

Montague Planning Board

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Tuesday, November 16, 2010

MEETING MINUTES

Board Members present: Ted Armen- Chair, Don Valley, Ron Sicard, Bruce Young, Fred Bowman

Board Members absent: none

Staff: Walter Ramsey, Planner

- **Approval of Minutes:**

A motion was made by Ted A. to approve the minutes of the October 26 meeting. The motion was seconded by Ron S. All approved.

September 28th minutes to be approved at the next meeting.

- **Public Hearing: Zoning Map Amendment to Water Supply Protection District by the Turner Falls Fire District**

Present: Mike Brown- Turners Fall Water District (TFWD) Superintendant, Kevin McCarthy- TFWD, Steve Call-TFWD, Nancy Holmes-TFWD, Dave Harwood- Stantec Hydrogeologist, Frank Abbondanzio- Town Administrator

Public hearing to discuss a zoning map amendment to the Water Supply Protection District encompasses the Zone II aquifer recharge area surrounding the Hannegan Brook well. The boundaries of the district are approximately from the east side of Lake Pleasant to the west side of Route 63 and from mile marker 11 on Route 63 north to the Millers River in Millers Falls. Ted A. stated that a few people had raised questions about the delineation boundaries.

Harwood addressed the group first. As part of the permitting process with the state, Stantec documented the Zone II, which is the contribution zone under severe conditions. When they approved this part of the water management permit amendment, the DEP required the Water District make the best effort to have the town adopt protection for the Zone II.

Harwood answered questions about how the zone was delineated. There are different methods for delineating Zone II. There's the analytical, which is the easy way and there's the numerical which is the expensive way. This was an analytical delineation. Initially, the DEP thought the zone was too small. We changed some assumptions and came out with a slightly different area. The boundary is between the aquifer materials, the sandy gravel, and the upland, which is glacial till. This is not permeable and not considered part of the aquifer. This is considered the flow boundary between groundwater that becomes captured by the pumping well and groundwater that's not captured. Basically it flows towards the Connecticut River. There is a basin boundary between the Connecticut River and the Millers River where surface water would flow this way. Under pumping conditions the surface water divide isn't necessarily the same as the groundwater divide. Under pumping conditions it could push the groundwater divide beyond the surface water divide and that's the reason why the contribution zone passes the basin boundary. It's overly conservative.

Ted A. noted that the original area was more to the south and asked if that was the basin area. Brown replied that the original delineation only included the Connecticut River basin. It did not cross the basin boundaries and DEP

didn't like it. Frank A. asked if the inclusiveness of the total of Millers Falls was something that the DEP required, i.e. Millers Falls proper from the railroad tracks. Harwood replied it became a consequence of what they wanted. They didn't say they wanted Millers Falls in it but they wanted the orientation of the capture zone in that direction so that ended up causing the village of Millers Falls to be in it.

Frank A. asked if there wasn't a way that you could have just come up to the railroad bridge where it crosses Route 63 on the outskirts of the city, and stop there, rather than going the next half-mile to the river. Several people have asked. He noted that there are supposedly hazardous chemicals there. As an anecdotal example, what happens if 15-20 years from now we are all driving electric cars and we want to put a charging station there? You can't do it because you're going to have hazardous chemicals so that basically rules out an electrical charging station. You'd basically be assuring that's never going to happen in Millers Falls proper and I don't know what the remedy would be other than to go back and somehow find a way to re-zone it into a separation or an area.

Dave Harwood asked if it was possible for someone to go for a special permit in that zone under certain conditions. Walter Ramsey noted it was possible for certain uses. Some of them are strictly prohibited. A gas station is one of them. The overlay wasn't meant to overlay Montague's village districts. It was meant to protect the outlying resource areas. It's not an ideal regulation for land use in Millers Falls proper. Frank Abbondanzio asked what the remedy would be should we find ourselves in that position in 15 years. Walter Ramsey responded that the way our zoning bylaw is precedented is that the Town adopt the water supply protection district as it's mapped by hydrologic study. But we could go back and change the actual zoning so it's more favorable to our village areas.

Harwood noted that if you were to do a capture zone analysis under actual pumping conditions as they are today, you probably wouldn't include downtown Millers Falls. That's an extreme no recharge 180 days and maybe more and it's overly conservative. Bruce Y propositions to cut out Millers Falls Proper. DEP can't force the town of Montague to accept what they would prefer to have. Most of it is mapped as Zone III already so it seems like that can be an option. Bruce Y: We could say "In the Water Department's opinion, under actual pumping conditions this isn't going to contribute to the wells and in extreme condition we'll take that into account. Otherwise this is what we decided on." Mike Brown replied that you could do that. You can cut out wherever you want, but it could potentially create problems to have an area that's different from what the state has. He suggested talking to the state to ensure that it wouldn't create problems for us now or in the future.

Mike Brown was asked if he would prefer to go with it as it is. Mike replied that he would be a little bit concerned for the Water Department to get involved with the DEP in a dispute. He would prefer that problems be dealt with by the Planning Department. He also expressed frustration with the lengthy process of the well project, which has been on going for at least a decade. Ultimately the TF Water District is requesting that the entire Zone II be protected. Who knows what it can produce for the future. We could be selling water to another small community in the future.

Discussion resumed concerning how the current delineation would handicap the residents of Millers Falls in the future. Don V's example is a charging station for electric cars. Frank Abbondanzio noted that the proposed delineation does not make sense scientifically. It already has serious non-conforming uses in the area, including a railroad that's been leaching all kinds of hazardous materials for years and junkyards that we're trying to get under control. The line makes sense somewhere further down Route 63, probably where the surface dividers are. This is probably where you're talking about drainage into that well. Downtown Millers Falls drains into the Millers River. It was agreed, noting that pumping can push the groundwater right past the surface water though he thought it's too far for that to happen.

The group discussed whether or not it would make more sense to create the zone and overlay and change the boundary than to just say we're not going to adopt it. Walter R- the Water Supply District objective was to cover

that area of the Plains and maybe even the Dry Hill area. It was, arguably, never intended to include entire village centers into the Water Supply District.

It was noted that the Turners Water District Board of Directors presented what the DEP wanted and the Planning Board didn't think it was a good idea to go into an already developed downtown and restrict it further on the other side of a divide.

Someone asked if there was any detailed geologic mapping in that area and if anyone really knows what the actual capture zone is. Dave Harwood indicated the boundary was based on USGS mapping and what usually happens is some facility wants to build right on the line and it's up to them to establish whether they're in or out. Harwood indicated on the map where the base and boundary between the Millers River and the Connecticut River are located. So this whole area is still going to be in the state's Zone II but it wouldn't be in the Aqua Protection District for Montague. Someone asked if all we are concerned with is the downtown area, why can't it be everything except but the downtown area? Harwood indicated you could do that too. It's whatever you feel like you could justify, whether it was a physical boundary based on GIS data or a political one. Route 63 at the trestle bridge was suggested as a potential boundary. The bridge is located over the railroad tracks, just before Felton's property.

The group discussed various studies which had been done for the area. The Water Department has studies going back to the early 1960's as well as Massachusetts Water Resources and USGS data. All of this is depth to bedrock. This is the pre- [unintelligible] channel of the Connecticut River, before it was diverted and went over the falls after the glacier. The problem is we don't have a lot of information on this quad. There was a study that was done for the Mass Department of Transportation, possibly in 1970, where they were going to put the sanitary landfill on the Montague plains. They actually mapped the groundwater flow. You can see that the surface dividers are the same as the groundwater dividers.

Ted Armen asked for additional comments from the public, followed by a motion to close the public hearing.

A motion was made by Ted Armen to close Public Hearing for zoning map amendment to the Water Supply Protection District. Seconded by Ron S and approved by all.

Further Discussion:

Don Valley :If you turn the whole of Millers Falls into a Zone II, you could be opening up a can of worms for contaminated properties that the Town eventually takes for back-taxes? The town receives special scrutiny from DEP because it is within that zone II. It was speculated that the tests were very inconclusive, possibly in an effort to be overly safe.

A suggestion was made to endorse the idea of going around the downtown, south of Highland and then up to this stream, basically cutting out the urban area. Ultimately the group agreed that the basin line between the Connecticut River and Millers Falls river was the most appropriate northern boundary for the WSPD. The board can support this decision based on our future land use map that shows the area we are excluding as a village center that's intended for infill development. Don V- We are somewhat bound by these long term plans and maps and it is our role to ensure that vision.

Ted Armen asked for further discussion. Walter Ramsey asked if we want to consider any text changes to the district. Now would be the time. Walter asked Bruce Young to give the group some prospective as to if he thinks the zoning by-laws for the Water Supply District are out of date. They were written in 1991 based on what the EPA recommended then. Bruce Young replied that we had gone back and forth on the zoning changes for the first three years he was on the board. The by-laws were completely re-written before he even came on. He didn't think

it was worth even discussing at this time. Any change we try to make gets bogged down. Ted Armen asked for the motion to be confirmed.

A motion was made to recommend that the town accept that the Water Supply Protection District be applied over the Zone II of the Hannegan Brook Well as defined by the map and modified by this meeting by Ted A. Seconded by Ron S.

All members voted "Aye".

Announcement: Strathmore Mill Technical Assistance Panel Dec. 1, 2010 A review of the schedule and goals. Walter Ramsey reported that they did settle on a date. December 1st for sure for the Urban Land Institute coming to Strathmore. So we have them committed. He sent them out a draft of the RFP and they are going to review it, make some suggestions, and a few weeks after the event they are going to help us with the revised draft. Someone asked who they were going to interview as stakeholders in the development of the town. Has an agenda been lined up of who might come? Walter Ramsey replied that they are coming here in the morning and they are going to do a tour with David Jensen and himself and then they are going to do a series of group interviews, first with the immediate stakeholders: Frank, Walter, David, town departments mostly. Then they are going to do interviews with abutters; Southworth, the hydro company, the power company, and then interviews with local experts. Representatives from the Business Association, the FRCOG, and the Franklin County Housing and Redevelopment Authority will be present. It's going to be a long day of tours and interviews and in the afternoon they are going to formulate their ideas based on what they've seen. At the end of the day do a public presentation based on their findings. Then go back home and write a report and give a report back in two or three weeks. The Town will receive a hard copy of what their recommendations and observations.

Ramsey- "It's our disposition strategy. Writing a solid RFP goes a long way. It can attract the right investor or attract the wrong investor". Fred Bowman agreed and added that when you flip it on the other side, the cost of doing that building over, tearing it down, then opening it up to development. Flip it. You're going to find it will cost multiple millions of dollars to refurbish that building. And the longer you wait to get somebody to come in and start something, then you're going to be looking like we did in Greenfield five or ten years ago tearing down GTD.

Walter Ramsey indicated that the tour is at 9:00 a.m. on December 1st. The Planning Board is invited along for the tour of the Strathmore and of course for the report at 4:00 p.m. They've assembled a panel of six members. It looks like a pretty good panel with the municipal economic development expert from Springfield, there's a traffic analyst, a civil engineer, a market analyst, a construction specialist, and one other I can't remember. It should be a good team. They're going to give us a fair assessment. Don Valley recalled a comment Pat Allen made at some point that has just seemed like common sense. Other than the fact that the foot bridge is critical, she said maybe we have to market this a piece at a time. Well to me, that building itself is in very good condition. It's something I've wondered why we hadn't done for the past five years.

Award announcement: HUD Regional Sustainability Planning Grant. Montague is a consortium partner in the grant which over the next three years will produce a Franklin County Regional Plan and also a Turners Falls Master Plan. Walter Ramsey noted that he announced this to the Select Board maybe a month ago but had not mentioned it yet to the Planning Board. FRCOG went after a grant offered by Housing and Urban Development called Regional Sustainability and they actually went out and got the grant, which was a pretty big award. He thought that only about 45 were awarded to different regions. Larger towns in the county are partners in the project. The grant is awarded over three years and it's to develop a regional plan which has never been done in Franklin County. There have been separate plans on a regional scale but this is going to pull them all together and do the process from the ground up. As a partner in the project, we are also going to receive a smaller part of the grant to conduct a downtown master plan for Turners Falls. There are four other larger towns in it. Greenfield is using their money towards developing a master plan for the entire town or just using it to develop some low

impact development regulations. Deerfield is doing some storefront improvements. So we won't be getting around to the Turners Falls Master Plan for about a year and a half or so but this is going to pay for most of it at no cost to the town, just through my in kind services. A major focus on that grant was on the arts and River Culture as partner helped strengthen the whole overall regional application. Bruce Young asked if FRCOG is eligible to respond when that RFP goes out. Walter Ramsey was not sure if the Town would contract with the FRCOG or another consultant. The award amount is currently estimated to be about \$44,000.00, with an in-kind match.

Other Discussion: Don Valley formally submitted his resignation at the end of the meeting. He has been a strong member of the planning board for about 6 years and will be missed by the Planning Board.

A motion was made to adjourn by Ted A. Seconded by Don V. All approved. Meeting closed at 8:35 PM

Approved by: _____ Date: _____