

Montague Conservation Commission

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MEETING MINUTES

Thursday, June 13, 2019

Upstairs Meeting Room, Town Hall, One Avenue A, Turners Falls, MA

Commissioners Present: Mark Fairbrother - Chair, Sean Werle, Justin Fermann, and Alex Peterkin, Donna Francis, Deb Henson

Commissioners Absent: Addie Rose Holland and Laurie Reid- alternate

Staff: Walter Ramsey – Agent

Mark Fairbrother called the meeting to order at 6:30 PM.

Approval Minutes:

Motion made by Alex Peterkin to approve the March 14, 2019 Minutes. Seconded by Donna Francis. **Motion passes.**

Motion made by Justin Fermann to approve the May 9, 2019 Minutes. Seconded by Sean Werle. **Motion passes.**

Continuation of Notice of Intent #2019-02 filed by Town of Montague Department of Public Works for ongoing maintenance, routine activities, repair, and improvements to various town-related projects in resource areas throughout town including restoration and maintenance of a drainage swale along Montague City Road

Guests: Larry Rusiecki – Wright - Pierce Engineers, Montague City Road Residents Rich and Mary Green

Sean Werle recused himself from the hearing as an employee of SWCA

WR: The Montague City Road NOI has now had the DPW maintenance plans separated out and it will be a separate filing through the DPW. What is before the Commission tonight is just the Montague City Road portion of the NOI. At the advice of DEP it needs to be considered a limited project instead of a maintenance project which means that resource impacts need to be accounted for. There has been a supplemental filing done that show those impacts. Those impacts are as follows: Bank (2,758 linear feet), Bordering Vegetated Wetlands (14,669 square feet), and Land Under Water (8,756 square feet). There is also a perennial stream associated with the project (735 square feet).

LR: The NOI has been revised and the supplemental filing as Walter summarized has been submitted. There has been no change to the original plans as submitted earlier. This is now being submitted as a limited project with the thresholds being greater so a MEPA and a 401 Water Quality Certification will have to be filed as more than 100 cubic yards of materials could be dredged potentially. Those filings will be done and the intent is to speak to the performance standards and work plans and sequence of work. The plan will be more specific as it relates to construction and locations of straw waddles, temporary dams and pumps to be used to divert the water so vegetation can be removed associated with the perennial stream. There will be limited work areas (working downstream to upstream) shown on a plan to keep work contained and what will be accepted during the project. When the construction goes out to bid Wright-Pierce will work with the contractor to where the mats can be located along with specifics of staging and roll offs. The Commission will be kept informed on any and all

changes. In terms of performance standards the impacts are Bank, BVW, LUW. The riverfront is where the catch basins and drainage components are already located in the pavement and therefore a lot of the riverfront performance standards are not applicable to the project. The BVW area impacted but the intent to be able to restore.

DH: Would like to see hard copies for the file.

LR: Will work with the wetlands scientists to get the submission in writing and how things will be impacted and addressed during the project.

DH: What is the rationale for working downstream to upstream?

LR: Due to the grades during a construction project the plan of work is from downstream to upstream. If the grades are not met they can be accommodated and avoid stagnant water pooling. The project would be best to do late summer early fall. The purpose of this is to lower the stream bed.

LR: the purpose of the entire project is to eliminate the serious hazard to traffic and emergency vehicle flow due to the regular flooding of Montague City Road. The town has secured a grant to promote flood resiliency and plans to correct the issue. The Massachusetts Highway Department has maintained but it will now be maintained under limited project 10.53 (F) for roadway maintenance. The current drainage system is not able to accommodate the flow and is filled with sediment and debris. The plan of work is that the existing drains will be cleaned out and the sediment removed. The existing catch basins will be added directly to the stream to help with the flood prevention. The new catch basins will be tied into the existing street drainage system and will be located within the existing roadway – Montague City Road.

LR: Reviewed each of the performance standards and reviewed how they are being met.

JF: Will a habitat study be done?

LR: Yes, it will be required. Due to impacting more than 50 feet SWCA will do a study and are very familiar with what is needed through NHESP.

DH: On a hydrologic perspective there is understanding to create a flood plain shelf for storage but when trees are removed you get a higher water table. The trees would increase evapotranspiration and reduce the flood flow. If there are wetland tolerant species of trees the request is to leave as many as possible. LR: That request can be added to the sequence of work plan to try and keep as many trees as possible.

Richard Green: Is there any work planned to keep the silt from coming out of the drain? Could a sediment pond (interception pond) be made to help with the runoff?

LR: It is a perennial stream so there will always be runoff and flowing. The proximity to the road should help it be maintained fairly regularly by the DPW and the Town will have to notify the Commission but will not have to be as an extensive permitting project.

Richard Green: Would like this to be addressed in a timely matter.

WR: Since DEP is considering this a perennial stream other agencies need to be involved. A Water Quality Cert could take about 9 months to get a permit in hand. Funding though MVP grant was not successful in FY19 round due to this issue.

LR: The only work in the riverfront work is the installation of 2 new catch basins that are connected to the perennial stream.

WR: Noted that the Pan Am railroad has given permission for this project to allow work to be done on land owned by them. The only comment from Pan Am was to leave the materials on site and not to dispose of it

LR: The DEP filing number is to be the same and the maintenance will be another filing and different DEP file number. Will address performance standards and with SWCA regarding the habitat study.

Mary Greene shared photos of the flooding and the headwall areas with the commission. Pictures added to file.

Larry Rusiecki requested to continue the public hearing to July 11, 2019 at 6:30pm.

Mark Fairbrother declared the hearing continued to July 11, 2019 at 6:30pm.

Ratify Enforcement Order for 19 Sherman Drive Owner Wayne Chapin: unauthorized fill in wetlands resource area.

WR: On 5/14/2019 at 11:00 AM the Conservation Agent was notified by a resident of a potential wetlands violation at Sherman Drive (Assessors Map 19 Lot 85). The record owner of the property is Wayne Chapin of 19 Sherman Drive. Agent viewed the site at 12:00PM on 5/14/2019 from 10 Masonic Ave with that landowner's verbal permission. Based on his visit he estimated that up to 200 square feet of jurisdictional wetland area have been filled with mostly organic matter. The filled area is clearly delineated by a recently installed fence with a gated entrance. It appears to be a composting area for a landscaping operation. The filled area is surrounded by wetlands as visually evidenced by presence of skunk cabbage surrounding the fill. There are no records of this fill having been authorized by the Commission. The fill appears to have been placed within the last month as evidenced by stunted growth of re-emergent vegetation on the fill. He reported that to the Chair who authorized the agent to issue an enforcement order to restore the wetlands.

WR did a drive-by visit of the site today. The fence has been removed and some fill has been removed. A closer inspection is needed to tell if the property is in compliance or not. WR will follow up and give an updated report regarding the compliance at the July meeting.

Motion made by Deb Henson to issue the Enforcement Order. Seconded by Justin Fermann. **Motion passed unanimously.**

Agent updates:

- Topic Not Anticipated: The Town Assessors has given Walter a list of properties considered of low value some of which might have a potential as conservation property. On the list are included parcels in the Montague Plains, Lake Pleasant, and around the summit of Country Hill. Walter will come to the next meeting with the list of parcels for the Commission to consider for conservation value.

Motion made by Deb Henson to adjourn the meeting at 7:37 PM. Seconded by Alex Peterkin. **Motion passes.**

Approved by: _____

Date: _____