



**TOWN OF  
MONTAGUE  
MASSACHUSETTS**

TOWN HALL  
One Avenue A  
Turners Falls, MA 01376

CONSERVATION COMMISSION  
(413) 863-3200 ext. 112  
Planner@montague-ma.gov

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**CONSERVATION COMMISSION  
APPROVED MEETING MINUTES**

**Thursday, December 12, 2024 6:30 PM**

**Annex Meeting Room, Town Hall, 1 Avenue A, Turners Falls and via Zoom  
Meeting was recorded**

**6:31PM: ROLL CALL**

PRESENT: Mark Fairbrother (Chair), Anthony Reiber, Donna Francis, Sean Werle, Margaux Reckard, Justin Fermann, Al Averill, Toby Carter

ABSENT: None

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

ALSO PRESENT: Brian Wood and Andy Bridges (FirstLight Power)

**MINUTES:**

*MOTION by Al Averill to Approve the meeting minutes from August 8, 2024 with minor typo edits. Seconded by T. Carter VOTE: Mark Fairbrother (AYE), Anthony Reiber (ABSTAIN), Donna Francis (AYE), Sean Werle (AYE), Margaux Reckard (AYE), Justin Fermann (AYE), Al Averill, (AYE), Toby Carter (AYE). (7-1-0) Motion Passes 6:36pm.*

*MOTION by J. Fermann to approve the meeting minutes from September 12, 2024. Seconded by A. Reiber. VOTE: Mark Fairbrother (AYE), Anthony Reiber (AYE), Donna Francis (ABSTAIN), Sean Werle (AYE), Margaux Reckard (AYE), Justin Fermann (AYE), Al Averill, (AYE), Toby Carter (AYE). (7-1-0) Motion Passes 6:39pm.*

Meeting Minutes from October 17, 2024 were tabled.

**PUBLIC MEETING:**

**RDA #2024-07 - Request for Determination of Applicability**, filed by **FirstLight Power**, to determine whether the proposed landscape garden beds at the **Turners Falls Fishway, 2 Gatehouse Drive (Parcel #04-0-0005) and 0 First Street (Parcel #04-0-0007)** is subject to the Wetlands Protection Act.

Brain Wood shares the drawing of the landscaping plan, created by Snow and Sons Landscaping. The current landscaping is about 40 years old, overgrown and of invasive species. The goal is to open the space for visibility of the fish ladder facility. Some of the mature trees (shad bush trees) will remain but the smaller plants and flowers will be completely refurbished with native species. A large pear tree will need to be removed. The Franklin Tech School welding shop will build a bench.

J. Fermann asks if the amount of impervious surface will change. Bridges responds "No."

Wood thinks the new plan will be a more inviting space. Getting rid of the invasives is the first step before

selecting the specific variety of plants.

*MOTION by S. Werle to authorize **RDA #2024-07 - Request for Determination of Applicability**, filed by **FirstLight Power**, to determine whether the proposed landscape garden beds at the **Turners Falls Fishway, 2 Gatehouse Drive (Parcel #04-0-0005) and 0 First Street (Parcel #04-0-0007)** with a Negative Box 2 determination with the final site plan submitted before planting. Seconded by J. Fermann. VOTE: Mark Fairbrother (AYE), Anthony Reiber (AYE), Donna Francis (AYE), Sean Werle (AYE), Margaux Reckard (AYE), Justin Fermann (AYE), Al Averill, (AYE), Toby Carter (AYE). (8-0) Motion Passes 6:49pm.*

## **UPDATES:**

### Cabot Station Power Canal Left Dike

The Agent reports that the previously-approved Negative Determination #5 to FirstLight Power Services LLC (applicant) for the project at Cabot Station Power Canal Left Dike off of Montague City Road and Cabot Street. The project involves the installation of a drainage pipe at the toe of the Power Canal Left Dike. Work includes the following tasks. (1) Clearing and grubbing of project work area. (2) Placing erosion controls measures. (3) Installing the temporary dewatering system for the excavation of the trench. (4) Excavating the trench for the drainage system. (5) Installing the perforated pipe drainage system. (6) Backfilling and compacting the project work area. (7) In-situ testing of soil material (density, moisture content, etc.) before and after compaction. (8) General site restoration.

Andy Bridges gives an update; the seepage was identified 20 years ago and could become dangerous. The water table was too high to begin the work in August, but progress was made when the canal was drawn down. The site has been excavated and the pipe has been laid. Freezing weather has shut the project down until the spring of 2025. The bike path might need to be closed for 2 weeks to finish the work. Straw and turf reinforcement mats have been used thus far to prevent erosion. All work is going as planned.

## **NEW BUSINESS:**

### Montague's Preliminary Flood Hazard Data

The Agent reports that FEMA is updating flood data for Franklin County. New information is available and there will be an open house in the future. Montague is required to go through a flood plain bylaw review before getting approval by Town Meeting next year. The Agent is working with FRCOG to understand an outreach strategy, especially for residents who live in flood plains. Current plans are from 1980-1982. FEMA has an appeals process for residents regarding boundaries. The Agent provided the Commission with the link to the new flood plain data.

### Waidlich Conservation Fund

The Agent and the Chair remind the Commission that the Commission may discuss and vote to request \$10,000 funding to the Waidlich Conservation Fund at the FY2026 Annual Town Meeting. This is a regular request of Town Meeting. The last contribution of \$10,000 hasn't been spent. The point is to let the money accumulate for the purpose of a significant purchase. The current balance is about \$37,000. The Commission would like to get the fund to \$50,000.

*MOTION by J. Fermann to request \$10,000 on the Town Warrant for the FY2026 Waidlich Conservation Fund. Seconded by D. Francis. VOTE: Mark Fairbrother (AYE), Anthony Reiber (AYE), Donna Francis (AYE), Sean Werle (AYE), Margaux Reckard (AYE), Justin Fermann (AYE), Al Averill, (AYE), Toby Carter (AYE). (8-0) Motion Passes 7:05pm.*

### New Unpaved Roads Stormwater Management Tool Review

FRCOG has created a toolkit for towns geared toward the repair of unpaved roads. The document contains

best practices for DPW staff. Justin Fermann thinks it's an important tool for the Town, especially for culvert washouts.

#### **OLD BUSINESS:**

Springdale Cemetery – To review and approve of the submitted Wetland and Buffer Zone Restoration Inspection Report pursuant to Conditions 2, 3, 4, 5, and 6 of the previously approved Negative Determination #3 (**File RDA #2024-04**)

The Agent summarizes that restoration work was previously approved by the Commission, and tree saplings have been planted. The Agent saw the site in November (during the drought) and the trees looked healthy. The Cemetery Commission is required to give regular reports on the growth of vegetation.

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**.

In early August, MassDEP issued an administrative order to Falls Farm LLC, who has hired Goddard Consulting. The firm has issued a wetlands delineation and restoration plan to DEP. The Agent has spoken with staff at DEP; the site stabilization plan outlines best management practices for current and future activities including water collection, well digging, stormwater management and other ways to prevent erosion and sedimentation. Falls Farm staff removed sediment on culvert #2 on Meadow Road with the authorization of DEP.

#### **PREVIOUS ORDERS OF CONDITIONS:**

**(DEP #22-0256/ NOI 2024-01) to NSTAR Electric Company d/b/a Eversource Energy for the 21C6 Distribution Line Reconductor Project.** Jurisdictional activities include installation of two (2) new distribution poles, grading for installation of a temporary matted work pad and removal of thirteen (13) trees in the 200-foot Riverfront Area and/or 100-foot Buffer Zone along Migratory Way and within the 21C6 ROW between Migratory Way and the Connecticut River.

Trees have been removed and Eversource has a DEP file number. The Agent is not sure if Eversource has started work on the distribution lines. The Planning Office received a few calls about the project and the Agent confirmed that the work is authorized.

#### **POSSIBLE VIOLATIONS:**

**Rod Shop Road (Parcel #12-0-052) - tree cutting within Buffer Zone**

The Agent and several members of the Commission had a site visit in the summer of 2024, at which time they determined that the tree cutting was outside of the buffer zone. The owner of the property is removing more trees, also outside of the buffer zone.

#### **ADJOURN:**

*MOTION by A. Reiber to Adjourn. Seconded by D. Francis. VOTE: Mark Fairbrother (AYE), Anthony Reiber (AYE), Donna Francis (AYE), Sean Werle (AYE), Margaux Reckard (AYE), Justin Fermann (AYE), Al Averill, (AYE), Toby Carter (AYE). (8-0) Motion Passes 7:25pm.*