



MONTAGUE CONSERVATION COMMISSION

ONE AVENUE A · TURNERS FALLS, MA 01376 ·
PHONE: 413-863-3200 EXT 207 - FAX: 413-863-3222

Meeting Minutes

Thursday, January 13, 2011
Town Hall Downstairs Conference Room

Commissioners Present: *Mark Fairbrother – Chair, Donna Francis, Deb Picking*

Commissioners Absent: *Addie Holland, Sean Werle*

Staff Present: *Walter Ramsey – Agent, Anne Stuart – Clerk*

Meeting called to order by Mark Fairbrother at 6:30 PM

Approval of Minutes: November 4, and December 9, 2010 motioned by Deb and seconded by Donna.

RDA#2011-01 FirstLight Power Resources (Map 17 Lot 17, 12, 34)

Present for the applicant: Mickey Marcus-New England Environmental Permitting Consultant.
Beth Bazler- FirstLight Power, Meredith Borenstein - Wetlands Scientist, NEE.

Mr. Marcus gave a background presentation and reviewed the application.

First Light has filed an RDA proposing erosion control work to be conducted at six non-adjacent sections within the riverfront area associated with the Connecticut River in Montague. The proposed work areas are located at six (6) camps along the Connecticut River that are accessed from Industrial Boulevard (Map 17 Lot 17, 12, 34) The work described in the RDA consists of replanting native vegetation, seeding, and control erosion within the 200 foot Riverfront Area. No new work is proposed.

FERC is requiring First Light to do an erosion plan for the six (6) camps in the town of Montague as part of a 5 year preventative erosion control plan. These camps have only minor maintenance issues to be compliant with FERC. These camps are on small parcels of land. Each camp has walkways, docks intensive usage by owners. In many ways the owners have been aggressive in cleaning up the land.

Modifications to proposal: Based on proceedings prior to the meeting, applicant withdrew sections of the RDA dealing with restoration of river bank, keeping only maintenance activities off the riverbank areas. There will be withdrawal of 3 camps from the current RDA (6E, 7E, 8E which are on the East Side of the river) as they require more extensive work on and around the riverbank. First Light will later file a NOI for these 3 camps. Camps (2E, 3E and 4E no work

along the bank but 1,000-2,000 square feet of restoration) will stay current for the RDA #2011-01.

2E (1,250 square feet) – has the most work to stabilize the area. This camp did restoration 8 or 9 years ago with retaining walls. The need is to do some ground cover to replant. Those with no vegetation would be covered with an erosion blanket and specified vegetation. Beth would go on site to help train the camp owners on proper installation

3E (2,900 square feet) – has most erosion. This camp has staircase and parking area with side slopes. This camp needs help in the areas of stabilization, erosion in and around the retaining walls along with the stone at the bottom of water way using proper materials.

4E (200 square feet) – The Church rebuilt this camp. This has access from different driveway, no work on riverbank needed. Most attention needs to be given to grading, seeding and replanting a small area of eroding slope.

6E (60 square feet) – Small area of reseeding needed along the access path into the camp area. Re-do stairway.

7E Erosion on the bank (withdrew) – remove debris and tires

8E (65 square feet) mulch areas adjacent to the building. Remove and replant with native shrubs.

The question arose on how to get the camp owners compliant with the plan. First Light are the owners and can ask for this compliance on behalf of the owners as it is a landlord/tenant type situation and they can enforce this per Beth Bazler.

Commission reviewed draft findings and conditions prepared by Mr. Ramsey.

Mickey Marcus - Will do an amended letter showing the modification of this RDA as requested by Mark Fairbrother.

The Commission determined that the work described in RDA is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore said work does not require the filing of a Notice of Intent. The Commission also confirmed that there is no local wetlands bylaw.

Deb Picking motioned for a negative determination based on the modifications described above and the drafted conditions. Seconded by Donna Francis.

Update: On 2/27/2011 Firstlight withdrew RDA# 2011-01 following comment from the Department of Environmental Protection.

Other Discussion:

Walter Ramsey announced that the 2010 Open Space Recreation Plan has been completed and submitted to state and town boards for review. Mark Fairbrother represented the commission on the Open Space and Recreation Planning Committee

Motion by Donna Francis to endorse the 2010 Open Space and Recreation Plan update. Seconded by Deb.

Mr. Ramsey presented a “Wetlands Protection Act guide for Realtors, Farmers and Homeowners”. Mark and Deb requested more time to review and comment on the guide prior to distributing to the public.

Adjournment:

Motion to adjourn at 7:50 PM by Deb Picking and seconded by Donna Francis.

Next scheduled meeting: February 10, 2011 at 6:30 PM

Approved by: _____ Date: _____

RDA#2011-01- by FirstLight Power Resources/GDF Suez

Findings

1. The applicant, First Light Power Resources/GDFSuez, has submitted an RDA for work in the Riverfront Area of the Connecticut River as well as work on the Bank resource area.
2. Members of the Commission and their Agent viewed the site with the applicant and applicant's representative on 1/10/2011
3. The section of the Connecticut River Bank where preventative maintenance is proposed is characterized by steep sandy slopes with areas that are actively eroding.
4. Camp owners have been aggressive in clearing natural vegetation and replacing it with mulch, lawn and ornamental plantings.
5. At the site visit the applicant's representative stated that the actual work will be limited to work that is not directly on the banks of the Connecticut River
6. All of the work proposed is repairing small eroded areas on upland slopes and some bank areas on previously developed areas. No "new" work is proposed.
7. All work consists of replanting native vegetation, seeding, and erosion control and is intended to be performed by individual camp owners.
8. The work proposed has the potential to improve the capacity of the resource area to serve the purposes of the Wetlands Protection Act and Riverfront Protection Act.
9. The applicant has submitted a RDA with site plans to the Natural Heritage & Endangered Species Program who determined that the project as currently proposed will not adversely affect the actual resource of state-protected rare wildlife species.

Conditions

1. No work shall be conducted along the banks of the Connecticut River (below ordinary high water mark) without the separate filing of a notice of intent.
2. Any location where work may occur below the ordinary high water mark, that work may be subject to the Public Waterfront Act, Chapter 91
3. Firstlight shall be responsible for educating camp owners in best management practices and use of proper bio-engineering materials for proposed work.
4. The applicant's representative shall monitor sections of the bank where preventative maintenance has been performed and shall submit brief reports to the Commission and DEP on the stability of the treated areas at least twice per year during the period of time that this determination is valid. Reports shall include photos of treated areas.