

July 12, 2023

APPROVED

In attendance: Jared Hardner – Chair, John Harvey - alternate, Peter Lyon – Board of Selectman
Ex-Officio, Christian Littlefield, Rich Hart – alternate, Steve Lutz, Lee Gilman, Mark Bender.
Staff present: Kristan Patenaude – Recording Secretary (remote)
Also present: Bill Stoughton, Board of Selectmen

Chair Jared Hardner called the meeting to order at 7:00 pm.

Administrative:

1. Chair Comments

Jared Hardner opened the meeting at 7:00pm. He explained that the first purchase for the Curran properties has been completed. The second will be completed at the end of this month, and the third and final payment will occur at the beginning of the next fiscal year, near July.

Mark Bender stated that he is still waiting for one bank statement in order to wrap up the FY23 2023 financials. He noted that the ACC received an additional donation of \$250 in the memory of Bill Widmer.

2. Minutes Approval

**Steve Lutz moved to approve the meeting minutes of May 24, 2023, as amended
[Line 170 to read: “John Harvey explained that there is a small lane on the east side
of the property line that leads to the bulk of the rear of the property in question.”]
Seconded by Christian Littlefield.
Vote: 5-0-0; motion approved.**

Special Topics & Presentations

3. Planning

3.1. Foundation Armor – CUP (Sam Foisie – Meridian)

Sam Foisie, Meridian Land Services, explained that members of the ACC had a joint site walk with members of the Planning Board earlier this afternoon. The applicant has submitted a Conditional Use Permit (CUP) application to the Planning Board for the proposed use of this site as a 20,000 s.f warehouse with 3,500 s.f. of associated office space. There will be access to the site from Howe Drive. That access will enter into the 100’ buffer from nearby wetlands. This is the only point of access to the site without going directly through the wetlands. This access will lead to the back of the site where the warehouse, associated parking, and associated loading areas will be located. The front access way of the building will be partially within the buffer and some of the stormwater management features will also be in the buffer. The existing buffer has already been disturbed due to previous gravel excavation. The applicant is focusing on a minimal impact to the buffer by use of curbing instead of open swales and holding the site as far away from it as possible. This will be accomplished by removing an access road located behind the building and shifting the building back to move all the improvements further away. The applicant is

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attempting, where possible, to maintain 50' from the wetlands to create a 50' buffer. This allows for treatment of the stormwater to meet the Town regulations for nutrient removal. The existing stormwater basins are closer than 75' from the wetlands, therefore not allowing for the full nutrient removal for nitrogen, phosphorus, and total suspended solids. The plan also proposes that areas not being permanently impacted be planted with a conservation mix and allowed to grow freely and unmaintained. Any areas of buffer that are to be reestablished will be graded with a gradual slope to the wetlands, around the stormwater basin and along the access drive. These items are considered improvements to the existing site and are the justification for the CUP application.

Sam Foisie explained that he spoke with Jared Hardner regarding invasive species in the area. During construction, a plan for removal of those species can be considered. The building will receive chemicals in 5-gallon containers to be used for sealing of foundations. The company does not manufacture the chemicals on site or open the containers once received.

Jared Hardner asked about the proposed containment system for those substances if they were to spill. Sam Foisie stated that the company has not had any issue with spills in the past. This concern was brought up at the Planning Board meeting for the application and there is currently no formal plan to address this. Kitty litter has been used by the company for absorption of spills in the past. The applicant has created a more formal plan to submit to the Planning Board, including specific spill kits that will be located throughout the building.

Jared Hardner stated that he believes this will create a net gain for the site overall. He will work to prepare a note to the Planning Board regarding invasive species management to include in a decision.

Thematic Areas

4. Grassland and Agricultural Management (Christian)

Christian Littlefield explained that this plan covers the grassland habitats, agricultural fields, and open fields, and each one is managed. It was determined that a couple of the properties included could benefit from independent work plans, Buck Meadow and Lindabury Orchard. The purpose and scope of the plan is to maintain grassland habitat on ACC-managed properties and working agricultural farms/fields. Part of the Master Plan calls for maintaining the rural character and aesthetic of the Town. The plan outlines how often the grasslands are being mowed, with no more than five years between mowings suggested. Mowing schedules should also be staggered. The plan includes keeping a steady budget every year, as best as possible. Regarding field margin management, a good margin should be preserved for various types of species that need it. The plan discusses periodic inspections of the areas for quality management and soil testing from time to time. The properties will occasionally be checked for invasive species and action plans developed depending on what is needed.

Jared Hardner explained that the ACC has a history of having leases with farmers who manage certain agricultural properties. That history seems to end in 2017 and he asked if the ACC should

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89 renew the leasing practice for certain properties. John Harvey stated that work done on Town
90 land by a private person for income should come with a lease from the Town to that person.
91 Jared Hardner asked if the ACC should have a mechanism for allowing competitive leases to
92 occur. Peter Lyon stated that he does not believe this is likely necessary. Bill Stoughton stated
93 that, even if the financial benefit is modest, there is some value to advertising these
94 opportunities. People who may have an interest would then know the opportunity was available.
95 Jared Hardner stated that the ACC would then need criteria for evaluating bids and should
96 publish those criteria in advance. Bill Stoughton stated that the ACC should award bid offers that
97 represent the best value to the Town.

98
99 Christian Littlefield asked about term limits for leases. Bill Stoughton stated that a lease can be
100 longer than one year, and it is rare to see contract lengths beyond five years in public
101 procurement. Lee Gilman stated that, for some vendors, 3-5 years should be a minimum. Rich
102 Hart noted that information regarding leases is not currently on the ACC's website. There was
103 discussion regarding whether or not a lease is even needed, or if this work could be handled
104 through a contract for services instead. The insurance requirements could be simplified by stating
105 that the supplier must maintain a certain level of workers compensation insurance, etc.

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107 Bill Stoughton stated that a multi-year contract is generally considered a long-term obligation for
108 the Town, which would require 3/5 approval of the voters. However, this can be accommodated
109 with an escape clause, which would state that the Town has the right to terminate the agreement
110 at any time without penalty.

111
112 John Harvey noted that someone will need to fill the role of contract manager. Bill Stoughton
113 stated that, by statute, the ACC manages the plan.

114
115 Jared Hardner suggested drafting a contract agreement to be reviewed by the Commission.

116
117 Lee Gilman suggested a more robust invasives plan as part of the Grasslands Management Plan.
118 There are several approved action plans on properties that have not yet been implemented or
119 fully implemented. Jared Hardner stated that he would like this information to be integrated into
120 a written plan so that anyone who is working on those properties knows what is required. He
121 asked that Lee Gilman send the documents to Christian Littlefield to determine how best to
122 integrate the plans into the overarching plan. Lee Gilman stated that any active management
123 locations should require an action plan. He would not recommend any vegetation management
124 until an action plan is in place for the site, or the ACC will not be compliant with the industry
125 standards nor efficient. The ACC needs to be planning a season ahead and not being as reactive
126 when it comes to invasives management. Jared Hardner stated that the management plan contains
127 an action table. He asked if this would be appropriate. Lee Gilman stated that the list may get
128 quite long.

129
130 Jared Hardner stated that it seems that the actions being scheduled, in a summary form, can be
131 included on this central table. There should also be a guidance document that is referred to from
132 the central plan which explains the details in a more fulsome manner. He asked if Lee Gilman

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could prepare that guidance document. Lee Gilman stated that he would work to draft the document for the beginning of August.

Jared Hardner stated that the next part of the plan is the action plan. Christian Littlefield explained that the action plan includes AG leases, mowing contracts, site inspections for invasives, etc. Jared Hardner asked Lee Gilman to include any of the currently approved projects in this plan with Christian Littlefield.

Christian Littlefield explained that he attempted to draft site specific management plans for Buck Meadow and Lindabury Orchard. The purpose of the Lindabury Orchard management plan is to find tailored actions for the mosaic, vegetation types, and habitats within Lindabury, while maintaining the rustic park-like, New England orchard farm aesthetics of the property. If there are other specific sites of interest, these can be added in the future.

Steve Lutz stated that invasives are also being seen on the trails and this topic should carry over into the trail stewards' program. He would like to be able to provide guidance on this topic. Jared Hardner suggested adding an action item to the trail stewards plan to come up with a procedure to coordinate with Lee Gilman on this item.

John Harvey stated that the Recreation Department owns a Ventrac mower which the ACC purchased a mower head for, in agreement that the Recreation Department would use it to mow the perimeter trails around all of the meadows in Town. He suggested adding an annual activity to this plan, reminding the Recreation Department to complete this mowing 2-3 times a year. Christian Littlefield agreed to look into this.

Non-Public Session per RSA 91-A:3, II, (d)

- Consideration of the acquisition, sale, or lease of real or personal property which if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

Mark Bender moved to enter Non-Public Session pursuant to RSA 91-A:3, II, (d) at 8:08pm. Seconded by Christian Littlefield.

Roll Call Vote: Mark Bender – aye; Steve Lutz – aye; Christian Littlefield – aye; Lee Gilman – aye; Jared Hardner – aye; 5-0-0; motion approved.

Mark Bender moved to exit Non-Public Session. Seconded by John Harvey.

Roll Call Vote: Mark Bender – aye; Steve Lutz – aye; Christian Littlefield – aye; Lee Gilman – aye; Jared Hardner – aye; 5-0-0; motion approved.

No decisions were made, and no votes were taken during Non-Public Session.

Regarding other business, the Commission discussed an amendment to the Herbicides Policy. The Commission agreed with consensus to change the language from: "It is ACC's policy to use effective means of integrated vegetation management that follow accepted good practices and

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align with regulatory requirements,” to “It is ACC’s policy to use effective means of integrated vegetation management that follow accepted best management practices and comply with regulatory requirements.”

Mark Bender moved to adjourn at 8:35pm. Seconded by Christian Littlefield.

Vote: 5-0-0; motion approved.

The meeting adjourned at 8:35pm.

Respectfully submitted,

Kristan Patenaude

Minutes approved: August 1, 2023