



# MONTAGUE CONSERVATION COMMISSION

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## Meeting Minutes

Thursday, July 12, 2012

6:30 PM

Town Hall Upstairs Conference Room

**Commissioners Present:** Mark Fairbrother Chair, Sean Werle, Donna Francis, Addie Holland and Deb Picking

**Absent:** Justin Fermann

**Staff Present:** Walter Ramsey- Agent

Approval of June 14, 2012 Minutes was tabled for editorial revisions

### **Notice of Intent #2012-02, by Thomas Bergeron – Montague Highway Department – South Street Right-of-Way. Hearing Continuation from June 14, 2012 meeting:**

**Guests:** Tom Bergeron- Highway Department, Susan Kretzenger (M49 L01 – South Street) and (M49 L10, M49 L03, M49 L06 – Federal Street), Scott Ewell (M48 L0140 – 487 Federal Street) and (M48-0144 – Rear Federal Street)

Proposal to remove 98 cubic yards of material in the Sawmill River from under the South Street Bridge. The project will be done during one day of the summer low water flow period (July-September 15, 2012). A town owned backhoe will operate from the bridge and dredge the river bottom. Votes may be taken.

Tom B: The Town owned backhoe is too small for the project so DPW will rent an excavator to do the work. There is currently only 3 feet of clearance between the stone, river and the underside of the bridge. The entire bottom of the bridge structure is jammed full of debris and knotweed which is obstructing the waterway. The Montague DPW wants to walk the excavator into the river on the west side and do the work from the rocks. Currently there is only a 4 foot channel flowing through this portion of the river.

The initial request under NOI #2012-02 stated that the DPW would be doing all work from the bridge. The Montague DPW now wished to walk the excavator into the dry river bed on the west side. Currently there is only a 4 foot channel flowing through this portion of the river. Doing the work from the pad of stones/rocks will allow 1) the removal of knotweed, debris and stone from underneath the structure and 2) reinforce stabilization of the bank. This process will help the stone lock into the bankings that already exists. The excavator will be on the stone/rocks and will not be in the water during the entire job. After finishing with the job the crew will walk the excavator back up and start to clean out the north side of the bridge. The plan is to take out approximately (50 yards) of stone and leave 44 yards to be done in the next three years. Tom B believes the excavator can use vegetable base hydraulic oil in these environmental situations.

**Walter R** - If you are talking about relocating in the stream bed you will need to change the order of conditions to reflect the resource area impacts. You would be increasing the impact on resource areas even though the dredging less or the same. The moving of the excavator into the

riverbed gives additional impacts including temporary ones over the riverbank and removal of some small trees (1 or 2).

The Franklin Conservation District is also planning to do work upstream this fall and the town should not do the project on the same day. Tom B was thinking that this project would fit into his schedule in August.

Comments from the group followed:

**Sean W** – Noted that bringing the excavator into the riverbed is a different NOI. This NOI calls for the excavator to be on the bridge only. The excavator cannot enter the riverbed under this Notice of Intent. Anything substantial changes would require resubmission to DEP and NHESP.

**Mark F** – The Town needs to take action to stabilize the abutments. However, the Town should do the project as it stands and then do a separate NOI for maintenance of existing structures.

**Susan K** – Questioned about the safety of the bridge and the status of the abutments. That information was not readily available during this meeting.

**Walter R** – suggested applying NHESP’s recommended conditions to the standard Montague Orders. He also recommended clarifying the 3 year timeframe of the NOI, rather than the five years initially sought.

**Tom B** – Suggested going ahead this year under the current NOI-2012 and remove 98 yards this year and next year do a new permit that stabilize the banks. **Mark F** suggested that this may fall under necessary maintenance on an existing highway bridge. This would give the Montague Highway Department the winter to work on and file the permit.

**Walter R** - For impacts under this OOC the DPW has 220 square feet on the North side and 150 square feet of area on the South side to work within for the project. Best management practices as stated by DEP would need to be followed in terms of the management of sediment.

***Motion** was made by Deb Picking to issue an Order of Conditions with special condition as prepared by the Agent for NOI 2012-02. Seconded by, Sean Werle. Motion passed unanimously.*

**Request for Determination #2012-04 filed by Massachusetts Broadband Institute to install fiber cable in two locations. 1) To install trenched fiber conduit in a riverfront resource area along a previously developed portion of the Industrial Boulevard right-of-way (Map 46, Lot 8) and 2) To install fiber optic cable on existing poles to service a public safety tower in Montague State Forest. The new line will cross an intermittent stream and bordering vegetated wetland along the tower run (Map 35 L23 and M192-114 L2).**

**Guests:** Cornell Robinson – MBI, Mike Turgeon- Jacobs Engineering, Mike Mullin-G4S (fiber optics installation)

**Industrial Boulevard:** The work will remain outside of the Connecticut River 200 foot riverfront along the right –of- way of Industrial Boulevard. A direction boar will cross under a converted intermittent stream near the Hallmark Administrative offices. There will be no resource impact during this project. Massbroadband will check utility locations through Dig Safe prior to start of the project.

**Ellis Road:** There are no physical impacts on the wetlands. There are no new poles proposed. They will be doing most work by hand while following the existing poles over the wetlands

areas. All vehicle use will be on existing roads along with all work with cables will be pulled by hand and done by foot. Deb Picking inquired about the accuracy of the delineations on the RDA. The delineations were not done by a professional wetland scientist; however there is enough information to make an informed determination.

**Motion** was made by Deb Picking for a Negative Determination, Box 2. Seconded by Donna Francis, Motion passed unanimously.

**Motion** made by Addie Holland to adjourn at 7:41 PM. Seconded by, Donna Francis.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_