

**Minutes of the Conservation Commission**  
**November 13, 2006**

Present: LD: Lorraine DeSouza, Chairman                      AJ: Arthur Johanningsmeier  
          CP: Christopher Picone,                                 GH: Gary Howland, Associate  
          MH: Michael Horgan, Associate  
          LC: Lori Capone, Conservation Agent

7:30 LD Opened the Meeting

7:31 Billy Ward Pond, Little Watatic, Lower Naukeag, Sunset Lake, and Lake Watatic: Request for Extensions to the Orders of Conditions. Lee Ross, Steven Coswell, David Arnold, Frank Fiorentino, Bruce Marble and Joseph Land were present representing the Lake Associations. LD asked for abutters. There were none. Dominic Meringolo from Aquatic Control Technology, Inc. gave the Commission an overview of weed treatments: milfoil and bladderwort being the target species. CP requested the Lake Associations provide a summary report. MH questioned what observations are made as reflected in the yearly reports. Mr. Meringolo stated the observations are qualitative, not quantitative due to monetary constraints. LD questioned what habitat this treatment is intended to enhance. Mr. Meringolo stated the treatment objective is to enhance fish habitat. LD asked if areas of high incident are monitored to determine if there is point source discharge or other cause for weed proliferation. The lake associations stated that they send around a Newsletter, in an attempt to educate the residents. LD asked for proof that there is no impact on non-target species like amphibians. Mr. Meringolo stated that the proof is that there has been no obvious mortality. CP asked about a new bubbler system for weed treatment. Mr. Meringolo stated that the results are unfounded.

**LD: Motion** to continue the meeting to November 27, 2006 at 8:15 to compile a list of requested information.

**AJ: 2<sup>nd</sup>**

**Unanimous 3-0**

**8:00 (8:15) Trustees of Cushing Academy - 39 School Street – Request for Determination of**

**Applicability:** Proposed installation of a subdrain along the westerly side of School Street within the buffer zone. Brian Milisci of Whitman and Bingman represented the applicant who was not present. Mr. Milisci explained that the Town contracted BNE Realty and Development to repair the culvert crossing on School Street before Cushing Academy accepted the road. The shoulder of the road is now collapsing and Cushing Academy is requesting permission to install a subdrain to take pressure off the existing culvert. The subdrain is proposed to be installed over the existing culvert and no alteration of the resource area is anticipated. LD suggested a Notice of Intent should be submitted due to the fact that the work is proposed within the riparian zone. There was discussion. LD asked if there were any abutters. There were none.

**LD: Motion** to close the Hearing and issue a Negative Determination of Applicability with the condition that if any work is required in the resource area, the applicant shall file a Notice of Intent.

**CP: 2<sup>nd</sup>**

**Unanimous 3-0**

**8:15 (8:20) Trustees of Cushing Academy - 39 School Street – Request for Determination of**

**Applicability:** Proposed installation of rip-rap to protect a small portion of bank that is currently eroding, within the riverfront area. Brian Milisci of Whitman & Bingham represented the applicant who was not present. LD suggested a Notice of Intent should be submitted due to the fact that the existing discharge pipe is scouring the bank and the present maintenance of the bank

is causing erosion problems. The Commission requested the plans be amended to incorporate natural plantings to stabilize the bank versus the proposed rip-rap and also to move the fence back from the edge of bank. LD asked if there were any abutters. There were none.

**LD: Motion** to continue the Hearing to November 27, 2006 at 8:30 PM.

**AJ: 2<sup>nd</sup>**

**Unanimous 3-0**

#### **Other Business:**

- ❖ Brian Milisci of Whitman and Bingham and Chris Gagnon updated the Commission regarding the Public Safety Site. The drainage is 90% installed. The fill in the wetland on the project side of the stone wall will be removed with machinery and hauled up to the top of the site. The area of the back slope that blew out will be hayed and a mulch blanket will be installed once it is regraded. Silt fence and hay bales will be reinstalled at the bottom of the slope.

**8:30 (8:40) Jeremy Dower – 20 Fitchburg Road – Notice of Intent:** Proposed introduction of fill and grading, within the buffer zone and riverfront area. LD asked for abutters. There were none. Mr. Dower explained that the area he wants to fill was previously filled before he replaced his septic system. He requests permission to mirror the existing grade, approximately a 1:1 slope. LD requested that the work be performed in the Spring, after the rainy season, due to stabilization issues. LD asked for members comments. There was discussion. LD requested the applicant to revise his drawing to show a 2:1 slope.

**LD: Motion** to continue the Hearing to November 27, 2006 at 8:45 PM.

**CP: 2<sup>nd</sup>**

**Unanimous 3-0**

**8:45 (9:00) George Brewer Jr. – 75 Old Ashby Road – Notice of Intent:** Demolition of the existing structure and construction of a new single family house, well, septic system, and associated utilities and landscaping, within the buffer zone and riverfront area. LD asked for abutters. There were none. George Brewer and Margaret Cote explained the proposed project. LD asked where the reserve area for the septic system would be located. Mr. Brewer explained a reserve area is not depicted on the plan. Mr. Brewer explained that the old septic system, once located, would be pumped, crushed and filled. LD requested that the house be moved back from the lake as far as possible. CP mentioned the possible need for a dewatering plan. Mr. Brewer explained that if groundwater is intercepted, they will backfill 1 foot above the water table and install the foundation up from there.

**LD: Motion** to close the Hearing

**CP: 2<sup>nd</sup>**

**Unanimous 3-0**

**LD: Motion** to issue an Order of Conditions with the following special conditions: 1.) The applicant shall amend the plan to move the house at least 10 additional feet back from the lake; 2.) Silt fence only shall be used for erosion controls; 3.) Contingent on receiving Board of Health approval; 4.) Contingent on receiving a DEP File Number.

**CP: 2<sup>nd</sup>**

**Unanimous 3-0**

#### **Other Business:**

- ❖ **LD: Motion** to issue an Emergency Certification for 9 South School Street for the demolition of the existing house and remove the existing foundation.

**AJ: 2<sup>nd</sup>**  
**Unanimous 3-0**

**9:00 (9:55) Ashburnham Conservation Commission:** The Ashburnham Conservation Commission will conduct a Public Meeting to establish its' Rules and Regulations relating to the Ashburnham Wetlands Protection Bylaw. Roger Henderson was in attendance. LC had met with the Lake Associations this evening and reviewed their concerns. There was much discussion.

**LD: Motion** to continue the Hearing to November 27, 2006 at 9:15 PM.

**CP: 2<sup>nd</sup>**  
**Unanimous 3-0**

**Other Business:**

❖ **LD: Motion** to approve the minutes of October 23, 2006 with the floodplain determination stuck from the motion regarding 221 Ashby Road.

**CP: 2<sup>nd</sup>**  
**Unanimous 3-0**

❖ **LD: Motion** to issue an Emergency Certification for 7 Wood Path for the retaining wall.

**CP: 2<sup>nd</sup>**  
**Unanimous 3-0**

❖ **LD: Motion** to issue a Certificate of Compliance for 32 Juniper Road

**CP: 2<sup>nd</sup>**  
**Unanimous 3-0**

❖ **LD: Motion** to issue a Certificate of Compliance for 21 Island Road

**CP: 2<sup>nd</sup>**  
**Unanimous 3-0**

❖ **LD: Motion** to issue a Certificate of Compliance for 41 Willard Road

**CP: 2<sup>nd</sup>**  
**Unanimous 3-0**

❖ LD updated the Commission on the drainage issue on Lot 9 and 11A Hay Road

❖ LC informed the Commission that Jessie Campaigne of Lot E Ashby Road is requesting permission to add a small farmer's porch to the new single family house under the existing Order of Conditions, DEP File Number 92-569. The Commission had no issue with this change.

❖ Gary Howland updated the Commission on the Russell Hill Project and the Southern Monadnock Plateau Project.

**LD: Motion** to adjourn

**CP: 2<sup>nd</sup>**  
**Unanimous 3-0**

Meeting adjourned at 10:35

Minutes respectfully submitted by Lori Capone, Conservation Agent

