

August 24, 2022

**APPROVED**

1 In attendance: Rob Clemens – Chair, Jared Hardner, John Harvey (remote), Rich Hart, Peter  
2 Lyon – Board of Selectmen Ex-Officio, Lee Gilman, Steve Lutz (alternate), and Christian  
3 Littlefield (alternate).  
4 Staff present: Eric Slosek – DPW Director (remote) Kristan Patenaude – Recording Secretary  
5 (remote).

6  
7 Also present: Bill Stoughton, Selectman

8  
9 Chair Rob Clemens called the meeting to order at 7:01 pm.

10  
11 **ADMINISTRATIVE:**

12  
13 **1. Chair Comments**

14 Rob Clemens noted that the conversation regarding invasives management will take place during  
15 the Great Meadow Management agenda topic.

16  
17 *Steve Lutz sat for Bill Widmer and Christian Littlefield sat for Frank Montesanto.*

18  
19 **2. Minutes: August 10, 2022**

20  
21 **Jared Hardner moved to approve the meeting minutes of August 10, 2022, as**  
22 **submitted. Lee Gilman seconded.**

23 **Roll Call vote: Rich Hart – aye; Lee Gilman – aye; Jared Hardner – aye; Christian**  
24 **Littlefield – aye; Steve Lutz – aye; Rob Clemens – aye; John Harvey – aye; 7-0-0;**  
25 **motion carried unanimously.**

26  
27 **3. Treasurer’s Report**

28 In Bill Widmer’s absence, the Commission tabled discussion on this item.  
29

30 **4. Planning & Permitting**

31 Steve Lutz explained that the Planning Board voted a positive motion regarding regional impact  
32 for the Curran and Vonderosa applications that the Commission will be hearing about tonight,  
33 with respect to Merrimack and Mont Vernon. The Planning Board also heard an update on the  
34 Master Plan.

35  
36 Jared Hardner explained that comments on the draft Master Plan were received from the  
37 Planning Board. The Master Plan Steering Committee met last night to review all of the  
38 comments and give direction to the consultant. The draft Master Plan is getting closer to  
39 publication, and public meetings will likely be held for discussion in October and/or November.

40  
41 Steve Lutz noted that the Planning Board will next hear from a property in Bon Terrain regarding  
42 signage and a compliance hearing. The Board will also hear from the Curran and Vonderosa  
43 applicants, as well as have a discussion regarding residents’ proposed amendments to the  
44 ordinances and regulations.

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45  
46 The Commission agreed to discuss any proposed changes to the building code during the Other  
47 Business section of the agenda.  
48

49 • **Clearview Development CUP Application – Ken Clinton, Meridian**

50 Ken Clinton, Meridian Land Services, and Spencer Tate, certified wetland scientist/certified soil  
51 scientist and septic designer, addressed the Commission. Ken Clinton explained that the Prew  
52 Purchase property is ready for a final subdivision application before the Planning Board as well  
53 as a CUP for buffer impacts. A wetland permit will be filed with DES. There is only one wetland  
54 crossing proposed on site, fairly minor and simplistic, with a handful of wetland buffer impacts  
55 proposed for a variety of reasons. The proposal is for 44 units, split amongst two villages, under  
56 the Innovative Integrated Housing Ordinance (IIHO). These are condominium style units. All  
57 roadways will be privately owned and maintained. The property consists of approximately 79  
58 acres, of which roughly 50% is open space. The proposed open space contains trails for public  
59 use and will be further subject to a conservation easement overseen by the Amherst Land Trust  
60 (ALT). The ALT will also manage the trails on site.  
61

62 Spencer Tate explained that this Lot 5-159-1 has approximately 560' of frontage along Boston  
63 Post Road and is approximately 48 acres. The parcel is currently vacant and there are several  
64 wetland areas scattered throughout the property. The parcel contains suitable sites and soils for  
65 the proposed development. The only direct impacts to wetlands proposed are a couple hundred  
66 feet entering the site from Boston Post Road. This wetland separates the Boston Post Road right  
67 of way from the buildable area of the lot. The wetland extends from one lateral lot line to the  
68 other and results in no means of accessing the interior of the property from the public right of  
69 way without wetland disturbance. The wetland area is not a stream and has relatively low value.  
70 The proposal is to install one wetland crossing, wide enough to support the passage of cars and  
71 trucks, on two lanes with a 24' width. This is in compliance with the Amherst regulations and  
72 engineering design best practices. The crossing will utilize a 30'x36' precast pipe arched culvert  
73 with partial embedment and backfill of native materials to maintain fauna passage and hydrology  
74 in the event of a large stormwater or precipitation event. There is no true surface flow in this  
75 location. The side slopes in this area are 3:1 and the inverts match the existing topography. The  
76 work will be bounded with erosion control silt sock and silt fencing which will be maintained  
77 throughout the project. The temporarily disturbed areas will be seeded and returned to wetland  
78 areas. The total disturbance area is 1,282 s.f. This proposed crossing is located at one of the  
79 narrowest portions of the jurisdictional wetland area and in one of the lower value wetlands on  
80 the parcel. The project includes no impacts to priority resource areas, as designated by the State.  
81 This project would be categorized by the State as a minimum impact project, except for the fact  
82 that it is associated with a larger land development subdivision.  
83

84 Ken Clinton stated that the east village of the property is proposed to contain senior housing/55+  
85 units, with the 18 units spread out on one road with two wings. The project could have extended  
86 the private road, and the overall development, further and deeper on the road, thus avoiding  
87 wetland buffer impacts, but this would impact more area at the end of the cul de sac and drainage  
88 area. The buffer area for C is just over 1,000 s.f., and for B is approximately 4,200 s.f. Regarding

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89 buffer area A, Ken Clinton stated that it came to his attention that there were two wells located at  
90 the end of the cul-de-sac where the hammerhead overlapped into a stormwater management area.  
91 This is not allowed, and so one of the wells was shifted to the most logical and accessible  
92 location, which happens to be into this wetland buffer. Thus, there is a proposed impact of  
93 approximately 1,200 s.f. to buffer area A. The total buffer impacts for all three areas on the east  
94 side is approximately 7,000 s.f. Ken Clinton stated that he believes the proposal is a good  
95 tradeoff for a very reasonable amount of buffer impact in order to reduce the overall footprint of  
96 development on the site.

97  
98 Ken Clinton explained that the west village of the site contains the proposed culvert in area D,  
99 and that there also wetland buffers associated with that area. Also, stormwater on site needs to be  
100 collected and treated according to both Town and State regulations. In order to do that, a  
101 stormwater management area is proposed between the private road and Boston Post Road. The  
102 sizing of this area requires some grading to go into the wetland buffer. There are additional  
103 wetlands dispersed throughout the site, for example there is an area of wetlands with an  
104 associated buffer next to units 21 and 22. Another stormwater management area creates small  
105 impacts in buffer area G, and similarly, in combination with the road grading, at area F. Those  
106 two impact areas combined are approximately 1,500 s.f. of disturbance. The overall project  
107 proposes approximately 14,683 s.f. of buffer impacts, or approximately 0.34 acres of the total  
108 site. Compared to the total 79 acres of the property, less than half of 1% of the overall area is  
109 being disturbed by buffer impacts. Ken Clinton noted that for a proposed development of up-to  
110 44 units, one wetland crossing is very good. He believes that the proposed impacts are extremely  
111 reasonable and noted that the proposed open space/conservation easement is approximately 40  
112 acres, or approximately 50% of the property.

113  
114 In response to a question from Jared Hardner regarding how to ensure that the natural substrate  
115 in the culvert will remain during any heavy flow events, Spencer Tate stated that the intention  
116 will be to use natural substrate in the culvert and compact it to 3". This should make sure there  
117 isn't any accelerated flow through that culvert. Ken Clinton stated that, in his three years of  
118 visiting this site, he has never seen any scouring, channeling, or wash through that section of  
119 land.

120  
121 Jared Hardner stated that he would like to see mature, robust vegetation installed at the buffer  
122 which sits closest to Beaver Brook for nutrient uptake. He would like to consider a provision that  
123 this vegetation cannot be cleared away in the future. Spencer Tate noted that this area would still  
124 be subject to the buffer regulations. Ken Clinton stated that the applicant could consider some  
125 level of signage in this area, warning of the wetland buffer area and that there should be no  
126 disturbance.

127  
128 Rich Hart noted that the project may want to consider the impact of increased amounts of rain  
129 and other impacts from global warming. It may be important to consider ways to slow down the  
130 runoff of water from the property into nearby streams and ways to reduce the amount of  
131 flooding. Adding artificial vernal pools, rocks, wetland plants or trees could aid in this idea.  
132

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133 In response to a question from Rob Clemens, Ken Clinton explained that wetland crossings are  
134 sized according to the Alteration of Terrain (AoT) standards. Precipitation charts show how  
135 much rain can be expected in any given year or in future years based on past patterns, so if  
136 there's a recognition that rainfall is changing, the State will address that there will be different  
137 requirements to follow. The drainage area is examined based on topography to determine how  
138 many square feet versus acreage there is and then how much rain will fall into that area. Based  
139 on runoff coefficients, the culvert has to be sized properly. Generally, State regulations are  
140 reviewed and changed every ten years or so.

141  
142 In response to a question from Lee Gilman, Ken Clinton stated that both the culvert and  
143 stormwater management system are sized for a 50-year storm event, per AoT standards.

144  
145 In response to a question from Rob Clemens regarding the impaired watershed noted on the  
146 applicant's AoT State permit application, Spencer Tate stated that the State's wetland permit  
147 planning tool does not give much information on this item, but that he believes it may be the  
148 Souhegan River watershed. Rob Clemens noted that he believes the Beaver Brook watershed is  
149 also impaired, though he cannot remember what that is due to.

150  
151 In response to a question from Rob Clemens regarding the service road which will be created to  
152 access the new well location on the property, Ken Clinton explained that he would not call that a  
153 road. A very low-level gravel driveway is being proposed and there is no reason to substantially  
154 clear the area, other than to gain access to the well site.

155  
156 In response to a question from Rob Clemens regarding the buffer areas that back up to some of  
157 the proposed units and how to make sure owners do not further disturb these areas, Ken Clinton  
158 explained that there will be a mature tree line established between these areas and the  
159 condominium units. The unit owners will have ownership of their unit, including the building  
160 and a small limited common area, likely a patio. After that common area, unit owners have no  
161 rights. The Conservation Commission can make a recommendation to the Planning Board that  
162 signage be installed in the areas of buffer impacts. The developer is not likely going to inform a  
163 potential buyer regarding the nearby buffer disturbance. Rob Clemens stated that some amount  
164 of education occurred with the owners at the Summerfield condominiums regarding the nearby  
165 Peacock Brook, and he would like to see that level of education occur for this development. Ken  
166 Clinton stated that he believes, in the case of the Summerfield condos, this was likely self-  
167 education.

168  
169 Lee Gilman asked how this knowledge is passed down to new unit owners. Ken Clinton stated  
170 that there are declarations of condominium documents which will be in place, but, as a  
171 consultant, he cannot give the Commission any enforcement methods to prevent anything from  
172 happening. Owners need to be aware of Town rules and regulations. This proposed project is no  
173 different than any other single-family house in Town or one which will be built in the future.  
174 Ken Clinton stated that he knows of a project where signage was installed because, at the time  
175 the wetland buffer was a strict 100'. Some buffers have changed to only 25', but unless someone

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176 goes to amend the signs near these buffers, people may be encroaching on these areas. Signage is  
177 likely the best option.

178  
179 In response to a question from Steve Lutz regarding if there is any stormwater runoff leaving this  
180 system, Ken Clinton stated that this question at the Planning Board meeting was pointed to the  
181 detention basin north of the proposed entrance to the site. He explained that, if 100% of the  
182 runoff from a site cannot be collected, certain relief is sought. Due to the topography of the land,  
183 sometimes the only place to put a basin is an area which doesn't have suitable soils for full  
184 infiltration, and so the proposal is to capture and treat as much runoff as possible. Regarding if  
185 this area is an MS4 situation, where stormwater runoff from a private development is being  
186 added into a Town system, Ken Clinton explained that he does not call this area a system. This is  
187 an existing culvert under the road which has existed since before he was born. This culvert has  
188 been taking runoff from this site, under the public road, and across the street for many years. It  
189 may not be sized properly to begin with, but it is not the applicant's job to change culverts on  
190 public roads. There are some deficiencies regarding the basin on this site and a letter will be  
191 submitted to the Planning Board to discuss this item further.

192  
193 There was no public comment at this time.

194  
195 This item will be before the Planning Board again on September 21, 2022.

196  
197 • **Curran (Lots 6-2,7,9) Design Review – Ken Clinton, Meridian**

198 Ken Clinton explained that this subdivision proposal is scheduled to go before the Planning  
199 Board on September 7, 2022, as a design review application. The property consists of three lots,  
200 Lots 6-7, 6-9, and 6-2, off Pond Parish Road, Baboosic Lake Road, and Grater Road. The entire  
201 property is approximately 180 acres and sits undeveloped. Mr. Curran has owned these lots for  
202 quite a long time and views this as an investment piece of property. The property consists of a  
203 prominent hill nearly in the center of the lots. There is a large wetland area to the south and east.  
204 There are also old sawmill remains on the site. The intention is to consider the property in three  
205 separate development areas. Area A along Pond Parish Road is proposed for frontage lots, with a  
206 couple of back lots. In this area, lot A7 is identified as a buildable lot that would contain the  
207 Truell mill remains. The intention is to place the remains inside an easement of some sort to  
208 protect it into the future. The B lots are proposed along Baboosic Lake Road. After considering  
209 the number of curb cuts which would be necessary for frontage lots in area B on a less than  
210 desirable road for sight distance, the amount of site work changes, grading etc., it was instead  
211 proposed to create a small road leading to seven lots. For the C lots, a road is proposed off  
212 Baboosic Lake Road, creating a loop, and spur to a cul-de-sac, to serve lots C1-C24, with two  
213 remainder frontage lots off Grater Road.

214  
215 Ken Clinton explained that the wetlands on site were previously mapped by another consultant  
216 back in the early 2000s. The proposal shows a total of 44 lots spanning the property. At this time,  
217 the applicant is seeking design review comments relative to the proposed cul-de-sac. The cul-de-  
218 sac regulations in Town are unique, in that they are substantially oversized. He believes that

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219 many applicants have sought relief from these regulations in past years. The applicant will likely  
220 seek some sort of reduction in the required cul-de-sac size.

221  
222 Regarding open space and trails on the property, Ken Clinton explained that there is a substantial  
223 amount of open space and conservation land in the vicinity of this project. There have been a lot  
224 of questions regarding connectivity for people and wildlife in an east-west fashion through the  
225 site, but also slightly in a north-south fashion as well. Land nearby, owned by Brett Vaughn, is  
226 under substantial easement, leading all the way to Baboosic Lake. Over time, private parties have  
227 constructed various numbers of trails through this land without permission from the owners. The  
228 most recent plan was sent to all abutters via certified mail. Mr. Curran has agreed to make an  
229 east-west connection through the lot to existing trails as part of the overall subdivision plan. A  
230 trail is proposed through the lots, via easement, to Brett Vaughn's lot on the south side of  
231 Baboosic Lake Road, which already has a small trail system in it. There will be trails through the  
232 property allowing both east-west and north-south connectivity. This compromise may not be  
233 perfect for either party but will allow gains for all.

234  
235 Jared Hardner stated that the Commission has a concern with fragmentation of natural habitat in  
236 this area, though the plan as proposed appears to follow the Town ordinances and regulations and  
237 is within the owner's right to pursue. Secondly, he noted that the Town has received a lot of  
238 feedback from the community regarding both water quality and quantity. This subdivision could  
239 be an opportunity to explore applying more rigorous testing on both water quality and quantity  
240 and he believes this is an interest of the Planning Board as well. Finally, he noted that many of  
241 the proposed trails go through a number of, what will ultimately be, privately owned lots. He  
242 asked how those trails will be formalized and protected over time. Ken Clinton stated that these  
243 will need to be under some level of easement. The formal easement limits will be established and  
244 defined through this process. An example of the language could be that Lot C13 would be sold,  
245 subject to an easement for the benefit of "X" for trail use and maintenance, etc.

246  
247 In response to a question from Rob Clemens, Ken Clinton explained that it is too early in the  
248 design to know where potential wetland buffer impacts may be on the site. The hatched blue  
249 areas on the plan may reflect targeted stormwater basins.

250  
251 Rob Clemens noted that he previously submitted comments on behalf of the Commission to the  
252 Planning Board expressing a desire not to see this area fractured as is proposed, as well as the  
253 existence of the existing trail systems, and the interest in preserving open space. He echoed the  
254 comments regarding the nature of this property and that it is viewed by the State's Wildlife  
255 Protection Plan as a high ecologically ranked area of interest. Rob Clemens asked if a Planned  
256 Residential Development (PRD), or other type of clustered housing, in order to preserve more  
257 open space, was considered. Ken Clinton stated that those options were considered. This  
258 property, due to its topography and/or wetland locations does not lend itself well to a PRD. There  
259 is a prominent hill in the middle of the property, and the nature of the location of the wetlands  
260 are not advantageous to a PRD. Also, as Mr. Curran evaluated the development options available  
261 through the Town ordinance, he felt this was his most suitable course of action.

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263 In response to a question from Rob Clemens, Ken Clinton stated that private wells are being  
264 considered for this property. Ken Clinton noted that his office is well aware of the Town's  
265 concerns regarding water quantity and quality, and that these items will be better able to be  
266 addressed up front during this application process.

267  
268 Ken Clinton stated that there are no proposed wetland crossings at all on this property. He may  
269 come back before the Commission for wetland buffer impacts but is making every effort to avoid  
270 those as well.

271  
272 Doria Brown, 7 Grater Road, shared a concern regarding water resources. She has been having  
273 issues with her well running low lately. It went dry for a couple of days in 2020. She also  
274 expressed concerns regarding completely clearcutting the land and asked if any trees will be left  
275 to create a buffer to her property. Ken Clinton stated that there will be no clear cutting  
276 completed, however he cannot guarantee the depth of a buffer or separation. There would likely  
277 be a residential house placed off the proposed road. More details on this will come to light  
278 through the Planning Board process, which will begin for this project on September 7, 2022. It  
279 will be up to the buyers of these lots as to exactly what the houses on them will look like and  
280 exactly where they will sit on the lots.

281  
282 There were no further public comments at this time.

283

284 • **Vonderosa Properties (Lot 4-122) Subdivision Proposal**

285 Rob Clemens noted that he was not approached by anyone in relation to this project to make a  
286 presentation, but that the Commission should still comment on it, as it sees fit. This property is a  
287 portion of the Hazen property. It previously came before the Planning Board but was turned  
288 away due to incompleteness.

289

290 Bill Stoughton stated that the Planning Board will first rule on completeness of this item. If it is  
291 complete, the Planning Board will typically then immediately begin the public hearing on the  
292 matter.

293

294 Rob Clemens stated that this is a proposed five lot subdivision. He noted that there are wetlands  
295 on the site, and that a proposed subdivision under a typical residential development should avoid  
296 all wetlands and wetland buffers. There are steep slopes on the site on which driveways have  
297 been proposed. This project proposes private wells and septic systems. This property does not  
298 overlie the stratified drift aquifer that occupies a large amount of the Hazen property. He noted  
299 that the plan, as proposed, does not seem to have any wetland impacts. Rob Clemens stated that  
300 he does not have any immediate comments. There may be some concern with this proposal as a  
301 partial project to the overall larger property. Jared Hardner stated that, in the environmental  
302 impact business, this is called 'salami slicing' and it is usually intended to hide cumulative  
303 impacts. However, he does not necessarily think that is at play here in a material way.

304

305 There were no public comments at this time.

306

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307 **TOPICS**

308 **5. Great Meadow Management**

309 Rob Clemens explained that this agenda item was originally proposed to discuss the appearance  
310 and management of the Alice Towne lot, as part of the larger Great Meadow property. The ACC  
311 had discussed developing a more specific plan for management of that property, given some  
312 concerns with the aesthetics and access to the property, as invasive species management.  
313 Subsequently, concerns were raised by the public regarding how the ACC addresses invasive  
314 species, particularly with regard to chemical treatment. This led to the development of a petition  
315 to seek action from the Board of Selectman regarding the ACC's treatment of invasive species  
316 with chemicals, as well as communication with abutters throughout the process. Rob Clemens  
317 explained that he made a presentation on Monday to the Board of Selectman with quite a large  
318 amount of public comment, which he would like the Commission to address this evening.

319  
320 **Jared Hardner moved that the ACC put a moratorium on further use of synthetic**  
321 **chemical herbicides, including glyphosate, for one year. During that time, ACC**  
322 **should**

- 323 a) **Evaluate feasible alternatives for the control of invasive species and the**  
324 **properties that it manages with the goal of reducing, if not eliminating,**  
325 **the application of synthetic chemical herbicides**  
326 b) **Present to Amherst residents the results of this research**  
327 c) **Carefully consider the requested actions in a petition authored by**  
328 **Matthew Seiler and posted on Change.org in mid-August of 2022**  
329 d) **Submit for public consultation a new Invasive Species Management**  
330 **Policy and, after the above actions are completed, the ACC should**  
331 **publish an updated policy on the control of invasive species.**

332 **Rob Clemens seconded.**

333  
334 **Discussion:**

335 **Rob Clemens asked for discussion, first from Commissioners and then from the**  
336 **public on the proposed motion.**

337  
338 **Rich Hart asked if this is to be a complete moratorium on widespread applications,**  
339 **such as for treatment of bittersweet. Jared Hardner explained that there is a lot of**  
340 **information that has not been communicated to the public regarding these chemical**  
341 **treatments and how the ACC is carrying them out. He does not believe it's**  
342 **productive to continue doing anything involving herbicides until all of the**  
343 **information is compiled and presented in a coherent way for the community to**  
344 **weigh in on.**

345  
346 **Rich Hart noted that one of the other potential methods that has had some success is**  
347 **volunteer manual management. A large number of volunteers could possibly replace**  
348 **the use of other methods. Jared Hardner stated that that is included in his item a) of**  
349 **the motion - to evaluate feasible alternatives for the control of invasive species.**  
350

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351 **Rob Clemens stated that this motion does not suggest that mechanical mowing will**  
352 **not take place, as there is already some planned this fall. This is to examine the**  
353 **alternatives, present these to the public, and come up with a good public**  
354 **information process moving forward.**

355  
356 **In response to a question from Christian Littlefield regarding if this motion creates**  
357 **any issues with any previously contracted management, Lee Gilman explained that**  
358 **there is some brush mowing of invasives scheduled for this fall, with a plan to do**  
359 **follow-up treatments next late summer. If the follow-up treatments aren't going to**  
360 **be done next summer, the ACC would lose substantial value with the planned**  
361 **mowing scheduled for this fall.**

362  
363 **In response to a question from Christian Littlefield regarding if this motion will**  
364 **throw off the management schedule, Lee Gilman stated that a year-long**  
365 **moratorium would put pressure on the schedule in terms of having to contract**  
366 **speculatively before the end of the moratorium or else likely not having any**  
367 **contractors to do any treatments during the next year. If this review could be**  
368 **completed in six or nine months, the ACC could better have the ability to be**  
369 **responsive next year to management options.**

370  
371 **Steve Lutz stated that he supports the motion. It is important to act off facts and**  
372 **data and to present these to the public.**

373  
374 **John Harvey suggested that a task group be formed to work on this item. It could**  
375 **include a few ACC members, a few members of the public, and possibly a DES**  
376 **representative.**

377  
378 **In response to a question from Rich Hart, Jared Hardner explained that this motion**  
379 **only deals with chemical herbicide use on ACC-managed land. Rich Hart asked**  
380 **about Town-managed properties. Eric Slosek, DPW Director, stated that the DPW**  
381 **will also not conduct any spraying until there can be discussions with the ACC and**  
382 **Town regarding what is the best way forward.**

383  
384 **In response to a question from Rich Hart regarding also making use of these**  
385 **chemical herbicides illegal on private property, Bill Stoughton stated that he does**  
386 **not believe the Town has the authority to create an ordinance of that type. The**  
387 **regulation of herbicides and pesticides is done at the federal and State level, and he**  
388 **is fairly confident that those regulations would preempt the Town's ability to also**  
389 **regulate that area. Rob Clemens noted that, if the petition is an indication of public**  
390 **sentiment, some education and outreach to the public would likely be welcome.**

391  
392 **Lee Gilman noted that the majority of chemical management is completed on**  
393 **private property and so that is a relevant aspect to the issue at large. He proposed**

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394           **that the motion be amended to complete the review in nine months to allow for the**  
395           **potential to arrange invasive management for next year.**

396  
397           **Rob Clemens asked for public comment at this time.**

398  
399           **Jim Hendrix, 44 Christian Hill Road, stated that the proposed motion gives people a**  
400           **lot of comfort. He noted that the gentleman who called into the Board of Selectmen**  
401           **meeting the other night stated that he has had 15 years of experience on a Land**  
402           **Trust, but that's really just a story. Jim Hendrix stated that he listens to the**  
403           **scientists and people who have spent their careers studying the effects of glyphosate**  
404           **and other herbicides. He would like to see experts and doctors included on the**  
405           **proposed ad hoc committee, and not simply laypeople who Google information.**

406  
407           **Lee Gilman asked Jim Hendrix to please submit the names of people he's interested**  
408           **in seeing on the committee to the ACC.**

409  
410           **Matt Seiler, 74 Boston Post Road, thanked the Commission for the proposed motion**  
411           **and stated that it is a very nice gesture. He stated that he would like to volunteer for**  
412           **this task force, as he had some part in bringing this to light. He noted that the**  
413           **moratorium will involve some research and stated that he would like to pass along**  
414           **information from Broken Boat Farm regarding potential management of invasives**  
415           **using goats. He stated that, as a private citizen, he does not understand how**  
416           **hydrology works and does not believe it is likely reasonable to try to educate**  
417           **everyone in Town about it. He would like to hear some concrete language regarding**  
418           **proposed signage when sites are to be treated.**

419  
420           **In response to a question from Matt Seiler regarding if the DPW will be treating**  
421           **private properties along Town right of ways, Rob Clemens explained the permit**  
422           **noted specific roadways throughout the Town to be treated. It has been previously**  
423           **noted that private property goes to the middle of the road, but the Town has**  
424           **responsibility for maintaining the roads and right of ways, to the extent that those**  
425           **are primary corridors for invasive migration in Town, which they often are. These**  
426           **areas are not treated by the ACC but were included in the permit in case they**  
427           **needed to be treated by DPW. The ACC does not have the authority to tell the DPW**  
428           **what to do, but there seems to be agreement between the ACC, DPW, and Town to**  
429           **take a better look at treatment options.**

430  
431           **Matt Seiler stated that, if the DPW needed to treat something on/near his property**  
432           **with an herbicide, at minimum he would want to be notified about it beforehand,**  
433           **but he would like to see information on this put into writing.**

434  
435           **Rob Clemens stated that the proposed motion looks to put a policy in place which**  
436           **will specify in writing whatever is agreed upon at the end of the exploratory period.**  
437           **The ACC is not in total disagreement with the petition, but there is a question of**

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438           **how to best implement management options moving forward. Some of the**  
439           **information presented during the Board of Selectmen meeting on Monday night was**  
440           **flat out wrong, misinformed, and untrue. The Commission would like to take a**  
441           **minute to determine the best course of action for the future.**

442  
443           **Matt Seiler stated that this is clearly a controversial topic, with information on both**  
444           **sides.**

445  
446           **Peter Lyon noted that the Board of Selectmen is committed to creating a plan that**  
447           **will be followed by all Town entities.**

448  
449           **Eric Slosek explained that the DPW is on the management permit for all Town right**  
450           **of ways. The plan was never to spray the entire Town or spray all of the right of**  
451           **ways within the Town. This year, and especially in the last several years, due to**  
452           **staffing shortages and other reasons, the DPW has not done much spraying. The**  
453           **plan for this year was only to spray a portion of the DPW property to control**  
454           **knotweed. However, the DPW has committed to the same moratorium on spraying**  
455           **until the best course of action can be determined. He also noted that the public**  
456           **comments regarding abutter notification have made him consider what more can be**  
457           **done from the DPW side regarding this item.**

458  
459           **There was no further public comment at this time.**

460  
461           **Rob Clemens explained that there is a proposal to amend the motion from a 12-**  
462           **month moratorium to a 9-month moratorium, in order to give the ACC enough time**  
463           **to pursue management options for the next year, if allowed per the new policy.**

464  
465           **Jared Hardner AMENDED his motion, that the ACC put a moratorium on further**  
466           **use of synthetic chemical herbicides, including glyphosate, until May 31, 2023.**

467           **During that time, ACC should**  
468           **a) Evaluate feasible alternatives for the control of invasive species and the**  
469           **properties that it manages with the goal of reducing, if not eliminating,**  
470           **the application of synthetic chemical herbicides**  
471           **b) Present to Amherst residents the results of this research**  
472           **c) Carefully consider the requested actions in a petition authored by**  
473           **Matthew Seiler and posted on Change.org in mid-August of 2022**  
474           **d) Submit for public consultation a new Invasive Species Management**  
475           **Policy and, after the above actions are completed, the ACC should**  
476           **publish an updated policy on the control of invasive species.**

477           **Rob Clemens seconded.**

478  
479

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480           **Roll Call vote: Rich Hart – aye; Lee Gilman – aye; Jared Hardner – aye; Christian**  
481           **Littlefield – aye; Steve Lutz – aye; Rob Clemens – aye; John Harvey – aye; 7-0-0;**  
482           **motion carried unanimously.**  
483

484           The Commission agreed to table discussion on the proposed task force to a later meeting.  
485

486           The Commission discussed potential treatment options for the Alice Towne Lot.  
487

488           Matt Seiler explained that his property, sitting across the street is inundated with poison ivy,  
489           bittersweet, etc. He spoke with Broken Boat Farm regarding using goats to control the invasives  
490           on his property. However, for a meadow or a grassland, sheep can be used instead. This is  
491           supposedly much more cost effective. A temporary fence could be set up on the property for the  
492           sheep to manage the invasives. The quote given to him was approximately \$650 an acre.  
493           Typically, two treatments are completed each year, and after approximately three years the  
494           vegetation has been observed to die off. He is hoping to have his property treated this fall or in  
495           the spring. He noted that this is a growing company, and it would likely try to size the herd  
496           appropriately, based on the Town's needs.  
497

498           In response to a question from Lee Gilman, Matt Seiler stated that he has not seen any properties  
499           treated with goats used by this company.  
500

501           Jared Hardner noted that this method deserves more research, as goats typically eat everything  
502           and will rip it out by the roots. This is generally a way to introduce more invasive species into an  
503           area.  
504

505           Matt Seiler suggested looking into a crosswalk or other way for people to access the Alice  
506           Towne Lot area safely. It was noted that the topography and sight lines of this area make safe  
507           crossing difficult.  
508

509           Jim Hendrix stated that he used to know someone from Merrimack who leased her goats to  
510           PSNH to clear under the power lines. He believes it is a very effective method.  
511

## 512           **6. Other Business**

513           John Harvey noted that he still has some black plastic which can be used to cover invasive roots  
514           and is an effective method.  
515

516           Rich Hart stated that the Cider Fest is proposed to happen, as it has in previous years. The lower  
517           meadow still needs to be mowed. Lee Gilman suggested that Mark Vaillancourt may be able to  
518           help with this item.  
519

520           Lee Gilman referenced available training, Conservation Conversation for Conservation  
521           Commissions, in conjunction with the town of Durham and UNH regarding invasive species  
522           management. This will be held on September 23, 2023, from 1-4pm, at the Thompson Forest in  
523           Durham.

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524  
525 Rob Clemens noted that Bill Widmer recently sent Commissioners an email regarding the woolly  
526 adelgids. The Commission may want to consider a program regarding this item for the Town.

527  
528 Rob Clemens explained that volunteers for the Souhegan River Watershed Association have  
529 been sampling the Souhegan River for dissolved oxygen, and E. coli bacteria levels throughout  
530 the summer. High concentrations of E. coli have been found in the Souhegan, particularly in  
531 Beaver Brook. Eric Doberstein is putting together a proposal for a State grant to update the  
532 Souhegan Watershed Plan and, more specifically, to take a detailed look at E. coli bacteria  
533 distribution and sources within the Souhegan River and, to the extent that Amherst is interested,  
534 Beaver Brook specifically. This includes sampling DNA to determine if the bacteria are coming  
535 from sheep, geese, humans, etc. This will be run through the Nashua Regional Planning  
536 Commission, with their assistance. They would like a letter of support from the Conservation  
537 Commission, and potentially some amount of funding contribution, approximately \$3,000.

538  
539 Jared Hardner explained that the new Master Plan being developed specifically says this type of  
540 effort should be considered and evaluated. This language could be included in the letter of  
541 support.

542  
543 The Commission agreed to move forward with this idea and Rob Clemens stated that he would  
544 bring back more information at the next meeting.

545  
546 The Commission reviewed the suggested changes to the building code regarding water quality  
547 and water quantity. Jared Hardner thanked Bill Stoughton for his work carrying these items  
548 forward. He noted that he still thinks the concept of community wells has some merit and is  
549 worth consideration.

550  
551 Bill Stoughton agreed and noted that it is difficult to push that idea on developers as the Planning  
552 Board does not currently have any express authority to do so. He recently spoke with someone at  
553 DES who noted that there may be a change in the regulations in 2024 that could close the  
554 loophole regarding shared and community well systems. The Planning Board will continue to  
555 consider if it has the authority to and should require a community well system in larger  
556 developments. If the Planning Board moves this forward, it would likely go before the voters in  
557 March.

558  
559 Rob Clemens noted that Mark Bender is in attendance and has expressed interest in joining the  
560 Commission.

561  
562 **Jared Hardner moved to adjourn the meeting at 9:28pm. The meeting was**  
563 **adjourned.**

564  
565 *Respectfully submitted,*  
566 *Kristan Patenaude*  
567 Minutes approved: September 28, 2022