

Montague Conservation Commission

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MEETING MINUTES

Thursday, December 11, 2014 – 6:30 pm

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

Commissioners Present: Mark Fairbrother - Chair, Alex Peterkin, Addie Rose Holland, Sean Werle, and Donna Francis

Commissioners Absent: Deb Picking, Justin Fermann

Staff Present: Walter Ramsey - Agent

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

Approval of November 13, 2014 Minutes:

Motion made by Sean Werle to accept the November 13, 2014 meeting minutes as amended. Seconded by Addie Holland **Motion passed unanimously.**

Request for Certificate of Compliance – NOI 2013-03 DEP file 229-0234 filed by Nicholas Salustri for work at 97 Greenfield Road- bank stabilization for driveway

SVE Associates contacted the Commission to order a Certificate of Compliance for Nicholas Salustri. Walter did a site visit recently and all appears to be compliant with the Order of Conditions. The rip rap embankment was installed and is functioning. The work will not solve all flooding issues due to the under size culvert downstream from the property; however there is some protection given to Mr. Salustri's driveway and utilities going forward. Silt barrier fence remains. To be removed in spring. Walter recommended a complete certification for the project. Addie Rose asked for follow-up as to whether Mass DOT might address the issues of the undersized downstream culverts in connection with the Greenfield Road reconstruction project. According to Walter, MassDOT position is that they are not willing to replace driveway culverts on private property. Agent acknowledges and commended Mr. Salustri for following through with the proper permitting process.

Motion made by Addie Rose Holland to issue a Certificate of Compliance – NOI 2013-03 for Nicholas Salustri. Seconded by Alex Peterkin. **Motion passed unanimously.**

Agent Updates:

- **Notification of Maintenance Activities: Cabot Station Dike Repairs by FirstLight Power Resources**

The commission received a notice that FirstLight is continuing work on the berm/impoundment at the bike path where more dredging is taking place to improve the drainage. It is part of the originally proposed work to be done in the area. The work is considered exempt due to the fact that it is maintenance work and it had been awhile since permission was given so they wanted to notify the Commission that there would be work continuing down there. There are beavers currently in that area but do not seem to be a problem at this point.

- **Cutting activity at 145 Taylor Hill Road**

Guest: Bruce Young, owner

A concern was raised by Sean Werle that there has been some cutting of trees done in wetlands buffer zone at 145 Taylor Hill Road. This cutting took place in an area that was specifically conditioned not to be cut in the OOC issued for the original construction of the house. That OCC has since expired. The property owner, Mr. Young, cited the cutting of the trees along the street line as a roadway safety improvement- an exempt activity. Werle feels that this is unlikely given that the cutting cleared a defined area around the driveway, and removed every tree in this area. In Werle's opinion it is very unlikely that all of these trees were rotted and constituted a hazard to the roadway, and even if they were an RDA should have been filed to establish this fact before clearing the wetland buffer zone around the driveway. No further action is required regarding the alleged violation at 145 Taylor Hill Road.

Mr. Young would like to have been notified in writing that the discussion was taking place and feels like the issue could have been handled entirely outside of a public meeting. There was some discussion among the group as to the proper process. All agreed that there is room for improvement. Mr. Young advocated for a local wetland bylaw and/or guidelines. Agent apologized for not formally notifying Mr. Young that his property was on the agenda.

- **DEP Regulatory Updates**

Walter will email copies to everyone regarding the DEP Regulatory Updates that were presented by Mark Stinson. Walter will order a hard copy to have on file in the office.

- **Approve 2015 meeting schedule**

The 2015 schedule was fine with everyone. Anne will mail a pdf of the schedule for everyone.

Motion made by Addie Rose Holland to adjourn the meeting Seconded by Alex Peterkin. **Motion passed unanimously.**

Meeting adjourned at approximately 7:20 PM.

Approved by: _____ Date: _____