
Conservation Commission Minutes 4/11/18

CONSERVATION COMMISSION

Town of Monterey, Massachusetts

MEETING DATE: 4/11/18

Present: Tim Lovett, Claudia Crane and Mark Little
The meeting convened at 6:00p.m.

Timlege - 26 Mt Hunger Rd – SMA18-05 - clear trees for horse pasture and create area for exercising horses. (M. Simon is the project manager)
Continued from the March meeting. Beth provided a map notating stakes that have been placed on the property which depict the 100' boundary from a wetland. The Commission noted that another communication was received from an abutter and his concerns were noted. The Commission approved the project as submitted and made the determination that the activity described will not have a substantial impact on the natural scenic qualities of the mountain region and is therefore not a regulated activity and does not require the filing of a NOI.

3 Carl's Lane – Gottlieb – RDA – install a seasonal dock 64ft x 4ft with an 8ft x 16ft "L" at the end (M. Little is the project manager)
Shannon Boomsma of White Engineering was present to review the project details. This property when purchased came with a dock permit however it is not long enough for suitable water depths for the boats they want. The Commission unanimously approved the project as a N2.

36 Elephant Rock Rd – Triem – RDA – construct decks attached to existing single family home (C. Crane is the project manager)
Kathleen Triem and Peter Franck were present to review the project details to add decks to the property. The Commission approved the project as submitted as a N3.

16 Bidwell – Szanto – RDA – install new dock (M. Simon is the project manager)
Matt Puntin of SK Design Group was present to review the project details. Matt provided a brief history on the property and the reason for a new dock application. The Commission approved the project as submitted as a N2.

26 Sylvan Rd – Green – RDA – remove rotting retaining wall and replace with boulder (M. Little is the project manager)
This meeting is being continued to the May meeting as the application is still incomplete and no one was present to review the project with the Commission.

12 Riverwood Way – Johnson - NOI - to construct a 3 bedroom single family home to be serviced by the existing infrastructure (C. Crane is the project manager)
No one was present to review the project with the Commission so this hearing will be continued to the May meeting.

Curtis Rd Bridge Repair – Monterey Highway – RDA – bridge repair (M. Simon is the project manager)
No one was present to review the project with the Commission so this hearing will be continued to the May meeting.

452 Main Rd – Monterey Library DEP#230-0290 redevelop the existing library building and site to better serve the community (C. Crane is the project manager)
This hearing was continued from the March meeting. Mark Makuc and Mark Volk were present to represent the library. Emily Stockman was present as a consultant to represent the Commission. Emily provided a written copy of her findings to the Commission (full text available at town hall). Mark Volk reviewed the project details for everyone present. Emily's findings were reviewed point by point:

- 310 CMR 10.58(5)(a) requires that the applicant demonstrate an improvement to the Riverfront area; which has not been done.
- The BVW boundary is not depicted on the NOI site plan and therefore she does not recommend approving something that has not been depicted on the plans
- The applicant should provide information on how the 100-year floodplain boundary were established and explain the labelling of the boundary as "approximate". Work is also being proposed within this boundary.
- 310 CMR 10.58(5)(b) states that work to redevelop previously developed riverfront areas must provide stormwater management in accordance with the standards established by the MA DEP. While the application includes a "Drainage Analysis Summary" a complete stormwater assessment under the MA DEP Stormwater Standards has not been provided. The applicant must provide a complete, stamped, stormwater assessment report. The analysis summary states that rainfall data was used for a project site within Lenox, Emily was concerned that a closer location should've been used.
- The above mentioned analysis also states that soil types were identified using the Soil Survey of Berkshire County. Based on the reviewed plans and information provided during the site visit, a soil test pit was not evaluated within the location of the proposed stormwater infiltration area.
- The applicant should clarify the proposed construction and function of the stormwater management raingarden feature. The applicant has clarified that it is a level spreader and not a rain garden as defined within the MA DEP Stormwater Handbook.
- Emily suggested that the application should consider low impact designs to promote stormwater infiltration. The applicant responded that the site is very tight
- The applicant should quantify the square footage of existing degraded area.
- 310 CMR 10.58(5)© states that "within 200 ft riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 ft, whichever is less, or not closer than existing conditions within 25 ft riverfront areas, except in accordance with 310

CMR 10.58(5)(f) or (g).” Mark Volk has confirmed that the proposed work is not closer to the river.

- 310 CMR 10.58 (5)(d) states that “Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(f)(f) or (g).” The proposed library expansion, on-site septic system, reading deck and access way have been located towards the river. As such, the project does not comply with the setbacks under 310 CMR 10.58(5)(d). The applicant has submitted some information on why pieces of the proposal are where they are. Mark Volk argues that this section falls to the Commission and what they find practicable.
- In regards to compliance with 310 CMR 10.58(5)© and 310 CMR 10.58(5)(d), several aspects of the proposed project encroach on the Kokapot River. The applicant should provide information on how impacts can be reduced and avoided.
- The applicant should provide information on how impacts to currently unaltered portions of Riverfront Area can be reduced and/or mitigated for on-site.
- 310 CMR 10.58(5)(d) states that “the area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the downgraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).” Based on Sheet C-1, the amount of proposed degraded area exceeds the amount of existing degraded area and exceeds 10% of the riverfront area within the lot. As such, the project does not comply with the area requirement of 310 CMR 10.58(5)(d).

Mark Volk responded to Emily’s findings noting that the remediation ratio they are responding to is larger than the minimum requirements. Mark also submitted in writing his response to Emily’s report. The Commission decided that they needed time to review both Emily and Mark’s reports. Procedures for accepting the proposal and issuing the Order of Conditions were reviewed. The applicant requested the hearing be continued to the May 9th meeting at which time the conditions for the project will be reviewed together.

For Discussion:

- Mail was reviewed.
- Minutes from 3/14 & 3/28/18 were approved as written.

Meeting adjourned at 10pm

Submitted by: Melissa Noe, Administrative Assistant
cc: Conservation Commission Board Members