

Minutes of the Conservation Commission
August 27, 2007

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

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

7:31 PM CP opened the Notice of Intent Hearing for Habitat for Humanity for 203 Sherbert Road: proposed construction of a single family house within the buffer zone. LC informed the Commission that the Applicant has requested a continuance as there are still outstanding issues with the Deed. CP asked if there were any abutters: none were present.
LD: Motion to continue the Hearing to September 24, 2007 at 8:45PM
CP: Seconds the Motion
Motion carries unanimously 3-0

Other Business:

- The Commission discussed their meeting of October 8, 2007 which is Columbus Day.
LD: Motion to cancel the October 8, 2007 meeting unless something urgent arises.
CP: Seconds Motion
Motion carries unanimously 3-0
 - Determination of Negligible Impact: 143 Ashby Road: LC explained she received a request to do some earth work at 143 Ashby Road to inspect the integrity of the existing foundation. The work is located 85 feet from the Lake Winnekeag, would be performed by hand, and erosion controls would be installed.
LD: Motion to approve the Determination of Negligible Impact for 143 Ashby Road
CP: Seconds Motion
Motion carries unanimously 3-0
- 7:15 PM CP opened the Notice of Intent Hearing for Todd Griffin of 75 Westshore Drive: proposed addition and septic system repair with associated grading and driveway alterations, located within the buffer zone. No one was in attendance of the meeting.
LD: Motion to continue the meeting to the end of the evening
MH: Seconds Motion
Motion carries unanimously 3-0
The Applicant's representative entered the Meeting
CP: Motion to reopen the Hearing
LD: Seconds Motion
Motion carries unanimously 3-0

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Angel Lehtonen of Northland Engineers represented the Applicant who was not present. Ms. Lehtonen requested a continuance from the Conservation Commission because her client wanted to make some changes to the plan.

LD: Motion to continue the Hearing to September 10, 2007 at 7:30PM

CP: Seconds Motion

Motion carries unanimously 3-0

7:50 PM(8:00PM) CP opened the Notice of Intent Hearing for Richard Rivard of 9 Lillian Drive: proposed septic system repair, construction of a deck, resurfacing of the existing driveway and refurbishing of the existing patio, located within the buffer zone. Angle Lehtonen of Northland Engineers presented the project to the Commission for the Applicant, who was not present. Ms. Lehtonen explained that the wetland is a drainage ditch but it does support wetland plants and therefore she filed a Notice of Intent. Ms. Lehtonen explained that her client is requesting permission to extend the existing deck, repave the existing driveway, refurbish but not enlarge the existing patio and install of a 3-bedroom septic system. The septic system is a replacement system and not being enlarged. Ms. Lehtonen explained that the proposed system would be closer than 50 feet from the resource area but the only alternative is to use the adjacent lot which would require a forced main to be installed through the wetland which would have a greater impact on the resource area. Silt fence is proposed for erosion control. CP asked for abutters: none were present. LC explained that the WPA requires the Applicant receive approval from the Board of Health before the Commission could make a determination on the project because the Applicant was not maintaining the 50-foot setback as called for in the Act.

CP: Motion to continue the Hearing to September 10, 2007 at 7:40

LD: Seconds Motion

Motion carries unanimously 3-0

8:05 PM(8:15PM) CP opened the Notice of Intent Hearing for the Town of Ashburnham Department of Public Works for reconstruction of the Westminster Street Bridge. Don Ouellette, Director of the Department of Public Works, presented the project to the Commission. Mr. Ouellette explained that he had planned on doing some minor repairs to the headwalls and place it on the State list for them to repair it. We got heavy rains in April causing problems elsewhere in Town so he could not make the minor repairs. Then the bridge was struck by a vehicle making it completely unsafe, thus recreating the need to completely replace the existing bridge. The stream will be re-routed a day before work is to begin. Stream diversion will be reestablished with 3-5 days. Stone check dams silt fence and haybales are being utilized for erosion control. LD asked that haybales be removed as soon as possible following completion of work to minimize introduction of invasive species. Mr. Ouellette explained that the disturbed slopes adjacent to the stream would be riprap upon completion to prevent future erosion. LD asked for a shop

drawing for the bridge be submitted for the record. The Commission asked that the box culvert be imbedded six inches and that the stream bed be reestablished inside the culvert to establish a more natural substrate.

CP: Motion to close the Hearing

LD: Seconds Motion

Motion carries unanimously 3-0

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

LD: Seconds Motion

Motion carries unanimously 3-0

8:30 PM CP opened the Notice of Intent Hearing for the Town of Ashburnham Department of Public Works a proposed drainage problem at 100 Main Street. CP asked if there were any abutters. Abutters present were: Rosemary and Walt Meissner and Joseph Eldridge of 100 Main Street and Patricia Brewerton of 106 Main Street. Don Ouellette, Director of the Department of Public Works, presented the project to the Commission. Mr. Ouellette explained that this drainage situation was evaluated and designed by GCG Associates. Mr. Ouellette explained that there is an existing culvert that has never been maintained that he would like dredge out and extend 25 feet. Ms. Brewerton of 106 Main Street met with Mr. Ouellette regarding her retaining wall. Mr. Ouellette said he would take a look at it and see what he can do but it appears as though the wall does not have a proper footing rather than being caused by the drainage problem. LD raised concerns with increasing the flow to Cushing Academy downstream who is already coping with erosion problems and concerned this project may exacerbate the problem. Mr. Ouellette explained that this project should not increase the volume of water entering Cushing Academy as both streams that exit 100 Main Street discharge into the same wetland across the street on Cushing Academy's property and he would be installed a settling basin in front of the culvert to ensure no increase in rate of flow of volume of water. Trap rock or silt fence would be installed at the mouth of the culvert if necessary, to prevent any downstream siltation: LD suggested wood chips Mr. Ouellette explained that the machinery would stay in the area of the trench so not to disturb adjacent wetlands and excavated materials would be utilized or hauled off site. Mr. Meissner expressed his concern that leaching from the reservoir and drainage from High Street are the real problems and he is worried about flood damage to his house. Mr. Ouellette explained that groundwater will always be a problem. Mr. Ouellette informed the Commission that he is working with DCR regarding all Town dams. LD asked if the abutters had any more comments, questions, or concerns.

CP: Motion to close the Hearing

LD: Seconded Motion

Motion carried unanimously 3-0

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

LD: Seconded Motion

Motion carried unanimously 3-0

8:45 PM CP opened the Hearing for the Town of Ashburnham Department of Public Works for townwide maintenance. The Commission and Mr. Ouellette reviewed the proposed conditions. LD requested the Highway Department to minimize the use of haybales to inhibit proliferation of exotic species and requested that trap rock be installed wherever drainage is diverted towards a wetland in order to manage erosion of dirt roads.

CP: Motion to close the Hearing

LD: Seconded Motion

Motion carried unanimously 3-0

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

LD: Seconded Motion

Motion carried unanimously 3-0

9:00 PM Jay Rasku of the North Quabbin Regional Landscape Partnership addressed the Commission regarding a Forest Legacy Grant called the Southern Monadnock Plateau Project – Phase II designed to help land owners protect and manage their lands for active forestry. Mr. Rasku informed the Commission that DCR is not interesting in holding the Conservation Restrictions for the Crocker and Rice properties because they are not located near their other lands and inquired whether the Commission would be interested in holding these CRs. There was much discussion. Mr. Rasku asked the Commission to write a letter of support for the project. It was agreed LD would write a letter of support on behalf of the Conservation Commission.

Other Business:

- Glenn Friedman addressed the Commission concerning the Forestry Cutting Plan for the Beals Trust property on Depot Road. The Commission reviewed their concerns regarding the proposed cutting plan regarding impact of riverfront area and wildlife. Mr. Friedman explained that this is part of good forest management to allow the growth of better quality trees. It was determined that wetland crossing #3 was not necessary but the State Forester would make the final decision regarding this plan as proposed.
- The Commission discussed the proposed work at 4 Gardner Road for Laidlaw Educational Services. LC explained that they are requesting permission to locate an office trailer and school busses within the buffer zone. The Commission requested that a Request for Determination of Applicability be filed with the Commission to determine potential impacts this may pose to the resource area and to allow for conditions to be placed on the project.
- The Commission authorized the issuance of an Emergency Permit to the Department of Public Works for the Westminster Street Bridge.

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CP: Motion to adjourn

MH: Seconds Motion

Motion carries unanimously 3-0

Meeting adjourned at 10:35PM

Respectfully submitted by Lori Capone, Conservation Agent