

Minutes of the Conservation Commission
April 23, 2007

Present: LD: Lorraine DeSouza, Chairman CP: Chris Picone
 MH: Michael Horgan LC: Lori Capone, Conservation Agent
Absent: GH: Gary Howland, Associate

7:30 PM LD opens the Meeting of the Conservation Commission under the Wetlands Protection Act and the Town of Ashburnham Wetlands Protection Bylaw.

7:32 PM Steven Slocum came before the Commission for an informal discussion on the drawdown of Lower Naukeag. The Lake Association can not afford the chemical treatment and would like to pursue a more significant drawdown process. CP suggested allowing a four foot drawdown for one year so we can assess the impacts. LC will check to make sure the Order of Conditions is still active. If an extension was not issued, the Applicant will have to file a new Notice of Intent for the proposed drawdown.

7:45 PM (7:52 PM) LD opened the Request for Determination of Applicability Hearing for Douglas Demarais of 26 Tuckerman Road: After-the-fact removal of trees within the buffer zone and riverfront area, continued from April 9, 2007. LD asked for abutters: there were none. LD explained that she saw trees being cut and told the tree service the call LC. The area is designated as estimated habitat for endangered species by the Natural Heritage Program. Mr. Demarais explained he only wanted four trees removed by the tree service needed more trees to make it worth their effort. The applicant asked to be allowed to take down the hemlock to the left of the house, approximately 80 feet from the river. The Commission asked Mr. Demarais to re-establish a 12 foot no touch zone of native vegetation adjacent to the bordering vegetated wetland associated with the river.

LD: Motion to issue a Negative Determination of Applicability with the following conditions:
1.) The applicant establish a 12-foot no touch zone adjacent to the resource area; and, 2.)
The applicant is allowed to clean up the left hand side of the house.

CP: 2nd

Unanimous 3-0

8:00 PM (8:06 PM) LD opened the Notice of Intent Hearing for Richard Sisson of Lot 4 Murray Road: Proposed grading for a subsurface sewage disposal system located within the buffer zone, continued from April 9, 2007. LD asked for abutters: there were none. Chuck Caron of Caron Environmental Consulting, Chris McKenzie of Whitman and Bingham, and Richard Sisson presented revised plans to the Commission. The septic line has been moved outside the buffer zone.

LD: Motion to close the Hearing and issue an Order of Conditions

MH: 2nd

Unanimous 3-0

Minutes continued from 4/23/07

8:15 PM LD opened the Notice of Intent Hearing for Richard Sisson of Lot 6 Murray Road: Proposed grading for a subsurface sewage disposal system located within the buffer zone, continued from April 9, 2007. LD asked for abutters: there were none. Chuck Caron of Caron Environmental Consulting, Chris MacKenzie of Whitman and Bingham, and Richard Sisson presented revised plans to the Commission showing a driveway crossing. A 12" culvert was proposed under the

driveway with rip-rapped slopes. The house is still located outside the buffer zone with associated clearing to within 50 feet of the resource area.

LD: Motion to close the Hearing and issue an Order of Conditions per plan and discussion.

CP: 2nd

Unanimous 3-0

8:30 PM (8:34 PM) LD opened the Notice of Intent Hearing for Gary Gleason of 155 Winchendon Road: Proposed construction of a driveway within the buffer zone of a vernal pool, continued from April 9, 2007. LC explained that they have requested a continuance because the wetland scientist has been on vacation.

LD: Motion to continue the Hearing to May 14, 2007 at 8:00 PM.

CP: 2nd

Unanimous 3-0

Other Business:

- Request for Certificate of Compliance for 37 Tuckerman Road.

LD: Motion to issue a Partial Certificate of Compliance for 37 Tuckerman Road due to the fact that some areas were not completely stabilized with sufficient grass.

MH: 2nd

Unanimous 3-0

8:45 PM LD opened the Notice of Intent Hearing for DRS Homes of 179 Winchendon Road: Proposed construction of a single family house within the buffer zone, continued from April 9, 2007. LD asked for abutters: Annette Bodley of 177 Winchendon Road and Stephen Lehtinen of 186 Winchendon Road were present. Kevin Horgan of Graz Engineering, David Salo and John Scarrell presented the project to the Commission. Kevin Horgan explained the changes made to the delineation per LC's comments. Mr. Lehtinen expressed his concerns regarding flooding on his property. There was much discussion regarding hydrology. The abutters commented on how they felt the stream may be perennial. LC requested to review the revised delineation.

LD: Motion to continue to May 14, 2007 at 8:15 PM

CP: 2nd

Unanimous 3-0

Minutes continued from 4/23/07

9:00 PM (9:22 PM) LD opened the Notice of Intent Hearing for DRS Homes for 189 Winchendon Road: Proposed construction of a single family house within the buffer zone, continued from April 9, 2007. LD asked for abutters: Annette Bodley of 177 Winchendon Road and Stephen Lehtinen of 186 Winchendon Road were present. Kevin Horgan of Graz Engineering, David Salo and John Scarrell presented the project to the Commission. There was the same discussion about hydrology as in the previous Hearing. The Commission requested a floodplain map, and soil testing be performed at the house location to determine if the water table would be intercepted by the foundation.

LD: Motion to continue the Hearing to May 14, 2007 at 8:30 PM

CP: 2nd

Unanimous 3-0

9:15 PM (9:34 PM) LD opened the Notice of Intent Hearing for DRS Homes for 147 Winchendon Road: Proposed construction of a single family house within the buffer zone, continued from April 9, 2007. LD asked for abutters: Annette Bodley of 177 Winchendon Road and Stephen Lehtinen of 186 Winchendon Road were present. Kevin Horgan of Graz Engineering, David Salo and John Scarrell presented the project to the Commission. There was the same discussion about hydrology as in the previous Hearing.

LD: Motion to continue to May 14, 2007 at 8:45 PM.

MH: 2nd

Unanimous 3-0

9:30 PM (9:45 PM) LD opened the Request for Determination of Applicability Hearing for Donald Gillis of 57 Stodgemoor Road: Proposed installation of a well within the buffer zone. LD asked for abutters: none were present. CP disclosed that the applicant was his second cousin and asked if there were any objections of his sitting on this Hearing as there is no quorum without him. There were no objections. Mr. Gillis presented the project to the Commission.

LD: Motion to issue a Negative Determination of Applicability

MH: 2nd

Unanimous 3-0

9:45 PM (9:56 PM) LD opened the Hearing for James Bernard of 55 Holt Road: Proposed construction of a pool within the buffer zone. LD asked if there were any abutters present: there were none. There was much discussion regarding the pool filter and erosion controls. The applicant agreed to install silt fence at the existing tree line, use a sand filter and direct the backwash away from the resource area, in a stone lined trench.

LD: Motion to issue an Order of Conditions per plan and discussion

MH: 2nd

Unanimous 3-0

Minutes continued from 4/23/07

Other Business:

➤ LC explained the temporary drainage solution at the Public Safety Site

➤ Request for Certificate of Compliance for 125 Sherbert Road

LD: Motion to issue a Certificate of Compliance for 125 Sherbert Road

CP: 2nd

Unanimous 3-0

LD: Motion to adjourn

CP: 2nd

Unanimous 3-0

Meeting adjourned at 10:45 PM

Respectfully submitted by Lori Capone, Conservation Agent