In attendance via Zoom: Rob Clemens – Chair, Jared Hardner – Vice Chair, Bill Widmer – Treasurer (Alternate), Vick Bennison, Frank Montesanto, Rich Hart, Mike Cohen (Alternate), Lee Gilman, and Bill Stoughton (Alternate).

Staff present: Natasha Kypfer – Town Planner, Kristan Patenaude – minute taker.

Chairman Rob Clemens called the online meeting to order at 7:01 pm, with the following statement. As Chair of the Amherst Conservation Commission, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor’s Emergency Order #12 pursuant to Executive Order 2020-04, as extended by Executive Orders 2020-05, 2020-08, 2020-09, and 2020-10, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor’s Emergency Order.

However, in accordance with the Emergency Order, I am confirming that we are:

Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

We are utilizing Zoom for this electronic meeting.

All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #301-715-8512 and password 821 3201 1159, or by clicking on the following website address: https://zoom.us/j/82132011159 that was included in the public notice of this meeting.

Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Planning Board at: [www.amherstnh.gov](http://www.amherstnh.gov).

Providing a mechanism for the public to alert the public body during the meeting if there are problems with access: If anybody has a problem, please call 603-440-8248.

Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let’s start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to- Know law.

**Vick Bennison, Rob Clemens, Lee Gilman, Jared Hardner, Rich Hart, Frank Montesanto, Mike Cohen, Bill Stoughton, and Bill Widmer – all present and alone.**

ADMINISTRATIVE:

1. **Chair Comments –** none.
2. **Minutes (6/10)**

**Rob Clemens moved to approve the minutes from June 10, 2020, as amended [Line 43: to read “…as the volunteer has not yet started work”; Line 64: to read, “…regarding the Gowing Woods’ residents thus requiring the private...”; Line 206: to replace the word “bench” with the word “kiosk;” Line 278: for the word “should” to be inserted between “trail” and “be”.] Jared Hardner seconded.**

***Bill Widmer sat for John Harvey, in his absence.***

**Roll call vote: Vick Bennison – aye; Rob Clemens – aye; Lee Gilman – aye; Jared Hardner– aye; Rich Hart – aye; Bill Widmer – aye; and Frank Montesanto – aye. Motion carried unanimously.**

1. **Treasurer’s Report**

Bill Widmer reviewed the June Treasurer’s Report and the End of the Year Report with the Commission. He explained that, with all of the anticipated bills and encumbrances, the ACC budget for the year will end with approximately $47.00 left.

*Peter Lyon – BOS Ex-Officio, entered the meeting.*

*John Harvey entered the meeting, and thus sat as a voting member.*

Rob Clemens congratulated the Commission for coming out so close to even for the year’s budget.

Bill Widmer reviewed the FY20 and FY21 budget comparison with the Commission. The FY20 budget was $14,112.00. The FY21 budget is proposed at $14,821.00. This adds approximately $700 to the ACC’s FY21 budget. Certain budget items increased, while others were just further broken out into separate categories (e.g. Educational Training and Educational Outreach).

Bill Widmer explained that there is still about $2,860 owed to Charlie Koch for his work on the Forest Management Plan. This money will be able to flow from the FY20 expenses, by reimbursing the ACC budget from the ACC Land Account budget.

In response to a question from Bill Stoughton, Jared Hardner agreed to look into other Dropbox subscription options for the ACC to be discussed at the next meeting.

**Vick Bennison moved to accept the Treasurer’s Report. John Harvey seconded.**

**Roll call vote: Vick Bennison – aye; Rob Clemens – aye; Lee Gilman – aye; Jared Hardner– aye; Rich Hart – aye; John Harvey – abstained; and Frank Montesanto – aye. 6-0-1; motion carried.**

*Wes Robertson (Alternate) entered the meeting.*

1. **Planning and Permitting**

Bill Stoughton, representative from the ACC to the Planning Board, explained that the Planning Board recently heard the Carlson Manor site plan application. The applicant had requested a waiver for environmental studies, which the Planning Board denied. This waiver was denied in large part because the Board would like to examine the temperature of the water sources near the site and to examine the potential effect of development on the brook. He explained that the Carlson Manor development, as currently proposed, has a number of items that will be situated in the wetland buffer areas on site. The applicant will need to come before the ACC with a wetlands CUP and then back to the Planning Board.

Bill Stoughton explained that the Planning Board was supposed to begin discussion on the Jacobson development last night but, due to technical issues, that meeting will now be held on July 23, 2020. The Planning Board also has the Farmhouse Marketplace hearing tentatively scheduled for August 5, 2020. The Board will hear an application from Eversource on July 15, 2020, regarding the removal of some trees on Lyndeborough and Green Roads.

Rob Clemens noted that the ACC manages properties along both of those roads and should, thus, be notified as an abutter.

Rob Clemens explained that the agenda item for the Amherst Subaru discussion has been moved to the July 22, 2020 meeting.

1. **CASE #: PZ12738-060920 – Stephen & Sarah Fecteau (Owners & Applicants) – 39 Stearns Road, PIN #: 002-125-000**

*Chris Guida, Fieldstone Land Consultants, Charlie Saari, contractor for the proposed project, and Sarah and Stephen Fecteau, owners, joined the meeting.*

Rob Clemens explained that this proposal involves new construction on an existing house that already lies within the wetland buffer.

Chris Guida, certified wetlands scientist, stated that the proposal is for an addition to a home located on Stearns Road. The plot plan has been submitted and the wetlands delineation is completed. The existing home, built in the 1970’s, sits on a large lot but with much of the area on wetlands. The soil is well-drained. The existing structure sits well within the 100’ wetlands setback. The proposed addition will sit slightly closer, at about 43’. The lot is about 21 acres with a long driveway and a barn in front for horses. There isn’t really any other location on the site that would work to place the addition. As proposed, the addition will be located on the existing lawn area. No impact will be caused to the vegetation through cutting in the area to build the addition, although some of the trees may be pruned a bit. An NHB review notes that there are no endangered species in the area to be concerned about.

In response to a question from Bill Widmer, Chris Guida stated that the knob/peninsula area on site is 100% natural soil and vegetation. There is no fill in the area at all.

In response to a question from Rich Hart, Chris Guida explained that, during construction, a silt fence can be erected to keep runoff out of the wetland area. The area is vegetated to help with this as well. Due to the vegetation and well-drained soil, there should be very little runoff. The addition could have a drip edge, if needed. There may be some short term runoff down the driveway, but this slopes towards Stearns Road, not the wetland. Crushed stone could also be incorporated into the edge of the driveway, if needed. Chris Guida stated that he believes there will be equal impact for water runoff after the proposed addition, as there is now.

Chris Guida explained that this process was started over two months ago, at which time the application, he believes, was led astray by the Town’s Building Department. The process has taken longer than it originally should have and the applicants have family members anxious to move into the addition.

Rob Clemens addressed the applicants’ concerns. He explained that the application was submitted in the midst of the COVID pandemic and that the town is doing its best to address items expediently during this time. He also stated that the existing house was built prior to the wetlands ordinance being passed, thus is was allowed to be built within an aquifer and wetland protected area. He explained that, if the house was being built today, there are a number of items that the ACC would want to make sure are done right.

Chris Guida agreed and explained that the applicants are trying to complete the project in the correct way.

Rob Clemens stated that the Commission will try to help fast track the project, but also needs to protect the water quality going into the aquifer, while being mindful of any deleterious aspects of the project. The land also abuts the Ponemah Bog, which is a sensitive wetland environment of interest to both the ACC and the Audubon Society.

Rob Clemens stated that this property is also in the Pennichuck Watershed, and any impacts to this water supply will affect the watershed. The ACC expects calculations on the impervious surface being added to the property and how the additional runoff will be compensated for. The ACC would also like to see more information on the design of the proposal and how the project will work to get the stormwater back into the ground.

Rob Clemens reminded the applicants that this district has a prohibition on lawn chemicals and deicing products. The ACC would like to see information on how this project will move forward in terms of these items.

Stephen Fecteau explained that he and his wife use minimal salt on their property because they own a number of animals. Lawn chemicals are also not used on the property, due to these animals.

Charlie Saari explained that the applicants have a dirt driveway and thus only ever really use salt on their front steps.

Stephen Fecteau explained that he and his wife bought their home, in part, due to its close location to the Ponemah Bog. He explained that they both enjoy nature and want to make sure that the proposed addition is done correctly. They do not want the addition to have any adverse impacts to the area.

In response to a question from Bill Stoughton, Chris Guida stated that the functions and values for the plan have not yet been completed.

Bill Stoughton explained that it is very important for the applicant to have all of the information at hand when meeting with either the ACC or the Planning Board. In order for those groups to do their jobs, all of the necessary information from the ordinance needs to be addressed. The groups don’t want to hear what “could” be done in terms of handling the runoff from the proposal, but instead what the applicant proposes to do.

Rob Clemens explained that the ACC will put together a list of comments to submit to the Planning Board that will hit any concerns, mostly water related. One other concern would be the landscaping for the new addition. The ACC encourages the use of indigenous species.

The Commission agreed that a site walk is not needed at this time.

1. **CASE #: PZ12803-062930 – 6 Pine Road LLC (Owners & Applicants) – 6 Pine Road, PIN #: 008-042-000**

No applicant or representation joined the meeting for this item.

Rob Clemens explained that this case is supposed to go before the Planning Board on August 5, 2020. The applicant is looking to add a climate controlled self-storage building adjacent to the existing buildings. This property abuts wetlands and is constructed outside of, but close to, the buffer. Some items of note are a proposed septic system relocation and the extra stormwater runoff caused by the proposal. This is for a site plan review, not a CUP application.

Vick Bennison stated that he lives near the property. He believes the only real difference being proposed is the possible additional water runoff. He doesn’t believe the septic system is an issue, as it probably won’t be heavily used in a self-storage facility.

In response to a question from Frank Montesanto, Vick Bennison agreed that the proposed building will be larger than the existing house on the property. Frank Montesanto noted that the proposal looks at the removal of some trees and grass, an additional structure and parking area, in terms of additional impervious surface area.

Jared Hardner noted that, although there may be an increased amount of stormwater runoff that is what the buffer and retention ponds are for. He is unsure if the ACC can properly say if a proposal is designed well.

John Harvey noted that the proposed septic system is state of the art and seems reasonable to handle any amount of septic outflow.

Rob Clemens stated that the ACC can prepare a note to the Community Development Office that the plans were reviewed and that there may need to be a closer look at the stormwater mitigation on site.

Bill Stoughton stated that, occasionally, the Planning Board will refer an application to a consulting firm, the town engineer, for review. The applicant pays for this process. The ACC could recommend that the Planning Board do so in this case.

Jared Hardner stated that he believes the ACC would need to have a good reason to doubt the engineer who certified the plan.

Bill Stoughton explained that the process is a relatively routine one, if the needed expertise is not resident in the Community Development Office. If the ACC believes this to be an important step, it should recommend it to the Planning Board and not assume one of the other entities will make the recommendation.

Rob Clemens stated that this can be called to the Planning Board’s attention in the comments provided by the ACC.

Frank Montesanto noted that, in respect to the previous application, he has concerns about not applying the existing rules of the ordinance to the proposed addition, simply because the existing house was built before the ordinance was in place.

Bill Stoughton read Section 4.11 H.1 of the Zoning Ordinance: “*Accessory structures associated with a legally existing primary structure, provided the applicant demonstrates that no practicable alternative exists elsewhere on the lot and outside of the Wetland and Watershed Conservation District.”*

He explained that there is a legally existing primary structure on the lot. The applicant needs to meet the primary standard, as stated, to demonstrate that there are no practicable alternative locations for the addition on site. The applicant also needs to go through the list of review criteria for the wetland CUP, which is the provision of the ordinance under which the CUP is sought.

Rob Clemens explained that the Planning Board does not have to issue a permit if the applicant has not satisfied the criteria. This is the ACC’s opportunity to point out which criteria are important to the group.

Rob Clemens stated that the ACC will have a number of items on its July 22, 2020, agenda including: a discussion with Fieldstone Land Consultants regarding an update on the Brook Road property, a conceptual review of the Hazen property, a possible discussion regarding the Carlson Manor CUP, and a discussion with Meridian Land Services regarding the Subaru wetlands disturbance.

**TOPICS:**

1. **Buck Meadow Update**

In response to a question from John Harvey, Rob Clemens explained that there will be an opportunity soon to address the Board of Selectmen regarding updates to the property.

John Harvey explained that Craig Fraley, Director of the Recreation Department, has agreed to mow the property, except for around the pond. He also stated that the trail names have been decided on, blazes have been added, and most of the signage is up.

Vick Bennison noted that he needs stakes to put some of the blazes on.

Jared Harder stated that, in regard to the handicap access trail, there are essentially two ways to create the trail. One way costs about $5,000, and then the correct way costs about $10,000. The correct way to create the trail is to dig down a ways to get to the correct substrate level, lay down a base material, and then add crushed asphalt on top. The risk to doing it the less expensive way is that the ground could settle unevenly over time and it may cost more to then fill depressions and holes as they form.

Bill Stoughton suggested that, if the ACC is willing to wait, there are federal grants available every year for this type of project. The submission date for the grant is usually June. The ACC would need a full quote for the project to submit with the application. The trail would probably be built about two years from now, if grant funding is sought.

In response to a comment from Jared Hardner, Bill Stoughton stated that he would look into each of the different approaches to create the trail, and come back to the group with the associated costs.

John Harvey suggested that the trail could be created by laying down a permeable asphalt base on top of the current golf cart tracks.

Bill Stoughton stated that he will come back to the group with a number of alternate plans.

Lee Gilman stated that he will be going back to Buck Meadow to treat the invasive woody shrubs on property and will check for black swallow-wort at that time.

John Harvey explained that he believes the educational signs along the trails can be mounted on temporary stakes to start. The materials for the approved birdhouses have been purchased. These materials should be sufficient to create about 14-15 birdhouses.

**Jared Hardner moved to approve an amount not to exceed $400.00, from the Conservation Fund, to grind up the turf on two of the Buck Meadow greens to create pollinator gardens. John Harvey seconded.**

In response to a question from Rob Clemens, Jared Hardner stated that this should be done now, so that seeds can be planted the second week of August.

**Roll call vote: Vick Bennison – aye; Rob Clemens – aye; Lee Gilman – aye; Jared Hardner– aye; Rich Hart – aye; John Harvey – aye; and Frank Montesanto – aye. Motion carried unanimously.**

John Harvey explained that he will walk the property with Rob Clemens and Frank Montesanto to decide which unwanted infrastructure items will be disposed of.

Rob Clemens stated that he sent the group a rendering of the large sign that will be located at the Route 101A entrance to Buck Meadow for review.

Bill Stoughton stated that the sign should be reviewed by the Community Development Office first because the town has a long-standing ordinance regarding signage.

Frank Montesanto stated that the large kiosk is ready, he just needs to know where it will be located.

Rob Clemens suggested that the Amherst Makerspace could be used to emblazon the ACC and Recreation Department names onto the kiosk. He explained that Meridian is finalizing the design sheets in order to have a conversation with the Highway Safety Committee and then the Board of Selectmen.

Rob Clemens explained that Meridian has determined that a new driveway permit needs to be applied for. This new permit will be the base for any proposed future changes.

1. **Other Business**

Rob Clemens stated that a joint ACC/Board of Selectmen public hearing will be held next Monday at 6:30pm for the Gleason conservation easement. Jared Hardner will chair the meeting for the ACC. The easement has been reviewed and signed off on by the town attorney. Public comment is needed, and then the ACC can recommend acceptance of the easement to the Board of Selectmen.

Rob Clemens explained that Mike Cohen sent electronic versions of educational posters to the group for review before being printed and mounted. He explained that John Harvey and Vick Bennison have submitted some comments to be addressed. He would like for any further comments to be sent to Mike Cohen as soon as possible so that there are no further delays on this.

John Harvey stated that it is incumbent of the group to support one another. These materials have been circulated to the group a couple of times but still don’t seem to be in a great shape to be printed. He believes the group needs to put forth a better support effort than it has in the past.

John Harvey explained that there is a proposed town-wide trail map from NRPC that Mike Cohen would also like to print out. He reviewed the map and believes it to be a bad example of a poster indicating ACC properties and trails throughout town. It also doesn’t show all of the current ACC trails. This map is not appropriate and was not reviewed properly.

Jared Hardner noted that new trails have been created since this map was made. He questioned how the ACC would like to handle print materials in the future, as it’s hard to keep them adequately updated, but they do reach a certain audience.

Rob Clemens explained that the Trail Guide brochure also needs to be updated.

Bill Stoughton stated that he will be adding some updated reports and spreadsheets into Dropbox. John Harvey stated that he will be adding his monitor report of the Currier Lot into Dropbox. Vick Bennison stated that he will be adding an improved Caesar’s Brook map to Dropbox.

**Jared Hardner moved to expend an amount, not to exceed $75.00, from the FY20 Water Crossing Repair line, to be used in addition to the previously voted amount of $700 for printing of educational materials. John Harvey seconded.**

**Roll call vote: Vick Bennison – aye; Rob Clemens – aye; Lee Gilman – aye; Jared Hardner– aye; Rich Hart – aye; John Harvey – aye; and Frank Montesanto – aye. Motion carried unanimously.**

Bill Widmer explained that he is moving forward with Town-wide Clean-up Day. It will be held on August 8, 2020. He has spoken to DPW Director, Eric Hahn, who has agreed to put up electronic signage again. There will be two locations for dropping off bags, one at the Souhegan High School, and the other at the Green.

In response to a question from Rob Clemens, Bill Widmer stated that he will be placing stickers on the bag/glove rollups indicating that participants should use a mask and practice social distancing.

**Vick Bennison moved to expend an amount, not to exceed $100.00, from the FY21 Signage line, for 5 trail signs from Classic Signs. Jared Hardner seconded.**

**Roll call vote: Vick Bennison – aye; Rob Clemens – aye; Lee Gilman – aye; Jared Hardner– aye; Rich Hart – aye; John Harvey – aye; and Frank Montesanto – aye. Motion carried unanimously.**

**Vick Bennison moved to expend an amount, not to exceed $50.00, from the FY21 Signage line, to purchase stakes for blazes at Buck Meadow. John Harvey seconded.**

**Roll call vote: Vick Bennison – aye; Rob Clemens – aye; Lee Gilman – aye; Jared Hardner– aye; Rich Hart – aye; John Harvey – aye; and Frank Montesanto – aye. Motion carried unanimously.**

**Vick Bennison moved to expend an amount, not to exceed $100.00, from the FY21 Signage line, for printing a kiosk map for Buck Meadow. Jared Hardner seconded.**

**Roll call vote: Vick Bennison – aye; Rob Clemens – aye; Lee Gilman – aye; Jared Hardner– aye; Rich Hart – aye; John Harvey – aye; and Frank Montesanto – aye. Motion carried unanimously.**

Rich Hart explained that he is still working to process much of the wood in his backyard. He has sent a good portion of the completed wood to the Wood Ministry. If the ACC can inform him as to its timber needs, he may be able to have some of the wood processed at a local mill. He also still has plenty of bark mulch available.

Lee Gilman stated that he spoke to Ira Martin, of The Brush Crew, regarding mowing at Caesar’s Brook. The company has the correct equipment but the ACC will need to identify any plants around the edges for the company to do selective mowing.

Rob Clemens explained that if the contract will go to a sole source vendor, more details are needed.

Frank Montesanto stated that the roadwork on Christian Hill Road is almost complete. There is an area by the Wilson Lot where the road has been raised quite a bit and fill has been added. This area is not designated by NRPC as a wetland, but is quite wet. There was no buffer put down during construction and thus the materials have been leeching into the wet areas. He has contacted Eric Hahn and Eric Slosek at the DPW regarding this issue.

Rob Clemens stated that there must be a best management practice that is apparently not being followed that the town could hold the company to.

Jared Hardner agreed that, as a precautionary principle, the area should have been protected from erosion during construction. This should be part of the company’s contract. The DPW may need to remind the company of this.

Peter Lyon stated that he would also make a call regarding this item.

**Rob Clemens moved to adjourn the meeting at 9:32pm. Jared Hardner seconded.**

**Motion carried unanimously.**

*Respectfully submitted,*

*Kristan Patenaude*

Minutes approved: July 29, 2020