

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

**MINUTES**

**CALL TO ORDER**

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

**ATTENDANCE**

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

Staff: Willson

**CHAIR, DIRECTOR & WETLANDS ADM REPORTS**

Butler summarized what was learned at the FEMA floodplain mapping meeting the previous week. Town is in the process of revising its floodplain maps. The Town's consultant presented the work done so far and described how the maps would eventually be approved by FEMA. Willson stated once the revised maps go through the FEMA review process, which will include a public hearing, and become the official flood zone maps for the Town the Commission can use them for regulatory purposes.

Boice stated Mary Streeter, the former chair of the CPAC, is no longer on the CPAC and Boice has been chosen as the new chair. Congratulations Paris!

Willson stated the solar projects at Hampshire College on West Bay Rd and UMASS are starting, she plans to conduct site visits to both next week. The 55 University Dr. building is under construction, Willson inspected that site last week. East Leverett Rd. house/driveway project starting she has inspected that.

**MINUTES**

**No minutes to review**

**PERMITS/DISCUSSIONS**

**7:15 PM Event on Conservation Land – Eric Carle Museum for display on Bare Mtn**

Ellen Keiter, Chief Curator for Eric Carle Museum, stated they are embarking on first public art project that will be installed around Amherst celebrating the 50th anniversary of Brown Bear Brown Bear What Do You See. There will be 14 reproductions of pictures from the books around town. They would like to put the installation of Brown Bear on Bear Mtn which is conservation land in the Mt. Holyoke Range. The sign/installation will be up for about eight weeks. The sign will be on a post pounded into the ground, it will have a 24"X30" cedar frame with a plexiglass cover. They will hike up, all work done by

hand. Brooks asked if there is soil up there to put post in. Keiter said she hasn't been up to the site but they will secure the post some how. They will remove all materials after eight weeks and fill in hole. There is a celebration of the exhibit on Sept. 17th at the museum and all are welcome.

**Healey moved and Brooks seconded. Commission VOTED (6-0-0)** to allow the temporary installation of the Brown Bear sign on the Mt. Holyoke Range conservation area.

### **7:30 PM Review of Land Management Plans – Mt. Pollux**

Willson stated there is a document in the Commission's packets summarizing changes to the LMP based on comments at our last meeting. Stephanie Ciccarello, Sustainability Coordinator, stated she wanted to clarify that there will be a Memorandum of Understanding between the Town and the Friends of Mt. Pollux that will discuss annually coming together to plan activities for that year that both the Town and the Friends can work on. Butler said he still feels some kind of timeline should be in the LMP even if it's flexible. Ciccarello stated there will be a table with three different time frames, 1-5 yrs for example, so there is some timeframe for the work. Butler suggested a member of the Commission come to the annual meetings.

Thomas Johnson stated an MOU would be useful for the Friends Group, they would know what projects to raise money for each year. Brooks stated he is opposed to creating parking off of Middle St. because there is just no room for it. He also stated he doesn't see how a trail can exist from Mt. Pollux to Plum Springs because it would need to cross private property. Thomas Johnson added he would like a map on the kiosk showing people how to get to different conservation areas from Mt. Pollux. He added that he would like to see trash receptacles at Mt. Pollux that the Friends Group could maintain. Johnson stated he would like to have contact with the Town more than just annually. Healey stated it's fine to have the small buckets that are there now, not formal trash receptacles, that are maintained by a resident. Johnson stated the Friends really want signage, interpretive signs, Friends are willing to work on grants for signs. Butler said a similar situation is at Bluebird Meadow where a resident received a grant and is working with the Commission on some interpretive signs. Healey said you are welcome to put a sign plan together and get funding, plan would need to come before the Commission. Johnson asked if a commercial business, such as Atkins, funded a sign could they put their name on it? Boice said we've never done that, no. Johnson asked how Commission feels about maintaining the apple trees so they bear fruit and replacing them over time when they die. Willson said the level of maintenance discussed in the plan is what we should stick to, the apple trees should be maintained by Conservation staff not the Friends. Johnson asked if the Commission supports signage, maintenance of apple trees. Butler said yes.

The Commission will review the revised LMP at their next mtg and vote to approve.

Approved at the 4-12-17 Conservation Commission Meeting

**8:00 PM Request for Determination** – Marjorie Melnick for solar panel installation within buffer zone to bordering vegetated wetlands at 48 Stanley St. (Map 18A, Parcel 48).

Marjorie Melnick, property owner, presented the project. She showed on the overhead map the wetland line, buffers, and where she would like to put her solar panels. The marked location is the only spot on the property that gets enough sun. However, she's presenting two options, one where the panels are completely in buffer zone and another where the solar array posts would be in the buffer but the panels would extend over the wetland for approximately 10 ft. The second option is preferred because it would get the best sun. The work would also include removing a small apple tree and sumac tree.

Brooks stated even with the proposal where the entire panel is in buffer zone the applicant must prove that it won't impact the wetland. Rep from solar company (Tim?) stated the posts would be driven in by a pneumatic hammer on a small tractor sized vehicle. Posts are 16' long, there's no digging, cement, or construction. The array will be 30ftX10ft. Boice asked if the vegetation underneath the array will need to be mowed periodically. Tim said no. The panels will slope and will range from being 5-15' above the ground surface. Butler said the ash tree will die in a few years anyway from the Emerald Ash Borer.

Healey is concerned about the shading and the eventual maintenance over time. She feels that is an impact to the wetland and buffer zone. Butler said taking down trees on the property to provide sun and moving the panels might be a good alternative. Melnick said they have looked at other options, they don't want to take down the large maple tree. Willson agrees that the shading will impact the buffer zone vegetation, thinning it, which will then impact the wetland. Butler suggested providing mitigation somewhere else on the site. Willson said the Commission can either continue the hearing and ask for more information or issue a Positive Determination and require an NOI which could include mitigation.

**Butler moved and Healey seconded. Commission VOTED (6-0-0)** to close the public meeting and issue a positive determination requiring an NOI for the work.

**8:15 PM Enforcement Order** – Eversource Energy for filling of an intermittent stream bank off Henry St. (Map 6A, Parcel 91).

Willson stated she visited the site and the fill has been removed from the stream channel and erosion control is in place. Devleena Gosh-Brower, Eversource Energy, reps from Tighe & Bond, and reps from Northern Land Clearing present for discussion. Gosh-Brower stated they removed the fill, stabilized the banks, and have been monitoring after rain events. Last mtg we discussed two span options, the Enviro-Span and the box culvert. Since that mtg their engineers determined that it would be difficult to meet the stream crossing standards with either of those choices. Instead they have brought a plan for a bridge that would span from bank to bank for the Commission's review. Gosh-Brower presented the bridge design, bridge called the Maybe Bridge. It meets all stream crossing standards. It's 50' long, about 15' wide

with guard rails, and will sit approximately 16' above the stream bed. They will need to get equipment to both sides of the channel to install the abutments, the plan is to install a temporary bridge to bring equipment across. Restoration plan is to lay erosion control mat with seeding and monitor for two years. She stated this is the least impactful option for a crossing. Willson stated there is a letter (in Con Com packets) from a neighbor stating the Enviro-Span is not a good option for this location.

Clark asked about cleanup. Ghosh-Brower said they removed all the rock and installed erosion control on the banks, the stream is not flowing. Willson provided photos. Gosh-Brower said it will take a few months to get the bridge from the manufacturer, thinking September for installation. Eversource would like to install swamp mats as a temporary stream crossing until the bridge arrives.

Willson asked if Eversource is submitting a 401 Water Quality Cert for all the work along the transmission line? Ghosh-Brower said the submitted one for the sections along line 1044 that are jurisdictional under the state, this stream is not. Willson referenced recent emails between DEP, Eversource, Tighe & Bond, and Amherst where DEP states the 401 WQC application will not be reviewed until it has been determined that no other federal or state laws have been broken and the local enforcement order is lifted.

Commission fine with swamp mats as temporary bridge. Brooks asked why we are allowing them to build a bridge in the buffer zone. Willson replied Eversource will need to get across the span for maintenance and at our last meeting we asked them to design a bridge. She added utility maintenance is exempt from the wetland regs, they are here because they went beyond normal maintenance and filled a stream channel. Butler asked if we could get mitigation for the impacts to buffer zone from the bridge. He added it is Eversource's responsibility to come up with some ideas. Ghosh-Brower asked what size, in same watershed, what is Commission looking for? Butler said gates, signage, revegetation. Willson suggested repairs to the salamander tunnels. Healey added the tunnels are right there, they are important to the Town, it would be a good project. Eversource is willing to look into it. Other option is native plantings along ROW.

**Allen moved and Clark seconded. Commission VOTED (6-0-0) to ratify Enforcement Order #2.**

**Brooks moved and Allen seconded. Commission VOTED (6-0-0) to issue Enforcement Order #3** stating that a temporary crossing may be installed, that the Maybe Bridge design was acceptable and could be built as the permanent stream crossing, and that Eversource must return for the 8/10/16 mtg at 7:30pm to present mitigation options.

**8:30 PM Request for Determination** – Hitchcock Center for the Environment for installation of footpaths and temporary bog bridging within resource areas off West St. (Map 22D, Parcels 10, 11, 13 & 15).

Pete Westover, Conservation Works, presented the project. Hitchcock Ctr for the Env would like to create trails through the land behind their new building for campers, students, and general public. This

application is for Phase I of the trail design and construction. Hitchcock and Hampshire College are working on a “access plan” that will include not just the land Hitchcock is leasing but a larger trail system. He presented proposed trail map. Phase II will be a full NOI for ADA accessible trails. The trails wind through a forested area that includes an intermittent stream, wetlands and a vernal pool. A walking bridge is proposed for crossing the stream. He proposes using diamond piers as footings for bridge.

Willson said trails in this application are 2.5’ wide and some (major loop) will be widened when they become ADA accessible which will come under an NOI. Brooks stated he would like to see a delineation of the resource areas including buffer zone lines. Westover agreed to continue and to provide additional information.

**Brooks moved and Butler seconded. Commission VOTED (6-0-0)** to continue the public meeting to 8/10/16 at 7:45pm. Applicant in agreement.

**Miscellaneous Untimed Items:**

- Topics not reasonably anticipated 48 hours prior to a meeting.

**Adjournment**

**Voted** unanimously to adjourn the open meeting at 10:15 PM.