

TOWN OF AMHERST  
Conservation Commission

August 26, 2020

**APPROVED – AMENDED 2/10/2021**

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

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

Chairman Rob Clemens called the online meeting to order at 6:59 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 #312-626-6799 and password 849 8661 8910, or by clicking on the following website address: <https://zoom.us/j/84986618910> 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 603-341-5290.

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, Rich Hart, Jared Hardner, John Harvey, Bill Stoughton, Frank Montesanto, and Bill Widmer – all present and alone.**

August 26, 2020

**APPROVED – AMENDED 2/10/2021**

ADMINISTRATIVE:

**1. Chair Comments – none.**

**2. Minutes (8/12)**

**Jared Hardner moved to approve the minutes from August 12, 2020, as edited [Line 127 to read: “He explained that Matt Tarr has deemphasized the benefit of some of the management interventions we have been considering, in favor of managing for unfragmented forest.”]. Vick Bennison seconded.**

**Roll call vote: Vick Bennison – aye; Rob Clemens – aye; Lee Gilman - abstain; Jared Hardner - aye; Rich Hart – aye; Frank Montesanto – abstain; and John Harvey – aye. 5-0-2; motion carried.**

**3. Treasurer’s Report**

Bill Widmer explained that he went to see the ash tree at PMEC and calculated that it will be about \$370-500 to treat it. This could be funded out of the invasive budget. He suggested that a number of quotes could be received for the work.

Rob Clemens explained that the Department budgets are due September 9th.

Lee Gilman stated that the treatment of the ash tree should begin immediately, as it is in a hot spot for emerald ash borer.

**Jared Hardner moved to allocate an amount not to exceed \$410.00 for treatment of the ash tree at PMEC, pending a firm bid.**

**Discussion:**

**In response to a question from Bill Stoughton, Bill Widmer stated that the Invasive line budget totaled \$3,000. Lee Gilman stated that he has some invasive targets that could exceed the whole budget, but that some items may get approval through the Conservation Fund. Rob Clemens agreed that hot spot treatments may need to come from the Invasive line, while general mitigation can be funded through the Conservation Fund.**

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

*Bill Widmer left the meeting due to other appointments.*

**4. Planning and Permitting**

Bill Stoughton, representative from the ACC to the Planning Board, explained that the Planning Board approved the Arboleda application for the Farmhouse Marketplace at its last meeting. He

August 26, 2020

**APPROVED – AMENDED 2/10/2021**

explained that there still needs to be some discussion regarding the easement on that property with Town Council.

**a. Amherst Subaru, Map 2 Lots 49 & 53: ACWPD Permit Application, Doug Brodeur, Meridian**

*Doug Brodeur, Meridian Land Services, joined the Commission.*

Doug Brodeur explained that this permit is needed because this project is within the Aquifer Protection District. This project is sandwiched in between RSEC and Charlie's Auto on Route 101A. He explained that he would be reviewing the site plan with certain areas highlighted: stormwater management, holding tanks, salt management and aboveground tanks.

In terms of stormwater management, Doug Brodeur explained that the project intends to infiltrate 100% of all impervious areas on site. This is a fairly flat site, with no clear points of discharge. To keep the aquifer replenished, the project will infiltrate the stormwater on site. A lot of fill will need to be brought in, in order to do this. Part of the requirement is that the stormwater infiltration sits 4' above the high water table. This project is associated with a Class A watershed because any runoff finds its way to Pennichuck Brook. There will be two forms of infiltration on site: surface infiltration basins, and subsurface infiltration. The project also looks to slow down the rate of infiltration on site because the sand infiltration there tends to drain very quickly, 90"/hr. There are proposed one surface infiltration basin at the back of the site, and three towards the front of the site. There are two subsurface infiltration basins proposed. A bioremediation mix is proposed inside of these basins that will have organic content to slow down infiltration. The stormwater will be tested after each system to make sure that it meets the infiltration rate requirements of 10"/hr.

For holding tanks, Doug Brodeur showed a first floor plan of the site. The front will have a showroom, with an auto shop in the back. Each bay in the auto shop has a floor drain and each of these drains is disconnected from any other pipe in the building. Some of this will flow to holding tanks as grey water. This will then be pumped to an evaporator which will be located on the roof. This will boil the liquid and evaporate it off as vapor. Other runoff will flow into a separate holding tank that will be pumped about once a year and sent off to a facility to be treated.

Doug Brodeur outlined that salt management report. He explained that someone on site will hold a Salt Applicator Certification from NHDES. The salt on site will have a minimum content of 33.3% calcium chloride to increase its effectiveness. This will reduce the total volume used and lower the effective melting temperature. He explained that salt brine will be used, when appropriate, to pre-wet the pavement before a snow event. The pavement temperatures will also be measured to know when this needs to be applied or not. There will be no storage of deicers on site. Snow collected will also be hauled off site and disposed of outside of the Aquifer Protection district. He explained that the owner of the property understands the importance of the land and will find someone to take care of these items in the best way possible.

August 26, 2020

**APPROVED – AMENDED 2/10/2021**

In response to a question from Lee Gilman, Doug Brodeur mentioned that there is some annual reporting to DES, but he believes it only applies to the total amount of salt applied on site.

Rob Clemens stated that the Planning Board will be reviewing this application and will decide what type of oversight is appropriate. The ACC will continue to examine how materials are managed on site that may affect the aquifer.

In response to a question from Rob Clemens, Doug Brodeur stated that the DES certification will be similar to the Green SnowPro program certification. He agreed that the Green SnowPro certification could be included as well.

Doug Brodeur reviewed the above ground storage tank. This will consist of a fluid storage area for waste oil. The above ground tank will be located outside of the main building. There are permanent requirements for these tanks through DES. This is a convault tank, with 6 gallons of storage for waste oil. This oil will then be used as a secondary source of heating for the building and will also be used to run the evaporator. This is a steel tank with reinforced concrete - a very robust system. There is an alarm for the system that will go off if there is a leak.

Bill Stoughton explained that for matters that will come before the Planning Board, he limits his role at the ACC. At the ACC he may ask factual questions. However, he does not comment on the merits of, or form opinions about, matters that will come before the Planning Board until they are actually before the Board.

In response to a question from Bill Stoughton, Doug Brodeur stated that the floor drains in the service bays will be routed to the below ground tank. This tank is similar to a septic tank - made of concrete, able to hold 500 gallons, and pumped once a year.

In response to a question from Bill Stoughton, Doug Brodeur stated that there will be two monitoring wells on site and a leak from the below ground tank would show up on the tests run on these monitoring wells. He explained that one of the monitoring wells could be placed adjacent to the location of the below ground tank.

In response to a question from Rob Clemens, Doug Brodeur explained that these monitoring wells are not yet established, but will be sampled post-construction, prior to the business opening.

Bill Stoughton noted that the plan states the monitoring wells will only be tested once every six months for the first three years, and then once a year every year after.

In response to a question from Bill Stoughton, Doug Brodeur stated that, as a way to detect a leak earlier, the water levels in the tank could be measured using a visual float or electronic pressure transducer. There is also the possibility of using an interstitial space monitor, but these are quite expensive.

August 26, 2020

**APPROVED – AMENDED 2/10/2021**

In response to a question from Bill Stoughton, Doug Brodeur stated that there is one monitoring well near the front and one monitoring well near the rear of the property. These wells go about 20 feet deep and will monitor the total metals, hydrocarbons, and PFASs. Chlorides could also be monitored.

Rich Hart noted that the general flow of the aquifer located at this site is west to east. It might, thus, make more sense to place one of the monitoring wells toward the eastern side of the site and one towards the western side, in order to monitor changes in between the two locations.

Frank Montesanto suggested possibly having a monitoring well at each one of the four corners of the site.

Rob Clemens explained that monitoring the baseline levels of the site and then monitoring these levels over time are of interest to the ACC.

Doug Brodeur stated that this application is slated to go before the Planning Board on September 2, 2020.

Jared Hardner stated that the Town continues to densify this area and add more infrastructure to it. Even if the sites managed and built well, the areas will eventually deteriorate over time. The ACC has no ability to control what these sites will look like 20, 40, or 50 years from now. This area of Town has accumulated at a rapid rate and has become quite dense.

Bill Stoughton explained that periodic stormwater reports are required to be filed, but that the Town doesn't have adequate staffing to review these reports and make sure things are being done as they're supposed to be out on these sites. This is a great topic to be considered as part of the Master Plan process.

Jared Harder stated that when big capital comes in, it overwhelms the regulatory capacity of the jurisdiction and, thus, creates an unsustainable situation.

Rob Clemens stated that he believes the design of this particular project is far superior to the predecessors of this site. The amount of density in this area though could create a problem on a larger scale.

Jared Hardner explained that, regarding the water quality in Town, there are two things to examine: project level management, and what the Town needs to do regarding this. Project level management only goes so far based on the cost-effectiveness of the technology available. Continuing to densify these areas will lead to a deficit in water quality. Every project, no matter how well it is designed, creates a burden on the rest of the Town. There needs to be some sort of mechanism to determine how many projects the Town wants to pursue. The deficits created by these projects must be handled by the Town, not by the projects. If a project is 65% efficient in its treatment, there is still 35% for the Town to deal with in another way. Jared Hardner questioned how the Town plans to deal with reducing nutrient loads town-wide.

August 26, 2020

**APPROVED – AMENDED 2/10/2021**

Bill Stoughton agreed and stated that infiltration basins, per State regulations, only need to remove 60% of nitrogen and phosphorous entering the system; thus 40% is still getting through. The surface waters in Town will be impaired. All three watersheds in Town have impaired surface waters. This can be seen at Baboosic Lake in the amount of cyanobacteria present; this is due to extra nutrient loading. When any amount of nutrients leaves these sites and flows into the watersheds, there will be an incremental impact.

Jared Hardner explained that this can be handled by reducing loads from other spaces in Town. An example could be limiting lawn fertilizer use at residences. He explained that the Town is currently out of compliance with stormwater regulations.

In response to a question from Rob Clemens, Bill Stoughton stated that an automobile dealership, such as the project presented, may not have as large of a nutrient load as other types of businesses, but if the site is treated with sand, this will increase the nutrient load. There is no biological uptake of these nutrients on site before they hit the aquifer. Vegetated areas are important because trees, shrubs, and living matter clean the water prior to it hitting the water system.

Jared Hardner stated that this area has one of the best water resources in the State, and it has been paved over with shopping plazas and car dealerships. This is insane from an environmental planning point of view. If the Town continues down this path, it is missing how to deal with the deficits created with each project. He will bring this up during the Master Plan process, and work with Bill Stoughton to continue to address it.

Rob Clemens stated that the ACC would like to be able to characterize the nature of the aquifer as it is there now. The monitoring wells should give a current baseline. He would then like to know the requirements for managing these levels.

Rich Hart stated that each individual project is not a problem, until all the projects are examined together. The Planning Board has required monitoring wells along Route 101A for decades. Some of these have been capped, while others still have requirements for how often they are checked. He explained that the Town has had no way to capture and collect that data, in order to keep track of it over time. He suspects that if anyone wanted to find this data, one would have to go back and look at each development's plan individually.

#### **5. Tree Stand Policy**

Vick Bennison stated that there are two tree stands identified that are currently on Town properties. Both appear to be long abandoned. He believes that both should be taken down. The policy stated that permission should be obtained from the ACC for stands on the properties they manage, the ACC should be notified if there is a stand, and all stands should be removed by January 31st.

August 26, 2020

**APPROVED – AMENDED 2/10/2021**

Rob Clemens stated that the ACC, as a land owner, has the right to require permission be obtained in order to put tree stands up on its property. These stands will be temporary and must be removed by January 31st.

Bill Stoughton agreed that the ACC should know the location of all stands on its properties and that these should not have a direct line of fire across trails.

In response to a question from Jared Hardner, Rob Clemens stated that State regulations indicate that stands can be put up in August 1st and taken down by January 31st.

Jared Hardner explained that hunters are an important stakeholder on ACC properties. He doesn't want them to go away as they manage the herds. He would like any requirements to be considered in a collaborative way.

In response to a question from John Harvey, Jared Hardner suggested that notice be given if a stand is put up without permission first being obtained, before the stand is removed.

Rob Clemens stated that a draft policy will be reviewed at the ACC's September 9, 2020, meeting.

#### **6. Buck Meadow Re-vegetation Plan**

John Harvey stated that there is an interesting complexity at Buck Meadow of interconnectedness and diversity. There are three separate wildlife habitats on site, per the ACC's Wildlife Action Plan: temperate swamps, marsh wetlands, and grass/tree stands. Each of these has a different set of species that use it, and there may be some species overlap between areas. His suggested wildlife goal is to meet each areas carrying capacity. The current conditions are basically a blank canvas. He would like for the current grasslands to die and be replaced with native species. He would also like for the current invasive species to be managed.

Lee Gilman stated that the wooded perimeter around the property is not in bad shape. The invasives are heavy around the parking lot and into the woods. He was able to treat around most of these areas and believes they should be well suppressed. There is black swallowwort in a few locations, but this is very localized. He believes the treatment here is about 95% complete, and that he could treat the area twice more this year.

John Harvey stated that the area will need to be treated for invasives no matter what is done with the property. He suggested providing training to volunteers to help with spot treatments.

Lee Gilman stated that there is a licensing program through the Division of Pesticide Control for not-for-hire people. He believes this could be a good option for the ACC.

John Harvey explained that there are other alternative items for wildlife at Buck Meadow, such as: establishing a brushy edge about 30-40' around the temperate swamp, mowing the trail bi-weekly, mounting birdboxes, mitigating invasive species, mowing the grass bi-annually, and building brush piles. The current condition of the central grassy area is that it contains golf

August 26, 2020

**APPROVED – AMENDED 2/10/2021**

course grass, mostly crabgrass, that is edible for animals. The ACC can do nothing to this area, other than biannual mowing and spot treatments, at a cost of about \$780 every two years. The ACC could also plant a conservation mix in this area at about \$5.40/lb for 100lb/acre, at about 12 acres, for a cost of about \$6,480. If native New England wildflowers and grasses are planted, this could cost about \$10,000.

Jared Hardner stated that the greens are basically piles of sand currently, and there is incredible drainage in these areas. Any species planted there must be incredibly drought tolerant and be able to live on sand. He explained that a tee box area to the left has been left to grow back and within four years might look great.

Rob Clemens suggested that the native species be left to reestablish themselves over the fall, winter, and spring, and then examine the impacts.

John Harvey stated that the longer these areas are not mowed, the better chance for saplings and larger invasives to move in. He suggested that, if the ACC decides to let these areas grow and see what happens, two Commissioners become trained in invasive mitigation.

In response to a question from Rob Clemens, Jared Hardner stated that Jamin Warren, of the Amherst Country Club, has left the ACC detailed instructions on how to treat invasives in these areas in the interim period between annual mowing.

Rob Clemens stated that the Recreation Department will still be mowing all of the areas within Buck Meadow.

Rich Hart stated that, if cuttings are left in place to compost, seeds will begin to spread around the area in about 2-3 years time.

Lee Gilman explained that soils are built by building organic matter. He suggested spreading compost on these areas.

Jared Hardner stated that, if the area is left to seed naturally, the species that grow will be best suited for the site conditions present. He suggested that, if the ACC is to do anything, it should experiment on the golf course green areas.

In response to a question from Lee Gilman, Rob Clemens explained that the irrigation system currently on the property is not great. Its source is also the pond on site, which is virtually empty.

Rob Clemens thanked Frank Montesanto for his work on the kiosk, and Vick Bennison for his work on the Buck Meadow map. He explained that the large sign to be installed on Route 101A will be in on September 1, 2020.

## **7. Trail Report**

Vick Bennison ran through the work he's been doing on trails throughout Town.



August 26, 2020

**APPROVED – AMENDED 2/10/2021**

The group decided that the Currier Land should now be called Oxbow Conservation Area, or something similar.

Vick Bennison explained that there was a wasp problem at Pond Parish. He sprayed and set out a wasp trap, which was stolen by something.

The group discussed installing a new You Are Here map at a small kiosk at the northern end of the farm at Joppa Hill.

A photo of a sign post at Joe English was shown which includes a number of trail signs on it. Bill Stoughton noted that, unless the right of way that this sign is on gives the right to post signs, the owner's permission must be sought.

#### **8. Other Business**

Frank Montesanto explained that he met with a Scout troop regarding a bench cutting project on Lindabury Trail. He would also like to get Vegetation Control Services scheduled for this area. Rob Clemens stated that there will need to be explanations given for looking into a sole source provider for this work.

John Harvey stated that he will be placing the Buck Meadow presentation into Drop Box. He also explained that he spoke with Mike Riccitelli about a fixed price, \$1,170, to mow Joppa Hill North, Currier Lot, Grater Woods, and Sky Meadow South.

**John Harvey moved to expend up to \$1,200 from the Conservation Fund to mow Joppa Hill North, Currier Lot, Grater Woods, and Sky Meadow South. Jared Hardner seconded.**

#### **Discussion:**

**In response to a question from Bill Stoughton, Rob Clemens stated that, in the past, the estimate for these plus several additional trails was about \$2,200. This estimate essentially cuts that in half.**

**Bill Stoughton questioned why the Boutelle property isn't included in the mowing list.**

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

Natasha Kypfer stated that the Master Plan Communications Subcommittee will be meeting tomorrow night at 7pm. She will bring up the ACC's concerns with the Route 101A aquifer area at the meeting.

TOWN OF AMHERST  
Conservation Commission

August 26, 2020

**APPROVED – AMENDED 2/10/2021**

In response to a question from Rich Hart, Frank Montesanto stated that he is fine with Rich Hart soliciting people to come pick apples at Lindabury Orchard, but is uncomfortable asking for a donation to FOTO.

Rich Hart stated that someone has been helping him split the wood at his house and he now has about three cords of green wood and 1/2-1 cords of dry wood.

Bill Stoughton suggested that the group going out to monitor The Flume area this Saturday wait until September 12, 2020, to reschedule due to expected rain.

Jared Hardner stated that the Drop Box issue has been fixed, at no charge to the ACC. He also explained that he and Charlie Koch have been continuing to work on the Forest Management Plan and it is almost ready to present to the group.

Rob Clemens stated that the next ACC meeting is on September 9, 2020.

**Rob Clemens moved to adjourn the meeting at 10:04pm. Jared Hardner seconded.  
Motion carried unanimously.**

*Respectfully submitted,  
Kristan Patenaude*

Minutes approved as amended: February 10, 2021