

**Conservation Commission Meeting
May 11, 2016
Town Room, Amherst Town Hall**

MINUTES

CALL TO ORDER

Meeting called to order by Ms. Angus, Chair at 7:00 p.m.

ATTENDANCE

Present: Angus, Boice, Allen, Healey, Brooks

Staff: Willson

CHAIR, DIRECTOR & WETLANDS ADM REPORTS

Willson stated she, Bordewieck, Clark, and DPW staff installed 70 drain markers next to catch basin throughout downtown Amherst. Still have 30 to install. Markers say, "No dumping, drains to river". There is a review letter from DEP in Commissioner's packet for the town project on N. Pleasant St. that has a mistake. DEP was still under the impression project was impacting 5,900 sq ft not the revised 5,000 sq ft. See subsequent emails to DEP clarifying. They are not revising the comment letter but are not requiring a reduction in the parking lot size with the 5,000 sq ft of impact. Willson stated there is a letter from the railroad about their herbicide treatment plan for this year. Boice said the Open Space projects will be coming before Town Mtg on 5/18 and she can attend. Angus can be back up if needed.

MINUTES

Review/Approve Minutes of 11-23-15

Brooks moved and Boice seconded. Commission VOTED (4-0-1, Healey abstained) to approve the minutes of 11-23-15.

PERMITS/DISCUSSIONS

7:15 PM Informal Discussion – Tom Reidy, Bacon & Wilson P.C., for 408 Northampton Rd.

Tom Reidy, atty with Bacon Wilson, Cheryl Faucet, GSX Solutions, and Mark Darnold, Berkshire Design, present an upcoming apt building project at 408 Northampton Rd. It is currently the Amherst Motel. Looking for preliminary thoughts from the Commission on the project prior to submitting the application. Darnold presented a preliminary design plan, showing wetland locations, buffer zone lines, and proposed new structure and parking. He added they will only be working within existing paved or building footprint areas, not encroaching closer to wetlands, and are meeting the 50' building setback. Drainage is not on the plan yet, still working on that, but will meet MA Stormwater Standards. Willson asked where drainage outfalls currently. Darnold said he doesn't believe there is any stormwater infrastructure and that it just sheet flows across the parking lot.

Reidy stated they are building an apt building with hopefully 130 dwelling units and 4 floors, however, it needs to go through ZBA where size may change. Darnold asked if the Commission would rather see an NOI or RDA. Angus said if impacts don't change through further design an RDA with a stormwater

report would be sufficient. Willson said if stormwater system design results in further impacts or closer impacts an NOI is needed. Brooks asked where are all the cars are going to go? Reidy stated the majority of the parking will be on the Hadley side of the property. They have contacted PVTa about public transportation. Darnold said there will be an increase in impervious area in both Hadley and Amherst. Healey stated some kind of barrier such as a split rail fence or shrubs should be proposed to try and keep people out of the wetlands.

Brooks asked if they can file a joint filing for both towns. Angus recommended against it, prefer separate for Amherst.

7:30 PM Request for Determination – James & Astrid David for construction of a duplex and associated parking, grading, and landscaping within buffer zone to Bordering Vegetated Wetlands and Bordering Land Subject to Flooding at 249 Stanley St. (Map 18A, Parcel 33).

Peter Wells, Berkshire Design Group, and James David, property owner, present the project. Parcel is 1.1 acre building lot that is currently 75% mown grass. Wetland is along western side of property, parcel also has floodzone and mapped endangered species on it. The Fort River is about 200' to the east. Proposing a 28'X60' duplex with nine paved parking spaces. Drainage will flow through a vegetated swale then into the wetland. All structures and driveway are outside the 50' setback. Owner would like to remove invasive plants and replant with native plants in an approximately 30 sq ft area of the buffer adjacent to wetland. Wells handed out a planting plan. The planting would occur over a few years. They would also like to remove a barbed wire fence that runs along the wetland line. Willson presented photos from the site visit. The wetland is about ten feet east of the edge of lawn, between lawn and wetland is some invasives including Japanese knotweed. Wells said erosion control will be used during construction. Willson asked if the planting plan had been shared with NHESP. Wells said no. Angus asked if they know what the species of concern is. Wells said no. Angus said this is not a joint filing it's just an RFD so Con Com doesn't have to have NHESP review report but can condition based on knowledge of endangered species mapping.

David said he won't use herbicides to remove invasives, he will rototill/cut then plant a quick growing grass, then keeping mowing as shoots come up, or lay thick rubber mat over the knotweed to kill it. Willson said knotweed does extend into wetland but we're only permitting within buffer.

Boice moved and Allen seconded. Commission VOTED (5-0-0) to close the public meeting and issue a Negative Determination with conditions: compliance with MESA, no work is done within the wetland, remove barbed wire fence, and erosion control is used between are of invasive removal/planting and the wetland, and maintain erosion control until vegetation is re-established.

7:45 PM Notice of Intent – GTI Massachusetts NP for redesign of a building and parking lot for a medical marijuana dispensary within Riverfront, Bordering Land Subject to Flooding, and buffer zone to Bordering Vegetated Wetlands at 169 Meadow St. (Map 4B, Parcel 6).

Mickey Marcus, SWCA/NEE Inc., stated NEE was recently acquired by SWCA Inc. This project involves the redevelopment of the auction barn building on Meadow St. into a medical marijuana dispensary. The building footprint will stay the same. Nothing will be grown on the property, strictly a

dispensary. The project is within Riverfront for the Mill River and Swamp Brook, there is a small BVW in the southwest corner. Work is all within the degraded area, gravel parking lot with no top soil. 1,500 sq ft of the gravel parking lot will be graded, top soil added, and landscaped. Abandoning an existing drainage line and replacing with rain gardens and a drainage swale. Project also in 100 yr floodplain, however, there is no loss in flood capacity there is actually a gain of 165 cubic feet of soil. Marcus presents plans on overhead.

Willson asked what the purpose is of the one small area of work that goes outside the degraded gravel area. Marcus responded they needed the square footage for the stormwater calcs. Angus asked about total work area within BLSF in regard to wildlife habitat. Marcus responded that because the work area is considered degraded under Riverfront they didn't consider it wildlife habitat. Willson provided photos on the overhead. The gravel area that is being landscaped will become habitat, so increasing habitat.

Willson stated the edge of degraded land was checked during the site visit.

Boice moved and Healey seconded. Commission VOTED (5-0-0) to continue the public hearing to May 25th at 7:45 pm in order to hear from the Town Engineer regarding stormwater. Applicant agrees to continuation.

8:00 PM Notice of Intent (cont'd from 4-27-16 mtg) – Amherst Conservation Department for installation of a parking area, picnic area, and fencing within Riverfront at 1200 North Pleasant St. (Map 5A, Parcel 22).

Willson stated we received the DEP file number as we discussed in the beginning of the mtg there is a correction to the DEP review letter. Willson presented the plan on the overhead and reviewed the project for those Commissioners who were not at the last meeting. Angus stated this is not a redevelopment project so you can alter up to 5,000 square ft of Riverfront.

Brooks moved and Boice seconded. Commission VOTED (4-0-1, Healey abstained) to close the public hearing and issue an Order of Conditions with the condition that the barbed wire fence be removed.

Miscellaneous Untimed Items:

- Permit Extension – SWCA/New England Environmental, Inc. for UMASS campus pond

Matt Lewis, SWCA/NEE Inc. stated they have been spot treating the algae blooms and aquatic vegetation in the pond for a number of years. Treatment improves the aesthetic value of the pond and the water quality. Willson asked if the treatment has changed since the original OOCs was approved. Lewis responded no, the allum seems to be working. Includes aeration system.

Boice moved and Allen seconded. Commission VOTED (4-0-0, Healey left) to issue permit extension for another three years.

- Re-issue COC – 123 Blackberry Lane (formerly Lot 33)
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- Willson stated this is a re-issue of the COC because the original COC was never recorded.

Boice moved and Brooks seconded. Commission VOTED (4-0-0, Healey left) to re-issue the COC.

Adjournment

Voted unanimously to adjourn the open meeting at 8:35 PM.