

TOWN OF AMHERST  
Conservation Commission

September 22, 2021

**APPROVED**

1 In attendance: Rob Clemens – Chair, Lee Gilman (remote), Peter Lyon – BOS Ex-Officio, Jared  
2 Hardner, Rich Hart, and Bill Stoughton (remote) (Alternate).  
3 Staff present: Kristan Patenaude – Recording Secretary (remote).  
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5 Chairman Rob Clemens called the meeting to order at 7:02 pm.  
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7 *Bill Stoughton sat for Frank Montesanto.*  
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9 **ADMINISTRATIVE:**  
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11 **1. Chair Comments**

12 Rob Clemens stated that, sadly, Vick Bennison recently passed away. He posthumously thanked  
13 Vick for all of his work for the Commission and Town over the years.  
14

15 Rob Clemens also noted that DPW Director Eric Hahn will be retiring shortly.  
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17 **2. Minutes, July 28, 2021, and August 25, 2021**

18 These will be reviewed at the Commission's next meeting.  
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20 **3. Treasurer's Report**

21 This was postponed to the Commission's next meeting.  
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23 **4. Planning & Permitting**

24 Bill Stoughton stated that the Planning Board will meet a few times in the upcoming weeks.  
25 There will be a site walk tomorrow at 4:30pm for the property on Route 101 that proposes a farm  
26 and agricultural supply company. There will be a meeting on September 30, 2021, at the  
27 Souhegan High School, primarily to deal with two conceptual plans for the Brook Road property  
28 and Hazen property. Finally, there will be a meeting on October 6, 2021, for a public hearing to  
29 discuss the proposed regulations for Planned Residential Developments (PRDs).  
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31 Rob Clemens noted that the conceptual plans were sent out to the ACC too late to be put on the  
32 formal agenda for tonight. He stated that he would like the ACC to be able to comment on these  
33 proposals throughout their application process.  
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35 Rich Hart stated he has concerns regarding possible flooding on the Brook Road property and  
36 impacts to the grasslands/forests from all the proposed lots on the Hazen property.  
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38 Jared Hardner stated that this Brook Road concept seems to place more land within conservation,  
39 which could be good if the area remains locked in for protection and allows public access. He  
40 noted that he has consistently brought up that there are proposed house lots on this property in  
41 areas that will flood. Bill Stoughton noted that the Town's ordinance allows for residential  
42 construction within the flood plain as long as the basement is impervious.  
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Rob Clemens explained that previous iterations of the Brook Road concept have proposed open space on the property for sale to the Town, but not as an open space provision to the Town. He stated that this concept does not make this clear and this will need clarification.

Rob Clemens stated that he will compile any questions and concerns to bring to the Planning Board meeting on these items next week.

Jared Hardner asked about the house placement within lots for the Hazen property, as some areas are proposed within wetland buffers. He would like more detail on the placement of the structures. Bill Stoughton noted that this concept appears to mix PRDs with traditional house lots.

Jared Hardner asked if the Town has any protection regarding placing impervious surfaces over the stratified drift aquifer on the Hazen property. Bill Stoughton stated that the only protection may be through the control of stormwater from these impervious surfaces.

Rob Clemens asked about the application process for these projects. Bill Stoughton explained that the first step is for the Planning Board to hear the conceptual design. This does not include notice to abutters and does not include a public hearing. The next step is an optional design review. This would include notice to abutters and a public hearing. If an applicant goes through with this non-binding step, it will give them some protection from possible future ordinance and regulation changes. Finally, a formal application is submitted which would receive full comments from other boards/commissions, notice to abutters, a public hearing, and possible approval/denial and conditions from the Planning Board. He explained that a Conditional Use Permit (CUP) application for wetland crossings, or wetland buffer impacts would generally come in parallel with the final application. He has been an advocate for the ACC hearing the CUP application prior to the final application hearing because potential concerns could change the final layout of the site.

## **TOPICS**

### **5. Invasives Control Projects – Pond Parish, et al.**

Jared Hardner explained that the next step in the Forest Management Plan was to cut a stand in Pond Parish. After walking this area, it was decided not to pursue this cut because there is not enough timber to break even, and the deer browse is heavy.

Lee Gilman noted that the invasives in this area are relatively localized and the goal is to keep them in check so that they are not impactful to the other ecology of the area. The area is currently losing diversity due to the invasives.

The group discussed the proposal from Vegetative Control Services (VCS) for three days of work at various properties (Caesar's Brook, Pond Parish, and others).

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**Jared Hardner moved to authorize the expenditure of up to \$3,800 from the Invasives line for VCS to perform one day of work on invasives control at Caesar's Brook. Seconded by Lee Gilman.**

**Voting: Rob Clemens – aye, Lee Gilman -aye, Jared Hardner - aye, Bill Stoughton - aye, Rich Hart – aye; motion carried unanimously.**

**Bill Stoughton moved to authorize VCS to perform an additional two days of work on invasives control at Pond Parish and additional locations, at a cost not to exceed \$7,500 from the Conservation Fund. Seconded by Jared Hardner.**

**Voting: Rob Clemens – aye, Lee Gilman -aye, Jared Hardner - aye, Bill Stoughton - aye, Rich Hart – aye; motion carried unanimously.**

Rich Hart noted that the lower orchard at Lindabury Orchard has not been mowed and is full of poison ivy again. The group agreed to discuss this item with Frank Montesanto.

**6. 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.**

**Rob Clemens moved that the ACC enter Non-Public Session per RSA 91-A:3, II, (d) at 7:44pm. Seconded by Bill Stoughton.**

**Voting: Rob Clemens – aye, Lee Gilman -aye, Jared Hardner - aye, Bill Stoughton - aye, Rich Hart – aye; motion carried unanimously.**

**Rob Clemens moved that the ACC exit Non-Public Session at 8:22pm. Seconded by Bill Stoughton.**

**Voting: Rob Clemens – aye, Lee Gilman -aye, Jared Hardner - aye, Bill Stoughton - aye, Rich Hart – aye; motion carried unanimously.**

No actions were made, no motions were taken during Non-Public Session.

**Bill Stoughton moved to approve appraisals of properties for the purpose of open space acquisition, as proposed by Chet Rogers Appraisal Company, at an amount not to exceed \$11,000 out of the Conservation Fund. Seconded by Jared Hardner.**

**Voting: Rob Clemens – aye, Lee Gilman -aye, Jared Hardner - aye, Bill Stoughton - aye, Rich Hart – aye; motion carried unanimously.**

## **7. Other Business**

The group discussed that the Bicycle & Pedestrian Advisory Committee (BPAC) will be holding a special meeting tomorrow night regarding a possible grant for multimodal projects in Town. The BPAC is looking for help speaking with property owners and abutters along the B&M rail trail as part of this project. The Amherst Land Trust (ALT) is also involved in this outreach project.

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Rich Hart noted that he spoke with a teacher at Souhegan High School regarding a couple of future presentations about invasives on the school property.

Rob Clemens stated that there is an ongoing Eagle Scout project for the Lindabury Orchard bridge. This provides a pathway across a small stream that splits the upper and lower orchards. The ACC reviewed this project last spring. There is concern that additional fill has been brought in from what was anticipated and the scope from what was originally proposed. Another concern is that there has been much more adult participation than Scout participation in the project.

Jared Hardner explained that Frank Montesanto noted many adults involved at times no Scouts were present. Frank Montesanto was verbally threatened by one of the adults on site while asking about the project. Jared Hardner asked what the ACC's role should be in signing off on this project, especially as the project is outside of the original spec and no one has engaged the ACC on this, adults have been building the project without Scout presence, and adult behavior toward ACC members.

Bill Stoughton stated that he does not believe the treatment of Frank Montesanto should be let go. He believes the Scout and parent should be spoken to regarding this behavior, as they are being allowed to work on Town property by the grace of this Commission. There should be no need for a lack of civility as was shown. Both the Scout and others involved need to understand this.

Lee Gilman stated that he would like to see the final plans built to, as these appear to be different from what was originally discussed. It was discussed that the project was created out of spec, and this was never addressed to the ACC at any time before it was built.

Rob Clemens noted that the ACC needs to more clearly vet Eagle Scout projects in the future. Peter Lyon suggested adding an inspection schedule to the process.

Rob Clemens stated that he is going to meet with Eric Hahn regarding a call from 12 Baboosic Lake Road. This property contains a small footbridge on a piece of ACC easement that is falling into the water. This bridge is approximately 16' long. Rich Hart suggested discussing this with the BPAC, as they are hoping to use this piece of property as part of one of their projects.

Rob Clemens noted that there are openings on the Commission's roster. There has not been any interest in the postings for these openings. He asked for suggestions on how to better recruit members. He also asked for help managing the Trail Stewards, with Vick Bennison's passing. The group agreed to reach out to the stewards and see if anyone wants to step into the role.

The group discussed how to memorialize Vick Bennison. A stone/granite bench is a preference of the family. This could be placed at Caesar's Brook near the Wolf Tree. Options will be identified and discussed.

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175 The ACC will present its Strategic Plan to the Board of Selectmen on October 12, 2021. The  
176 next ACC meeting will be held on October 13, 2021.

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178 **Jared Hardner moved to adjourn at 9:09pm. Seconded by Lee Gilman.**

179 **Voting: Rob Clemens – aye, Lee Gilman -aye, Jared Hardner - aye, Bill Stoughton -**  
180 **aye, Rich Hart – aye; motion carried unanimously.**

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185 *Respectfully submitted,*

186 *Kristan Patenaude*

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188 Minutes approved: October 27, 2021