

TOWN OF AMHERST
Conservation Commission

February 14, 2024

APPROVED

In attendance: Jared Hardner – Chair, Rob Clemens, Mark Bender, Lee Gilman, Christian Littlefield, Rich Hart (alternate), Frank Montesanto

Administrative:

1. Chair Comments

Jared Hardner opened the meeting at 7:00pm.

2. Minutes Approval

Rob Clemens moved to approve the meeting minutes of January 10, 2024, as amended. Seconded by Frank Montesanto.

Vote: 6-0-0; motion approved.

3. Treasurer's Report

Mark Bender presented the monthly financial summary, noting that the ACC's operating budget is approximately half spent and that the land account has been annotated to show current financial commitments to ongoing property acquisitions (Curran and Clearview).

Special Topics & Presentations

• Request for ACC feedback on house construction plan for 86 Chestnut Hill Rd

Tom Burns, TF Moran, presented plans for a residence to be built on Lot 11-10, 86 Chestnut Hill Rd. The plans included delineation of wetlands and associated buffers, as well as setback requirements from Chestnut Hill Rd. Tom Burns noted that due to these site constraints, the proposed residence would encroach on the wetland buffer.

Frank Montesanto noted that more than half of the house is proposed to be in the wetland buffer, and he fails to see how this proposal will not have a negative impact.

Rob Clemens stated that the proposal is generally not consistent with what the Commission can support due to the ordinances of the Town. The proposed well is located on the edge of the wetlands and the applicant could consider moving this.

Mark Bender noted that this is a challenging design for the Commission to support.

Rich Hart noted that the proposed design lies right against the 50' setback from the road. He suggested moving the house closer to the road and considering a variance, in order to move away from the buffer a bit.

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Rob Clemens stated that he does not believe there is another place on the lot that the house could be placed. The Commission has been on record for trying to minimize all impacts to buffers.

Mark Bender suggested a house design that could parallel the road in order to reduce the wetland impact. It was noted that the applicant is still considering house designs.

Christian Littlefield noted that the proposal would lead to, not only permanent wetland buffer impacts, but also large temporary wetland buffer impacts during construction.

Jared Hardner stated that he believes the Commission's feedback to the Zoning Board will be that it does not condone a plan that would lead to wetland buffer impacts, and that it believes the ordinance should be respected, as written.

- **CUP review for 12 Lakeview Street (Lot 24-46)**

Taylor Hennas, Meridian Land Services, explained that the entire property is located within the 250' shoreland zone and partially located within the Wetland and Watershed Conservation District. Only the 100' Wetland and Watershed Conservation District buffer is shown on the plan. There are two isolated wetland pockets at the front of the lot, within the 50' buffer; these have 25' buffers but they are not showing on the plan as they are associated with Baboosic Lake. The lot contains a pre-existing single-family home, constructed in 1935. It is currently serviced by a well and cesspool. This proposal intends to raze the existing non-conforming structure and reconstruct a more conforming structure. The proposed structure will be set back further from Baboosic Lake and will not encroach on the grandfathered footprints. The proposed primary structure will be surrounded with proposed drip edges and a legal pretreatment system will be installed. The total permanent disturbance on the parcel is 1,376 s.f. and the proposed temporary disturbance is 3,932 s.f. The disturbance area will be bounded with the double erosion control techniques to remain in place until the area is stabilized, and construction is complete. The proposal will reduce the overall impervious area on the lot from 24.5% to 23.1%. This is due to the removal of the access stairs leading down to the structure. This will also improve the stormwater techniques on the lot, and the subsurface components on the lots, creating an overall net improvement. The proposed disturbance in impervious area was approved under a shoreland impact permit. This product also received full consultation through NH Fish & Game for rare species identified within the vicinity of the project area. These species, descriptions, and best management practices were provided with the plan.

In response to a question from Lee Gilman, Taylor Hennas stated that there will be some temporary impacts within the 50' waterfront buffer but no trees are proposed to be removed. There is no replanting proposed for ground cover within that buffer.

In response to a question from Rob Clemens, Taylor Hennas explained that there are no changes proposed to the existing gravel parking area. The leach field will be located in that area. There are no stormwater management techniques proposed for the parking area. Rob Clemens

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expressed concern regarding the steepness of the slope on the site down to the Lake. Any lack of improvements to slopes could be a concern.

Rob Clemens asked how the cesspool will be abandoned. Taylor Hennas stated that typical protocol is for it to be pumped, filled, and abandoned. The cesspool is not actively in use at this time.

In response to a question from Rob Clemens, Taylor Hennas explained that there is what appears to be a Town right of way across the front of the property, but use of it is unclear. The proposal is to maintain this.

Rob Clemens asked how long the Fish & Game rare species permit lasts for. Taylor Hennas stated that she believes this applies while construction is ongoing for the project.

Rob Clemens stated that sedimentation and erosion protection will be needed for the steep slopes.

Jared Hardner noted that this project still leads to a nonconforming structure, but there are some improvements proposed to the lot from this plan, such as abandonment of the cesspool and a new septic system. He asked about other material improvements such as reducing nutrient loading or sedimentation to the Lake. This could include enhanced vegetation along the Lake edge or other enhancements along the slope. Taylor Hennas stated that additional vegetation along the Lake can be included on the plan; additional plantings within the access way could also be considered.

Mark Bender asked that the applicant make sure it is using the most recent MS4 requirements. He asked if the proposal is to change the grade on the north side of the lot to allow for construction access. Taylor Hennas agreed that the proposal is to reduce this to a 20% slope. Mark Bender noted that there will be an impact to changing that slope and access by construction vehicles.

Lee Gilman suggested construction damage mitigation planning on the lot.

Jared Hardner asked that the Commission's recommendations to the Planning Board include that there should be a specified check in time with the enforcement officer for this project.

In response to a question from Will Ludt, 3 School Street, Taylor Hennas explained that a Conditional Use Permit application was submitted to the Planning Board to hopefully be heard on March 6th. This item has not yet gone out for Town board/departments comment. Will Ludt asked that photos be taken of the existing structure, along with existing dimensions.

Taylor Hennas noted that stormwater management techniques are generally proposed to surround the existing impervious area, and she will look into items that could fit into the driveway area.

Other Business

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131
132 • **Amherst School Board presentation on Warrant Article 12 (Wilkins School Project)**
133

134 Tim Theberge, Amherst School Board, presented to the Commission regarding Warrant Article
135 12. The chosen design keeps the proposed building out of the wetland buffer.
136

137 Lee Gilman suggested dealing with the invasive species on the property in order not to spread
138 them during construction.
139

140 There was discussion regarding making the crossing from Wilkins School to the Great Meadow
141 conservation area safer as part of this project.
142

143 • **Apple tree replacement at Lindabury Orchard**
144

145 Frank Montesanto stated that some of the older trees in the upper orchard are in poor shape. The
146 suggestion is to try replacing these with a few new trees.
147

148 There was discussion regarding hiring a contractor for orchard management. The Commission
149 agreed to move forward with planting of a few small trees and agreed to further orchard
150 management discussions at a later date.
151

152 Tim Theberge, speaking as a Scout leader, stated that the Scouts are always interested in helping
153 with local projects.
154

155 • **Agricultural leases**
156

157 This item was not discussed at this time.
158

159 **Frank Montesanto moved to adjourn at 8:52pm. Seconded by Rob Clemens.**

160 **Vote: 6-0-0; motion approved.**
161

162 **The meeting adjourned at 8:52pm.**
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164 *Respectfully submitted,*
165 *Kristan Patenaude*
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