

Montague Conservation Commission

One Avenue A, Turners Falls, MA 01376

(413) 863-3200 Ext. 207

Fax: (413) 863-3222

Email: planner@montague-ma.gov

MEETING MINUTES

Thursday, April 14, 2016 – 6:30 pm

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

Commissioners Present: Mark Fairbrother - Chair, Donna Francis, Sean Werle and Justin Fermann.

Commissioners Absent: Deb Picking, Addie Rose Holland, Alex Peterkin

Staff: Walter Ramsey - Agent

Mark Fairbrother called the meeting to order at 6:31 PM

Approval of Minutes:

Motion made by Donna Francis to approve the January 14, 2016 minutes. Seconded by Sean Werle.

Motion passed unanimously. Grammatical typos noted to be amended.

Motion made by Justin Fermann to approve February 11, 2016 minutes. Seconded by Donna Francis.

Motion passed unanimously.

Discussion NOI #2013-01 Thomas Memorial Golf & Country Club, Inc. requests a two-year extension to the existing order of conditions that was issued in 2013 to permit maintenance dredging of an irrigation pond. The requested extension is from March 14, 2016 to March 14, 2018.

Guest: Mark Sicard – Thomas Memorial Golf Club

Mark Sicard: Since the granting of the NOI #2013-01 several factors have hindered the completion of the dredging and maintenance of an irrigation pond. The contractor originally hired and approved by the club went out of business. Also there is contradiction between when the work is permitted under the OOC and when it can be done without a Water Quality Cert from the Army Corps of Engineers. The restoration aspect of the project has been implemented and the restoration areas are functioning well.

Agent: If applicant wants to amend the Order to allow dredging during a timeframe outside of special condition #13, the commission requires a written request and formal hearing. Tonight the applicant has requested an extension to the existing Order which can be granted tonight.

Motion made by Sean Werle to grant a two year extension to NOI #2013-01 from March 14, 2016 to March 14, 2018. Seconded by Donna Francis. *Motion passed unanimously.*

6:40 PM Request for Determination of Applicability #2016-04 filed by Kurt Welcome to reconstruct a garage within an area subject to the Wetlands Protection Act. The property is located at 10 Depot Street and is identified as Assessors Map 12 Lot 22.

Guest: Kurt Welcome

Kurt Welcome has a garage that was destroyed by snow 2 years ago and he wants to replace it with a steel structure on same footprint. It is located 55 feet away from a canal drainage ditch at point where it goes underground. The canal is considered intermittent and has “bank”. The area between the garage and culvert is actively maintained lawn. Debris is to be removed from site, per building department

requirements. Agent does not recommend erosion control because of site conditions and inconsequential impact on resource area.

Motion made by Justin Fermann to approve RDA #2016-04 by Kurt Welcome with a Negative Determination Box 2. Seconded by Sean Werle. **Motion passed unanimously.**

6:50 PM Request for Determination of Applicability #2016-02 filed Pan Am Railways, Inc. to determine if environmentally sensitive areas protected by the Wetlands Protection Act have been appropriately identified for the purpose of herbicide application in the right-of-way owned by Pan Am Railways, Inc. in the Town of Montague.

Agent: This railroad runs East-West from Milles Falls to the Deerfield Railyard. The railroads are required every 5 years to come back to the Commission for determination of resource areas. Last week, Walter walked the area of Turners Falls Road to Depot Road with Keith Morris to make sure they were protecting perennial streams identified in the USGS map that was submitted. While on site it was determined that the perennial streams were down an embankment and far enough away (more than 10 feet) from the spraying area. During the site visit it was also noted that all the no-spray marked ties have been repainted and are clearly visible. Walter noted that a large portion of the town is a “no spray” zone which is located around Hannegan Brook Well Zone II in Lake Pleasant. The railroads continue to submit “Yearly Operation Plans” for vegetated maintenance to the town. The type of herbicide used is regulated by the Department of Agriculture, not the Commission.

Motion made by Sean Werle for a positive 2A determination to PanAm Railways, Seconded by Justin Fermann. **Motion passed unanimously.**

6:55 PM Request for Determination of Applicability #2016-03 filed by New England Central Railroad to determine if environmentally sensitive areas protected by the Wetlands Protection Act have been appropriately identified for the purpose of herbicide application in the right-of-way owned by New England Central Railroad in the Town of Montague.

The railroad runs north-south from Millers Falls to Leverett. This ROW was walked in detail 5 and 10 years ago.

Motion made by Sean Werle for a positive 2A determination to NECRR , Seconded by Donna Francis. **Motion passed unanimously.**

Other Topics Not anticipated within the 48 hours of posting

- Commission rescheduled next meeting to May 5, 2016
- Greenfield Road Reconstruction Project – Walter did a site visit as the erosion controls have been washed out by sediment over the winter/spring. One of the culverts (intersection of Randall Rd) appears to not be working properly and causing ponding and elevated outflow. Walter took pictures of the current issues and sent them to the resident engineer and contractor who responded and redid the erosion control and is looking into the culvert issue.
- Cabot Taps Project is underway. Walter has been on site to review mitigation and erosion control.

Motion made by Sean Werle to adjourn the meeting at 7:14 PM. Seconded by Donna Francis. **Motion passed unanimously.**

Approved by: _____ Date: _____

Documents:

Letter from Thomas Memorial Requesting Extension of NOI #2013-01

RDA #2016-02 File

RDA #2016-03 File

RDA #2016-04 File