

**Conservation Commission Meeting  
April 13, 2016  
Town Room, Amherst Town Hall**

**MINUTES**

**CALL TO ORDER**

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

**ATTENDANCE**

Present: Angus, Boice, Clark, Butler

Staff: Ziomek, Willson

**CHAIR, DIRECTOR & WETLANDS ADM REPORTS**

Willson said that the 7:45pm item on the agenda has been moved to the 4-27-16 meeting. Willson stated she investigated a fence that was put up at a residence on Henry St. right along the wetland line without a permit. She stated that the fence was installed just inside a stone wall around a mowed, lawn, area and was already up by the time she visited the site. Options for the Commission are to ask the owner to submit an RFD after the fact, or be alright with the fact that the owner now is aware of the wetland line and the regulations. Angus said she didn't think we would gain much by asking them to file at this point. Commission decides not to issue an Enforcement Order.

Willson stated that Cows, Inc. is logging their land east of Henry St. She has conducted two site visits to make sure they are following their cutting plan. They used both the delineation from the last logging and from the Retreat work as wetland boundaries.

Willson stated in Con Com's packet is an email saying that the stumps we observed in the stream on Canton Ave have been moved to an upland location. She stated the Fearing Brook sign from Seeley St was stolen, post and all.

Ziomek stated today was delivery day for the Conservation Dept.'s new tractor. He provided photos of staff and the new tractor. It's a much safer tractor than the old 23 yr old tractor.

**MINUTES**

Review/approve Minutes of 10-28-15 & 11-10-15

**Boice moved and Butler seconded. Commission VOTED (4-0-0) to approve the minutes of 10-28-15.**

**Clark moved and Angus seconded. Commission VOTED (4-0-0) to approve the minutes of 11-10-15.**

**PERMITS/DISCUSSIONS**

**7:15 PM Request for Determination** – Daniel Greaney for constructing of a wheelchair lift, retaining wall, and roof over a walkway within buffer zone to an intermittent stream at 124 Middle St. (Map 23B, Parcel 19).

Daniel Greaney, property owner, presented the project. The work will include construction of a covered walkway from the driveway to the west side of the house, excavation of soil by the house for the wheelchair lift base, and installation of a retaining wall next to lift location. Structure built on sono-tubes no excavation. Willson stated the silt fence is already up between the work area and the stream. The equipment will come up and be stored along the driveway. Butler asked how close the work will be to the stream Greaney stated the closest post will be approximately 30-35 feet from the stream.

**Boice moved and Butler seconded. Commission VOTED (4-0-0)** to close the public meeting and issue a Negative Determination with no conditions for the work.

**7:30 PM Request for Determination** – New England Central Railroad Company/Mike Olmstead for verification of resource area boundaries along railroad rights of way within Amherst.

Willson stated the applicant was unable to attend tonight's meeting. Angus stated they are asking us to confirm wetland boundaries not for work. Willson stated NECR is required to come back every five years to have the wetland boundaries checked and confirmed. She added every year NECR submits a letter telling the Commission when they are going to treat the vegetation with herbicides. They spray once a year usually June/July timeframe. They spray ten feet on either side of the tracks. Boice stated we saw two of the delineated sections during our site visit today and saw the markings on the tracks indicating wetland areas. Boice stated that NECR said the wetland lines have not changed much in the last five years. Angus stated we'll have to write the Determination saying we're only approving no spray areas. Butler asked if they spray in the water supply protection area. Boice said they spray within the watershed protection area every other year. Boice stated NECR said they use glyphosate, roundup.

**Boice moved and Butler seconded. Commission VOTED (6-0-0)** to close the meeting and issue a Positive Determination 2a stating that we're approving the application lines where NECR can and can not apply herbicide.

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

- Emergency Certification – Amherst DPW for cleanout of catchbasins Pomeroy Crt

Willson stated Pomeroy Crt continues to flood. The Commission previously issued Emergency Certs to have beaver dams breached in the area to help with the flooding but that didn't resolve the issue. This Emergency Cert is to have DPW pump out the catch basins and the catch basin outflow pipe so they drain better. DPW thinks the end of the outflow pipe is clogged with sediment.

**Boice moved and Clark seconded. Commission VOTED (4-0-0)** to issue the Emergency Cert.

- Certificate of Compliance – 16 Hawthorn Rd. (Lot 47)

Willson stated this is a single family house that is part of Amherst Hills. The property is being sold and the OOCs was still on the title. This is a partial COC for the Order for construction of the subdivision infrastructure which only applies to 16 Hawthorn Rd (formerly Lot 47).

**Boice moved and Butler seconded. Commission VOTED (4-0-0)** to issue the partial COC for 16 Hawthorn Rd. (formerly Lot 47).

- Plastic bag ban bylaw petition

Ziomek stated staff supports the petition. Commission reviewed bylaw text.

**Boice moved and Butler seconded. Commission VOTED (4-0-0)** to support the plastic bag ban bylaw petition.

- Topics not reasonably anticipated 48 hours prior to the meeting

### **Adjournment**

**Voted** unanimously to adjourn the open meeting at 7:45 PM.