

# Montague Conservation Commission

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## MEETING MINUTES

Thursday, April 9, 2015 – 6:30 pm

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

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

**Commissioners Absent:** Deb Picking

**Staff Present:** Walter Ramsey - Agent

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

### Approval of Minutes:

**Motion** made by Sean Werle to approve the March 12, 2015 minutes with minor grammatical edits. Seconded by Addie Rose Holland. **Motion passed unanimously.** Donna Francis abstained.

**Public Hearing: Notice of Intent #2015-02 filed by Tom Bergeron – Town of Montague** to repair of a drainage wash-out immediately adjacent to Millers Falls Road and associated drainage improvements.

**Guest:** Bill Storti, P.E. - Weston & Sampson Engineers

Mr. Storti presented the project. The proposed project consists of stabilization to an existing drainage wash-out on Millers Falls Road and associated drainage improvements. Silt fence or silt fence and straw bales will be installed down-gradient of all work areas to control soil erosion and sedimentation. The wash-out is currently causing cracking and destabilizing the adjacent roadway. The project area is limited to a portion of the Town of Montague Millers Falls Road right-of-way and an undeveloped parcel owned by Eversource. The project is within the buffer area of a bordering vegetated wetland and bank of a hydraulic connection to the Millers River. The lower part of the slope at the water's edge is located in a FEMA designated Flood Hazard Area, Zone B. The focus of the project is to rebuild and stabilize the wash-out area immediately adjacent to Millers Falls Road, one of the main roadways connecting Millers Falls and Turners Falls. The project will also improve the drainage patterns in the area and eliminate storm water flow from over-topping the curbing and further damaging the slope. This project consists of the stabilization of a washed-out slope, under drains, reconstruction and construction of the formal drainage system and reconstruction of existing roadway. The disturbed slope, which is currently rip rap, will be repaired using a vegetative slope (2:1) with a stone and sand gravel mix and geotextile fabric for reinforcement. There are 3 catch basins with a 24 inch pipe. Temporary impacts include construction related disturbances to excavate and remove the existing debris, trees, and loose material on the slope; installation of drainage improvements and re-establishment of the outfall; and reconstruction the roadway as well as installation of erosion and siltation control measures. Erosion control will be handled by the contractor doing the job and it was suggested that staying on the outskirts and using a crane will be the method used during the project. Eversource has granted construction access. They will seek a permanent drainage easement from the Town post-construction. Weston & Sampson ran a hydraulic model for a 100 year storm. The grant funding for this project comes from FEMA which requires that the project meet 100 year storm standards.

The agent presented DEP's written comments:

- DEP and the agent had concerns regarding erosion control due to the proposed use of only one straw bale fence. To address this, the engineer proposed an additional straw bale fence.
- DEP asked that the applicant review feasibility of adding a step pool or conveyance system feature to the stormwater discharge to reduce the velocity. According to the engineer, this is unrealistic because it would require substantial fill and bring the channel further into the river resource area. Trapping water on steep slope is not a good idea. The scour pad is more than adequate to handle the velocity. The commissioners questioned the specs of the channel and scour pad and were satisfied with the design.
- The project has been submitted to NHESP but comments have not been received back as of the meeting.

**Public Comment:**

David Brule, an abutter & Erving Conservation Commission member brought the following items to the attention of the commission:

- The ecological value of the ‘oxbow’, as habitat for trout and greenback heron and hydrological connection to the Montague Plains Aquifer.
- Concern about the velocity of stormwater discharge
- Concern about trapping of pollutants such as road salt and grease.
- Time Frame of project as not to interrupt the nesting of native species. Storti confirmed that project will occur later in summer. Commission is waiting whether NHESP will suggest a time constraint.
- Standard conditions regarding fuel storage and refueling etc will be in place. Fairbrother confirmed that those are part of the Montague standard order.

Bill Storti from Weston & Sampson made a request, on behalf of the Town to continue the NOI #2015-02 to the next Conservation Commission meeting on May 14, 2015, in order for NHESP to provide comments.

*Mark Fairbrother stated that NOI #2015-02 will be continued to May 14, 2015 at 6:30pm.*

**Public Hearing: Notice of Intent #2015-03 filed by Gus Bakas – First Light Hydro Generating Company** to remove a collapsing retaining wall and restoring a natural shoreline on the Connecticut River.

**Guest:** Bruce Griffin, Senior Scientist – New England Environmental and Beth Bazler – First Light Hydro Generating Company

Bruce Griffin presented the project. Camp lessee has been notified. NHESP has been submitted, but we are awaiting comments. A pre-construction application has been submitted to the Army Corps. DEP has issued a file number 229-240 with the comment that the project may require a Chp 91 permit. After speaking with David Fowler a Chp 91 permit will not be required.

The project will begin with construction of a temporary access road through the woods and across existing lawn to the riverbank (186 elevation level). There is not much of a difference between the regular high water elevation and the 100 year flood at this location. There will then be demolition and removal of a deteriorating wooden retaining wall and existing wooden deck. Trees on the unstable slope will be removed and saved if appropriate for use as a stabilizing woody structure. The bank will be moved back and altered by 191 linear feet and 1,414 square feet boarding land subject to flooding as well as 2,433 square feet of riverfront area associated with the access road are the areas of impact. The slope will be graded back and planted with native vegetation (including 6 oak, 54 shrubs (arrow wood, spice bush and maple-leaf viburnum and 80 ferns) which will help with flood storage. Invasive species will be uprooted

and removed from the site. A precast concrete ballast will be installed as an anchor for a seasonal dock, replacing an existing wooden dock. Large stones and logs with root wads will be placed at the foot of the slope –geo-lift slope with natural vegetation (including brush mattresses of elderberry and shiny willow, tubblings and plugs of pussywillows, redrosa dogwood, broom and fox sedges). More logs will be placed at a lower portion of the bank above the water line thus defining the outer edge of a new aquatic shelf. Native plants (2,400) including broadleaf aquatic plants, sedges and bulrushes will be used.

As this property lies within estimated habitat of rare wildlife and priority habitat of rare species, this project is subject to the Massachusetts Endangered Species Act (MESA), and a copy of the NOI has been sent to the Natural Heritage and Endangered Species Program for MESA review.

Beth Bazler from First Light Hydro Generating Company made a request to continue the NOI #2015-03 due to not hearing back from NHESP to the next Conservation Commission meeting scheduled on May 14, 2015.

*Mark Fairbrother stated that NOI #2015-03 will be continued to May 14, 2015 at 6:30pm.*

**Agent Updates:**

**Proposed Northeast Energy Direct (NED) Pipeline by Kindermorgan:**

FRCOG has set up an advisory committee regarding the Kindermorgan Pipeline Project. Walter recently attended a FRCOG meeting where a Pipeline Advisory Group has been formed and they are asking for all the towns to team up for legal and technical assistance that would be provided through the FERC process.

The FRCOG would draft up filings on behalf of the towns and hire consultants to review and comment on the environmental filings done by Kindermorgan. There would be a host community agreement drafted so that the towns would agree with Kindermorgan in the setting of conditions such as: construction, time frame, working hours, roads to be used. The Pipeline Advisory Committee would prepare information that would be distributed to the public. Each town would then be asked to financial contribute anywhere from \$8,500 to \$20,000.

Walter distributed a draft of the requested pipeline letter for comments and suggestions. The letter urges the FERC to consider and protect the impacts on land, habitats, water and aquifers and avoid segmentation. Justin asked for the last paragraph to take a more firm approach. Addie asked how the letter should be framed. Justin and Mark both shared that the Conservation Commission could not take a side or be against the proposal but instead urged that FERC continue to give and maintain our local controls under the Conservation Commissions purview. The letter will be sent out with signatures from the Conservation Commissioners.

**Motion made by Sean Werle to adjourn the meeting Seconded by Justin Fermann. Motion passed unanimously.**

Meeting adjourned at approximately 7:57 PM.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_