

Montague Conservation Commission

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Thursday, December 13, 2012 – 6:30 pm
Second Floor Meeting Room, Town Hall, One Avenue A, Turners Falls, MA

Commissioners Present: Deb Picking – Acting Chair, Sean Werle, Donna Francis, Addie Holland and Justin Fermann, Mark Fairbrother (6:55PM arrival)

Staff Present: Walter Ramsey- Agent

Meeting was called to order by Deb Picking at 6:32 PM.

Approval of October 18, 2012 Minutes:

Motion was made by Donna F. to accept the October 18, 2012 minutes with one editorial change: the date of the site visit to Montague Center School was 10/18/2012. Seconded by Addie H. Motion passed unanimously.

PUBLIC HEARING: REQUEST FOR DETERMINATION (RDA) #2012-06 by Duane and Anna Greene

In accordance with the Mass. Wetlands Protection Act, M.G.L. Ch. 131, Sec. 20, the Montague Conservation Commission will discuss the Request for Determination of Applicability #2012-06 filed by Duane and Anna Greene to replace a culvert crossing an intermittent stream believed to be non-jurisdictional for the purposes of constructing a driveway to a new single family home on property identified as Assessors Map 48 Lot 58 on Old Sunderland Road.

Guests: George Dole (contractor)

- Existing culvert is metal 16” corrugated pipe. Agent recommends that the new culvert be a 24” double wall ABS polyethylene wall culvert to accommodate stream crossing standards. The culvert should be 1.2 times the width of bank imbedded 25% with a natural bottom sub straight structure.
- There are no hydrologic connections to upstream wetlands per the Agent and DEP wetlands maps. South of the culvert stream enters a catch basin under the road and ends up in Cranberry Brook.
- The stream starts approximately 100 to 150 feet upstream from where the culvert is.
- The site is in estimated and priority habitat – agent suggested applicant submit to MESA.

Motion was made by Justin F. to accept the RDA #2012-06 with a negative determination Box 4 which states the work described in the request is not within an area subject to protection under the act (including the buffer zone). Therefore, said work does not require the filing of a Notice of Intent; unless and until said work alters an area subject to protection under the act. Seconded by Sean W. Motion passed unanimously.

DISCUSSION: NOI #2009-03-Unity Park Improvements- Montague Parks and Recreation Department – Representatives of the project applicant will be present to discuss a possible amendment to the Order of Conditions for phase II of Unity Park planned for Spring Construction.

Guest(s): Jon Dobsz -Montague Parks and Recreation, Bruce Hunter- Franklin County Regional Housing/Grants Administrator and Peter Wells-Berkshire Design Group.

Mark Fairbrother joined at 6:55PM

The Order of Conditions indicated a 13,000 square foot 2:1 offsite mitigation area along the Connecticut River bank. The property is owned by FirstLight and the Town was unable to obtain a license to perform the mitigation work or for an eagle viewing platform. As an alternative the Parks and Rec Department are proposing a butterfly garden (approximately 3,200 sq.ft.). This is the preferred alternative because there is no onsite resource area that can be subject to mitigation and there are no other usable sites in Montague per the Conservation Agent. This was a preliminary consultation because a formal hearing will be requiring amending the active Order of Conditions. The butterfly garden would promote the interests of wildlife and habitat restoration. It would support 8 endangered butterfly species native to western Massachusetts. The commissioners would like to see onsite invasive plant species removed (if any are present). Deb P raised the question if this alternative will be sufficient under the Wetlands Protection Act. The agent will research this and will coordinate accordingly with Parks Department and the Commission. The parks and Recreation Department will possibly be back for a Public Hearing to amend the Order of Conditions in February 2013.

Donna Francis leaves at 7:40 PM

Agent Report:

- Review Forest Cutting Plan FC#2012-01 Duane Jenks of 488 Federal Street Montague, MA. Submitted a forest cutting plan for Ripley Road in Montague, MA.
It is the parcel that the Conservation Commission was talking about saving a few months back. The land is on the corner of Ripley Rd and Rte. 63. Any stream crossings are under the state permitting. Commission looks over the map and orientates themselves to the forest cutting plan. The Conservation Commission will take a look at site to make sure that they are not cutting in jurisdictional wetlands.
- Approval of 2013 Conservation Commission Meeting Schedule.
Motion was made by Addie H. to accept the 2013 Conservation Commission Meeting schedule.
Seconded by, Mark F. Motion passed unanimously.
- Brief review of work being done by FirstLight Power GDF/SUEZ and Turners Falls Water Department under the utility maintenance exemption of 310 CMR ch 131.
The Water Department is doing work near the bridge of names spill way. A tree fell near the spillway in Oct 2011. The Water Department removed the tree under the assumption as to not clog the spillway. The Water Department did some damage in doing this endeavor and has now cleaned up and reseeded the bank area. The Water Department wants to do a paved drive from Adams Street down to the bottom of the spillway area. The area is collecting a lot of runoff causing erosion. They need to have a plan going forward to collect the runoff and place it into the stream as it is currently compromising the abutment of the dam. This work falls under the utility maintenance exemption, however the agent has requested an RDA for future work.
- Items not anticipated within 48 hours
 - FirstLight has been ordered by FERC to cut down a white pine stand along the Canalside Bike Path due to public safety concern and the area being considered a high hazard dam. They will do so under the utility maintenance exemption.
 - An audience member, Suzanne Kretzenger inquired about the Sawmill River issue and Walter R responded by letting her know he has not heard anything from the state DEP office. The commission is awaiting further advisement from them.

Motion made by Sean W to adjourn the meeting. Seconded by Addie H. Motion passes.

Meeting adjourned at approximately 7:48 PM

Approved by: _____ Date: _____