

Minutes of the Conservation Commission  
June 23, 2008

Present: MH: Michael Horgan, Acting Chairman MD: Marshall Dennis  
LD: Lorraine DeSouza LC: Lori Capone, Cons. Agent

Absent: CP: Christopher Picone

7:35 PM MH opened the Meeting under the Wetlands Protection Act, M.G.L. Ch 131 Sect. 40, and in accordance with the Ashburnham Wetlands Protection Bylaw.

7:36 PM MH opened the Notice of Intent Hearing for Richard Gadoury of 107 Hunter Avenue for a proposed sewage disposal system upgrade for a single family house. MH asked if there were any abutters present to speak for or against this application: no abutters were present. Neil Gorman of David E. Ross Associates presented the project to the Commission for the Applicant, who was not present. The new septic system is being proposed in the general location of the existing system, disturbance proposed 50 feet from the closest wetland. No reserve area is required for a system upgrade. Silt fence is proposed for erosion control. The applicant is going before the Board of Health on July 7<sup>th</sup>. MH recommended that the Commission decision be contingent on Board of Health approval.  
MH: Motion to close the Hearing  
MD: Seconded the Motion  
Motion carried unanimously 3-0  
MH: Motion to issue an Order of Conditions per plan and discussion  
LD: Seconded the Motion  
Motion carried unanimously 3-0

Other Business:

- LC handed out a Forestry Cutting Plan for George C Beals Trust for Old County and Old Gardner Road for review and comment.

7:45 PM MH opened the Notice of Intent Hearing for Kristina Goguen of 5 Houde Avenue for a proposed construction of a retaining wall, landscape waterfall, and dock. MH asked if there were any abutters present to speak for or against this application: no abutters were present. Mr. and Mrs. Goguen presented the project to the Commission. The Goguens explained that they received an Order of Conditions ten years ago for the retaining wall but it was conditioned to have to be constructed when the Lake Association performed a four-foot drawdown which has not been conducted in some years. An extension had been requested but was denied. The Goguen explained that they have lost about 20 feet of their backyard due to erosion and would like to construct a retaining wall to prevent this and gain some of their land back. MD questioned whether the land eroded or the lake level rose. The Goguens confirmed that the loss of land was due to erosion. Ethan Gamborus, the applicant's contractor entered the Meeting to

explain the construction sequence of the retaining wall. Floodplain and wetland alteration calculations were discussed. MH stated the need for exact calculations to ensure compliance under the Wetlands Protection Act. LC informed the Commission that DEP has not issued a file number for the project. LD requested a site visit. A site visit was set up for Friday, June 27<sup>th</sup> at 10:00.

MH: Motion to continue the Hearing to July 14, 2008 at 7:30PM

LD: Seconded the Motion

Motion carried unanimously 3-0

8:00(8:25) PMMH opened the Notice of Intent Hearing for San Ken Homes for 24 & 30 River Styx Road last continued from June 9, 2008 for the proposed construction of a common driveway and related site grading, within the buffer zone and construction of a new single family house, well and related site grading within the Riverfront Area. Christopher MacKenzie from Whitman & Bingham Associates presented the revised plans, a proposed replication plan and Appendix A of DEP's Wildlife Habitat Protection Guidance Document to the Commission, for the applicant who was not present. Mr. MacKenzie reviewed the engineering review letter from Cuoco & Cormier, dated June 3, 2008, with the Commission. Mr. MacKenzie requested a continuance to the next meeting as the applicant has not thus far obtained a Common Driveway Permit from the Planning Board.

MH: Motion to continue to July 14, 2008 at 7:45 PM

MD: Seconded the Motion

Motion carried unanimously 3-0

Other Business:

- LD discussed a survey she received regarding the dynamics of the Conservation Commission.

MH: Motion to adjourn

MD: Seconded the Motion

Motion carried unanimously 3-0

Meeting adjourned at 9:04 PM

Respectfully submitted by Lori Capone, Conservation Agent