



**TOWN OF  
MONTAGUE  
MASSACHUSETTS**

TOWN HALL  
One Avenue A  
Turners Falls, MA 01376

CONSERVATION COMMISSION  
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**CONSERVATION COMMISSION  
APPROVED MEETING MINUTES**

**Thursday, October 17, 2024 6:30 PM**

**Upstairs Meeting Room, Town Hall, 1 Avenue A, Turners Falls and via Zoom**

**ROLL CALL**

PRESENT: Mark Fairbrother (Chair), Anthony Reiber, Donna Francis, Sean Werle

ABSENT: Donna Francis, Margaux Reckard, Justin Fermann, Toby Carter, Al Averill

STAFF: Maureen Pollock (Staff Liaison, Planner/Conservation Agent)

ALSO PRESENT: Ward Smith, Wendell Wetlands Services and Kevin Mulligan, USGS

**MINUTES:**

*MOTION by A. Reiber to accept the meeting minutes of June 20, 2024. Seconded by D. Francis. VOTE: Mark Fairbrother (AYE), Anthony Reiber (AYE), Toby Carter (AYE), Donna Francis (AYE), Sean Werle (AYE). MOTION PASSES 6:34pm.*

*MOTION by A. Reiber to accept the meeting minutes of July 18, 2024. Seconded by S. Werle. VOTE: Mark Fairbrother (AYE), Anthony Reiber (AYE), Toby Carter (AYE), Donna Francis (AYE), Sean Werle (AYE). MOTION PASSES 6:35pm.*

*MOTION by A. Reiber to accept the meeting minutes of July 30, 2024. Seconded by D. Francis. VOTE: Mark Fairbrother (AYE), Anthony Reiber (AYE), Toby Carter (AYE), Donna Francis (AYE), Sean Werle (AYE). MOTION PASSES 6:37pm.*

Meeting Minutes from August 8 and September 12 were tabled.

**PUBLIC MEETING:**

**RDA #2024-05 - Request for Determination of Applicability**, filed by **Ron Rodden** to determine whether the installation of a septic system repair within the existing lawn at **392 Old Greenfield Road (Parcel #39-0-050)** is subject to the Wetlands Protection Act.

Mark Fairbrother and Ward Smith had a site visit; the applicant is removing a failing system and replacing it with a new system in the same place.

Ward Smith describes the septic repair/replacement which is in the buffer zone. Wetlands and a perennial stream are delineated on the plan. The work is within 100 feet of the wetlands, so a straw waddle will be used to prevent erosion. The project is outside of the flood plain. The surveyor said that the new system must be at grade.

S. Werle asks about the name of the engineer. Smith responds Environmental Design, Inc.

Werle continues that the project seems to be exempt activity because it was cleared by an engineer and erosion control will be used. Smith says the project is exempt under the River Front Area Act, but not the Wetlands Act, which is why they are filing. Smith recommends a negative determination checking both box 3 and box 5.

*MOTION by S. Werle to issue Box 3 and Box 5 Negative Determination for RDA 2024-05 filed by **Ron Rodden** for a septic system repair within the existing lawn at **392 Old Greenfield Road (Parcel #39-0-050)**. Seconded by A. Reiber. VOTE Mark Fairbrother (AYE), Anthony Reiber (AYE), Donna Francis (AYE), Sean Werle (AYE). MOTION PASSES 6:46pm.*

**RDA #2024-06 - Request for Determination of Applicability**, filed by **U.S. Geological Survey, Eastern Ecological Science Center, S.O. Conte Research Laboratory** to determine whether the proposed discharge of small amounts of bentonite clay to the Connecticut River mainstem, as part of conducted experiments at the **S.O. Conte Research Laboratory, 1 Migratory Way (Parcels #08-0-3 & #08-0-1)**, is subject to the Wetlands Protection Act.

Kevin Mulligan, ESGS Engineer describes the conditions. He brought additional packets of information for the Commissioners. The Conte Lab is situated on the Power Canal where they collect and discharge fish. Engineers would like to discharge between 600-800 pounds of clay into the canal as part of a study to understand how the Sea Lamprey are guided by light. They want to know if they can (using light) guide the fish to the floor where they can be collected. Mulligan has reached out to MASS DEP which made the suggestion of creating turbid conditions. Mulligan shows images of what the water will look like while they are testing sometime between November and December 15, 2024. The clay will be discharged over several days.

S. Werle questions the permit pathway and wishes they had filed an NOI. The Agent responded that the RDA filing was requested by Mark Stinson at DEP. Werle asks if they should check a Negative Box 3 with the assumption that because the clay is bituminous there is no alteration.

D. Francis asks how much sediment will go into the basin. Mulligan responds that most of it will go downstream.

The Agent asks why the Sea Lamprey are a problem in the Great Lakes. Mulligan responds that Sea lamprey are large and they decimate the local fish population.

Mulligan outlines the testing; 400 pounds will be discharged one night, and 400 pounds discharged another night. Environmental impacts are not expected.

*MOTION by S. Werle to issue a Negative Box 3 Determination conditioned with a 800-pound maximum for **RDA #2024-06 - Request for Determination of Applicability**, filed by **U.S. Geological Survey, Eastern Ecological Science Center, S.O. Conte Research Laboratory** to discharge small amounts of bentonite clay to the Connecticut River mainstem as part of conducted experiments at the **S.O. Conte Research Laboratory, 1 Migratory Way (Parcels #08-0-3 & #08-0-1)**. It is strongly suggested that future tests of this nature be filed as an NOI. Seconded by D. Francis. VOTE: Mark Fairbrother (AYE), Anthony Reiber (AYE), Donna Francis (AYE), Sean Werle (AYE). MOTION PASSES 6:58pm.*

**OLD BUSINESS:**

Falls Farm Violations– Old Sunderland Road (Parcels #50-0-18), property owner: James Arcoleo; Old Sunderland Road (Parcel #50-0-05, property owner: Falls Farm LLC; and Meadow Road (Parcel #50-0-04), Montague, Property owner: Falls Farm LLC

The Agent reports no updates. The Chair reminds the body that the DEP will provide updates when they are ready. A member of the audience who lives across the street from Falls Farm has had interactions with DEP, which are proceeding independently.

DPW will patch the road on Old Sunderland Road, near Falls Farm.

**TOPICS NOT ANTICIPATED WITHIN 48 HOURS**

The Agent informs the Conservation Commission about an opportunity to understand the Community Preservation Act (CPA) through FRCOG. The Agent is looking for three Montague residents to spearhead an educational initiative which could provide funding for open space, historic preservation and housing.

**ADJOURN:**

*MOTION by A. Reiber to Adjourn. Seconded by D. Francis. VOTE: Mark Fairbrother (AYE), Anthony Reiber (AYE), S. Werle (AYE), Donna Francis (AYE). MEETING ADJURNED (4-0) 7:06pm*