



MONTAGUE CONSERVATION COMMISSION

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Meeting Minutes

Thursday, August 11, 2011

6:30 PM

Montague Town Hall Upstairs Conference Room

Commissioners Present: Mark Fairbrother–Chair, Donna Francis, Addie Holland, & Justin Fermann

Commissioners Absent: Deb Picking, Sean Werle

Staff Present: Walter Ramsey

Meeting called to order by Mark Fairbrother at 6:30 PM

Approval of Minutes

Motion made by Justin Fermann to accept the July 14 Conservation Commission minutes. Seconded by, Donna Francis. Motion passes 4-0.

Motion made by Mark Fairbrother to table the discussion of RDA 2011-10 to later in the meeting so that the Commission can have a quorum to open the public hearing for the following agenda item. Seconded by, Donna Francis. Motion passes 4-0.

Notice of Intent #2011 – 02 First Light Power/GDF Suez John Howard (Map 17 Lot 12, 17 and 34; Map 18 Lots 01 and 03)

Present: Mickey Marcus- New England Environmental
Meredith Borenstien, P.W.S.- New England Environmental
Chuck Monmie- Firstlight Power/ GDF Suez
Cynthia Dale- Gill Camp Lessee
Walter Patteneaud- Montague Camp Lessee (8-E)
Leena Newcomb- Montague Camp Lessee (14-E)
John Durfee- Montague Camp Lessee (3-E)
Kim Durfee- Montague Camp Lessee (3-E)

Motion made by Mark Fairbrother to open the public Hearing for Notice of Intent #2011-02 by Firstlight Power/GDF Suez at 6:40 PM. Moved by Justin Fermann. Seconded by, Donna Francis. Motion passes 4-0.

Mr. Fairbrother read the publicly posted meeting notice. Mickey Marcus, the applicant's consultant was invited to summarize the project before the commission. In compliance with the Federal Energy Regulatory Commission (FERC) Erosion Control Plan, 320 Linear feet of eroded bank at 4 camps along the Connecticut River will be stabilized using bioengineering techniques slope stabilization in the river front area will also be conducted at three of the camps (approx. 2190 square feet). Most work is slope stabilization, vegetation and roadway work. According to Firstlight and the FERC license, there seems to be an over clearing of the bank that is causing the erosion from the camp areas.

At 6:42 PM Mr. Fairbrother excused himself from the hearing because of a personal emergency. He would return at 7:30 PM to participate further in the hearing. Mickey Marcus indicated that the project has been filed with Army Corps, DEP Ch. 91 Waterways, and Natural Heritage and Endangered Species program. Walter Ramsey advised that since comments have not been received by the reviewing authorities, the Commission should not close the public hearing this evening. DEP had issued comments.

According to Mr. Marcus, First light or their contractor will be responsible for individual work on the camp properties including the bank areas. Firstlight would initiate a training session with the camp owners for erosion control. This would focus on the driveways and pathways and access roads that need to be stabilized and the process in which to do. Work to be performed by hand.

Walter Ramsey noted that there is a question as to whether the camp owners should sign the Notice of Intent as “party of interest”. Mr. Marcus replied stating that the camps are licensed, not leased. Leena Newcomb noted that the individual camp owners pay personal property taxes to the Town on the structures. Walter will explore this further.

Cynthia Dale owns a camp in Gill which has a similar proposal from Firstlight. Ms. Dale expressed concerned about the process, and the expense of the project to the camp owners, and impact of construction vehicles. The Gill side has private residences as abutters whereas on the Montague side it is businesses. She noted that the camps have been on the river for many years and the camp owners are good stewards of the river- there are more significant erosion issues resulting from the Northfield Mountain Project.

Chuck Monmie rebutted stating that FERC has ordered Firstlight to conduct this erosion control as part of Firtlight’s Erosion Control Plan. Camp owners will be responsible for those areas that are eroding due to the camp use and people being there (human impacts).

After the overview of the general project and overall concerns, The Commission redirected discussion to review each of the camps. As individual camps were discussed, the respective camp owners at the hearing were invited to the table to discuss their concerns with the commission and Firstlight.

Camp 2E – Camp owner not present. This camp is closest to Turners Falls Rod and Gun Club property Firstlight noted erosion on the hillside on the walking path between camps 2E and 3E. This property area has been over cleared of vegetation or made room for patios/outdoor living spaces. The mulch lawn would be replaced with native plantings. Firtlight noted that in addition to erosion control, this would reduce the visual impact of the camps from the River.

Camp 3E John Durfee was invited to join the commission at the head table. Mr. Marcus described the plan for a partial timber retaining wall two or three feet high in the parking area. The use of this timber or masonry to help with the erosion control would be done in the cuts in the parking area and banks would be replanted. New England Environmental, not the camp owners will conduct all work on riverbanks. Mr. Durfee expressed concern about the use of the recommended ‘bioengineering techniques’ and the associated costs to be born by the camp owners. He advocated for some flexibility in the work to be performed. Mr. Durfee asked that more time be allowed to implement the projects because of the camp owners time and financial constraints.

Camp 8E Walter Patteneaud was invited to join the commission. Mr. Marcus described New England Environmental’s report of erosion on both sides of the dock and the need to remove debris on the banks. This will require rebuilding of the bank and replanting. It was suggested to install 4 ft high native plantings on the bank. Mr. Patteneaud replied stating that he needs a clear egress to install and remove his

fully licensed docks. The plantings would obstruct this activity. First Light will have on sight meetings with the camp owners as each situation is unique. Mr. Patteneaud also noted that previous bioengineering techniques such as coconut logs have been used on his property and that they had not worked effectively.

Camp 14E Leena Newcomb was invited to join the commission. The Commission clarified that much of the work on Camp 14E, including the proposed demonstration area is outside of the Commission's jurisdiction. According to NEE, there are eroded slopes in the driveway and parking area which is draining down into the river and the area needs some seed, netting and fill for stabilization. Ms. Newcomb noted that this property has vehicular access issues and wondered if that would make it an appropriate demonstration site. Some out buildings in the Riverfront area are proposed to be removed. Leena Newcomb uses two of the three out buildings which are on a 4 x 4 foot concrete slab. She noted that these have been in place for 70 years, so why remove and disturb the area? Justin Fermann seconded her concern. The commission asked if the concrete slabs are to be removed because the disruption of the cement pad might cause more issues than what we are trying to prevent? Mr. Marcus indicated that it looks like the cement pad on one of the outbuildings can be left while the structure is to be removed. The other two outbuildings are a storage area and a compostable toilet that Leena Newcomb wants left in place on the property.

The tasks that need to be specifically addressed by First Light are:

- Clarify the objectives of the project
- Provide a range of mitigation solutions
- Firtlight should build consensus with the camp owners as to what work will be performed by whom
- Clarify if the outbuildings on camp 14 E will be removed.
- Allow the camp owners more time to implement the projects
- Clarify the training for camp owners – for erosion control and prevention

Conservation Commission tasks:

- Walter will research if the land owners can be required to sign the Notice of Intent
- Draft a condition that will allow flexibility for Firtlight and the Camp Owners to alter the stabilization technique without changing the impact on the resource area.

Mickey Marcus requested that the Commission continue the hearing.

Motion by, Justin Fermann to continue the public hearing until September 8, 2011 at 6:30pm at the request of the applicant. Seconded by Donna Francis. Motion passes 4-0

Request for Determination of Applicability #2011-10 by Montague DPW

Present: Lawrence Roy- 5 Pleasant Street.

Mr. Ramsey introduced the project on behalf of the DPW superintendant Tom Bergeron. The project involved maintenance and repair of an existing municipal storm water outflow for the purposes of mitigating hillside erosion. Work will occur in the buffer zone of a potential wetlands resources area. The washout area of the hillside will be filled with riprap to cease erosion. The work will stabilize the hillside and will prevent the downstream wetlands from filling in further. No delineation has been done, but on multiple site visits Mr. Ramsey noted the area near the work is wet. Sediment eroding from the hillside is filling in the mapped wetlands, so the wet areas are creeping up the hillside. The proposal is to put down some riprap to protect the hillside from erosion while allowing the work trucks to cross over into the site.

The work will be done in the buffer area for maintenance of existing structure. This will not have any adverse effect on the wetlands area. To stabilize they will bring in gravel and place it outside the buffer zone. During the project the DPW will have to remove 3-4 trees and add some gravel to fill the area. The gravel would be best left in place distributing in throughout the area and making it permanent. The Conservation Commission reached consensus that this will help to continue to preserve the area in and around the buffer zone. Lawrence Roy is concerned regarding temporary access road attracting unwanted folks. Mr. Roy provided a letter that permits the DPW to cross his property to access the work area. He also expressed his general support of the project.

The Conservation Commission agreed to notify the DPW to:

- Have the site returned to its natural state
- Secure any gravel left outside the buffer zone
- Block the vehicle entrance on Pleasant St to prevent unwanted visitors

Motion made by Donna Francis to issue a negative determination box 3 for the proposed work by the Montague DPW. Seconded by, Addie Holland. Motion passes-4-0.

Reappoint Chair and Vice Chair through June 2012-

Tabled for discussion at next meeting for a full vote.

Motion by Justin Fermann to adjourn at 8:25PM. Seconded by Addie Holland. Motion passes 4-0.

Next scheduled meeting: September 8, 2011 at 6:30 PM

Approved by: _____ Date: _____