertilizer. Plan to do local fundraising, on-line crowd sourcing, and fundraising events to raise funds. He would like to use a zero return pump to irrigate from Owen's Pond.

Kotfila stated he feels like he lost the support of the review committee because he didn't have a business plan that sounded successful, so he's worked on both the business plan and ag plan. He also contacted one of his references who said they were not contacted so he wonders how the committee could have evaluated him. He has changed his crop selection based on feedback from the shelters he contacted. He would like consideration by the Commission to farm at Wentworth Cons Area.

Angus stated the recommendation from the subcommittee was to not grant the license to Mr. Kotfila. Willson asked if the pumping from Owen's Pond is replacing his original plan of using a cistern. Kotfila said yes. Boice stated that she was on the subcommittee and felt like the overall plan did not seem complete or detailed enough to seem viable. Boice stated that at the second meeting feedback was provided to Mr. Kotfila but the overall consensus is that the plan is not strong enough. Mr. Kotfila agreed that there was feedback provided at the second meeting. Shannon Rice-Nichols, Ag Commissioner who was on the subcommittee, stated that Mr. Kotfila came to an Ag Com mtg following the two meetings already discussed and had made improvements to his overall plan based on the feedback given to him. However, the Ag Com was still concerned with whether Wentworth is the right size and location for Mr. Kotfila. Mr. Kotfila asked why he was given a date to have documents submitted. Willson stated all documents for a Conservation Commission meeting need to be submitted the Friday before a meeting, that's what that date was.

Boice moved and Brooks seconded. Commission VOTED (5-0-0) to not recommend issuing a license to Matt Kotfila to farm at Wentworth Farm Conservation Area.

7:30 PM Review/Approve Conservation Restrictions

Ziomek stated as part of the CPA legislation when towns are using CPA dollars for land acquisition they are required to put Conservation Restrictions on the properties held by a third party. Historically when towns bought land for conservation the land was protected by Article 97, the CR add another layer of protection. Over time towns have been able to remove land from Article 97 and use it for other municipal purposes so the CR protects against that. The Town approached Kestrel Trust over a year ago about holding CRs on these properties. Once they hold the CRs we have to consult them for many activities we might want to do on the land. Brooks asked if this gives Kestrel veto power over something we think is an allowable activity? Ziomek said it means there should always be a discussion with Kestrel about management objectives. Butler stated they all allow hunting and some of the parcels are quite small. Ziomek said hunting is also regulated by the state, no hunting within 500 ft of a residence, road, or trail. Willson listed the seven properties.

Boice moved and Butler seconded. Commission VOTED (5-0-0) to approve Conservation Restrictions for the Muddy Brook, Swacz, Cushman 1, Cushman 2, Westover Meadow, Smith, and Lawrence Swamp Conservation Areas.

7:45 PM Notice of Intent (cont'd from 1-13-15 mtg) – Miles Hovis, Solar City, for installation of a solar array and associated stormwater system, walking path improvements, and selective tree cutting within buffer zone to bordering vegetated wetlands at Hampshire College off West Bay Rd. (Map 25B, Parcel 5).

Colleen Puzus, NEE, and Todd Holland, Hampshire College, present the updates from last mtg. Puzus stated that since the last meeting there was a site walk with TOA DPW, NEE, and Hampshire College to review the changes including the proposed location of a bus stop and pedestrian crossing. The section of tree clearing adjacent to the Hadley field that was within the 100' buffer to a vernal pool will not be cut, the plans were updated to reflect this change. Erosion controls were added to the plans. Willson asked if applicant was confident the new paved walkway could be put in between the two wetlands? Puzus said yes, using small equipment and a wetlands person will be on site. Boice asked what the conclusion was about the trees along West Bay Rd. Holland responded that after discussions with the Town they are going to try and save most of the trees. Boice stated that the Commission did receive an email from an abutter/concerned citizen asking why a field solar array was chosen vs a parking lot array. Holland responded that a committee worked for about a year evaluating all locations, rooftop, parking lot, and field locations. These two were selected based on various criteria, parking lot arrays are three times the price and Hampshire could not afford the number of arrays they need at that price. Roof arrays are planned, there weren't enough roof tops aligned correctly to just use that type.

Brooks moved and Healey seconded. Commission VOTED (4-0-0 Angus abstained) to close the public hearing and issue an Order of Conditions with conditions to notify the Wetlands Administrator

when the walkway is being constructed and no pesticides, herbicides, or fertilizers to be used on the vegetation under the array.

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.