

Montague Conservation Commission

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MEETING MINUTES

Thursday, September 13, 2018 6:30 PM

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

Commissioners Present: Mark Fairbrother - Chair, Alex Peterkin, Donna Francis, Laurie Reid-Associate
Deb Henson, Justin Fermann, Addie Rose Holland and Sean Werle

Staff: Walter Ramsey – Agent

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

Approval of Minutes: August 9, 2018

Motion made by Donna Francis to approve August 9, 2018 minutes. **Seconded** by Alex Peterkin. **Motion passed.** Justin Fermann and Deb Henson abstained from vote.

Public Meeting – Request for Determination of Applicability RDA #2018-02 filed by U.S. Geological Survey, Conte Anadromous Fish Research Laboratory to determine whether proposed repairs to an existing boat launch area at One Migratory Way is subject to the Wetlands Protection Act. Work will occur in the Riverfront Area associated with the Connecticut River.

Guests: Alex Haro – Research Ecologist, USGS and Adria Elskus –Branch Chief USG & Fish Biologist

Alex Haro and Adria Elskus from the USGS presented the background information along with the current state of the boat launch and what they are proposing to be done. The USGS S.O. Conte Anadromous Fish Research Laboratory (CAFRL) was constructed in 1991 (prior to the Riverfront Protection Act of 1996) with an integral boat launch on the mainstream of the Connecticut River to support research activities on the upstream reach of the Holyoke Pool. Over the years there has been minimal maintenance done by CAFRL and the area has endured events of flooding, sediment deposition, erosion, growth and aging of the surrounding vegetation along with blockages from fallen trees. Currently, the boat launch requires extensive maintenance, including regrading, addition of gravel, vegetation clearing, and tree removal.

Since its construction in 1991, the boat launch has been used by many, for launching boats and river access, including Firstlight Power Resources, LLC and their contractors, police and fire along with other state and federal agencies. The boat launch is the only maintained boat launch on the Connecticut River between Sunderland (Route 116 bridge launch) and the Barton Cove boat launch which means that it is a critical point of access for the Connecticut River.

The boat launch is currently functional, but there is heavy overgrowth of vegetation along the roadway along with several trees that need to be removed as they are a threat to fall on the roadway/ramp. There is some river sediment which has accumulated on the ramp way, and drainage from the lower roadway is poor. Given the current conditions, it hinders the parking of vehicles and trailers along with access to the river. The first responder's require the boat ramp to be accessible and functional.

The proposed work is as follows:

- Cut and clear vegetation along the access roads and ramp, to a 20 foot width and a 12 foot clear height

- Remove several large trees (cottonwood, silver maple, sycamore and poplar) which threaten to fall and block the access roads, ramps or block the line of sight for maneuvering vehicles and trailers.
- Remove sediment from the upper ramp and regrade
- Regrade the lower access road where water pools and fill/regrade with 1”-2” stone
- Remove an existing dirt pile to create an additional parking area for vehicles/trailers alongside the lower access road

The work can be done at any time but is proposed to be finished by November 2018.

Walter visited the site with the applicants on 9/10 to confirm the extent of the proposed work.

The Commission inquired about what exemption this project may qualify under. The agent suggested 310 CMR 10.58 (b) (a) – “Maintenance of driveway in existence prior to 1996 - owned by a political subdivision”

Motion** made by Sean Werle to issue a Negative Determination for RDA #2018-02 filed by U.S. Geological Survey, Conte Anadromous Fish Research Laboratory because the work is exempt and is not subject to review by a local wetlands bylaw.. **Seconded** by Laurie Reid. **Motion passed unanimously.

Richard Hubbard, Executive Director of Franklin Land Trust Consider Acceptance of a Conservation Restriction (CR) through the MA Scenic Byways Program for agricultural land owned by Elaine and Janice Kachavos at 80 Sunderland Road. The area is approximately 16.4 acres and is identified as Assessors Map 51 Lot 52.

Guests: Richard Hubbard – Executive Director of Franklin Land Trust, Elaine and Janice Kachavos – Land owners

Richard Hubbard, Executive Director of Franklin Land Trust introduced the Scenic Byways Program and described that there have been many properties in and around Route 2, Route 63 & 47 that have been preserved under the Program. The program and the funds end at the end of September 2018; so they are hoping to have this approved tonight and then it will go on to the Montague Selectboard for approval. The reason for the CR rather than an APR is that this is a working horse farm and also used for recreational horse back riding and does not meet the criteria for an APR. There will not be any public access to the land other than at the permission of the Kachavos Family.

Elaine and Janice Kachavos own 17 ½ acres on Route 47 in Montague near the Sunderland, MA town line. The property is located adjacent to a block of conserved land. The Kachavos land is currently being used as a horse farm. The property includes land that is significant to the Natural Heritage and Endangered Species Program (Box Turtles) and is of agricultural significance. It is adjacent to an existing APR and the Mount Toby State Forest. It is also within the Water Supply Protection District for the Tolan Well.

The Franklin Regional Council of Governments (FRCOG), working in cooperation with the Franklin Land Trust, requests permission to initiate the permanent protection of the Kachavos property (Montague Assessor’s Map 51 Lots 52 and 53) using funds that are available under contract number 56467, the Franklin Region Scenic Byway Land Protection Project. There will be a Memorandum of Understanding between the Town of Montague and the Franklin Land Trust who will be doing the annual monitoring of the CR which they do for all CR’s for the Town of Montague.

The request is to approve and sign the use of the Scenic Byway Land Protection funds to purchase a conservation restriction to be held by the Town of Montague. It is estimated the cost would be \$75,000.

Motion made by Justin Fermann to approve and authorize the signing of the Conservation Restriction through the MA Scenic Byways Program for the agricultural land owned by Elaine and Janice Kachavos located at 80 Sunderland Road in Montague, MA. **Seconded** by Deb Henson. **Motion passed unanimously.**

Note there were four (4) signatories for Kachavos Conservation Restriction: Mark Fairbrother - Chair, Sean Werle, Alex Peterkin and Donna Francis.

Agent Updates:

Forest Cutting FC #2018-03 178 Acres. Location: Ellis & Dry Hill Road Landowner: Turners Falls Water Department 226 Millers Falls Road.

The cutting plan has been active and is now expiring and they want to renew the cutting plan and add a new 54 acre stand as well. Turners Falls Water Department is also doing cutting down around Hannegan Brook under a separate FCP. 226 Millers Falls Road. The same forester will be doing this stand as well.

Topics Not Anticipated:

Montague Center School Pond: Agent fielded a resident complaint expressing concern that the (former) Montague Center School pond it is drying up. It is unclear exactly how this is happening and who/what is responsible. The pond is privately owned and has not been dredged for decades. The ownership status of the check dam is unclear. Commissioners were invited to inspect the culvert inlet from the roadway and report back.

Motion made by Addie Rose Holland to adjourn the meeting at 7:18PM. **Seconded** Sean Werle. **Motion passed.**

Approved by: _____ Date: _____