

Minutes of the Ashburnham Conservation Commission  
September 8, 2008

Present: CP: Christopher Picone, Chairman                      MH: Michael Horgan, Vice Chairman  
          MD: Marshall Dennis                                        LC: Lori Capone, Conservation Agent

Absent: LD: Lorraine DeSouza

7:30 PM CP opened the Meeting of the Ashburnham Conservation Commission under the Wetlands Protection Act, M.G.L. Ch. 131 Sect. 40, and in accordance with the Ashburnham Wetlands Protection Bylaw.

7:31 PM CP opened the Notice of Intent Hearing for Robert & Joan Goodall of 63 Stodge Meadow Road for the proposed upgrade/repair of a septic system for an existing single family house. CP asked if there were any abutters to speak for or against the application: Helmut Snyder of 59 Stodge Meadow Road attended the Hearing. John Deline of Deline Engineering presented the plans to the Commission. The project consists of decommissioning the existing cesspool and installation of a septic tank, pump chamber and leach field, within the buffer zone. Some work is proposed with the right-of-way of Stodge Meadow Road. Since Stodge Meadow Road is a private way, LC requested the Applicant obtain written permission from the affected land owners. Haybales are proposed for erosion control along with the installation of a filter sock in the catch basin located in the driveway. CP read two letters from abutters: 1.) from Bob Gingras regarding I/A technology, placement of tank and pump in groundwater, and regarding of Stodge Meadow Road; 2.) from Helmut Snyder concerned septic system location in association to his well and regarding of Stodge Meadow Road. LC informed the Commission that DEP has not issued a file number yet. The Commission requested a dewatering plan since the tank will be placed in the water table. Mr. Deline said dewatering would not be necessary because the tanks will be placed right in the water. Mr. Deline also ensured the Commission that excavated soils would be removed from the site immediately upon excavation. CP requested the Commission perform a site visit. A site visit was scheduled for September 19, 2008 at 9:00AM.

CP: Motion to continue the Hearing to September 22, 2008 at 8:00PM

MH: Seconded the Motion

Motion carried unanimously 3-0

7:45(7:49)PM CP opened the Abbreviated Notice of Intent Hearing for Dana & Anthony Kurylo of 24 Blueberry Road for the proposed relocation of the existing shed 15 feet closer to the lake, removal of trees, and trim and remove 15 feet a brush along the water's edge to the right of the dock. CP asked if there were any abutters to speak for or against this application: none were present. Angel Lehtonen of Northland Engineers presented the project to the Commission for the Applicants, who were also present. The reason for the tree removal is to enhance the health of the surrounding trees. All stumps shall remain. The area will be allowed to naturalize. The Applicant requested permission to amend the plan to include a 12' x 25' patio in the back yard. The plan was amended as such. All work associated with the septic system is located outside the buffer zone but silt fence will be

installed to ensure there is no alteration to the buffer zone. MD requested that an additional strip of silt fence be installed on the right side of the house. The existing dock was discussed. Ms. Lehtonen stated that the dock was probably installed prior to the Wetlands Protection Act. The Commission determined that a permit would not be required unless the dock is upgraded. Ms. Lehtonen requested the Order of Conditions be mailed to her so she could ensure it gets recorded.

CP: Motion to close the Hearing

MD: Seconded the Motion

Motion carried unanimously 3-0

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

MD: Seconded the Motion

Motion carried unanimously 3-0

8:00 PM

CP opened the Notice of Intent Hearing for David Murphy, Naukeag Realty Trust for 216 Lake Road for the proposed sewage disposal system upgrade for the Naukeag Treatment Center located within the buffer zone, continued from August 25, 2008. CP asked if there were any abutters present to speak for or against the application. John Rideout and Elizabeth Kilnes Chi of 207 Lake Road and Lisa Cornwall of 9 Squire Road were present. Brian Krivitsky of Jefferson Development and Fran Allain of Colonial Contracting were present to answer the Commission's questions. CP updated the Commission regarding the site visit. CP requested proof of proper disposal of concrete and informed the Applicant that some of the wetlands are presently being mowed. CP requested the wetlands be marked in the field and mowing cease in this area. Lisa Cornwall of 9 Squire Road stated there is a stream located along the left side of the property that was not illustrated on the plan. CP explained that he did not see a stream out there and even if there was, the Commission's limit of jurisdiction would not change. Mr. Rideout expressed concern regarding potential contamination of the lake if the system were to fail. CP explained the design and effectiveness of the septic system falls under the jurisdiction of the Board of Health, not the Conservation Commission. LC informed the Commission that the Treasurer is working with the Applicant to establish a Payment Agreement for the unpaid taxes.

CP: Motion to close the Hearing

MD: Seconded the Motion

Motion carried unanimously 3-0

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

MD: Seconded the Motion

Motion carried unanimously 3-0

Other Business:

- LC informed the Commission that Warrant articles are due September 12, 2008
- LC informed the Commission that the MACC Fall Conference is October 18th.

- LC presented a request for the Determination of Negligible Impact for 32 Hilltop Drive for the construction of an 8.5' x 24' sunroom located on the existing deck located 30 feet from Lake Watatic. Ground disturbance shall consist of the installation of four sonotube footings.  
CP: Motion to issue a Determination of Negligible Impact for 32 Hilltop Drive  
MD: Seconded the Motion  
Motion carried unanimously 3-0
  
- DEP forms signed by the Commission: Orders of Conditions for 216 Lake Road, 76 Lakeshore Drive and 18 Watatic Pond Road
  
- LC discussed a request she received to place a tree stand on the Bush Hill Property. LC informed the Commission that she has asked Town Counsel for a Legal Opinion regarding what, if any, liability this might pose to the Town. The discussion was continued until Town Counsel's opinion is received.

CP: Motion to adjourn  
MH: Seconded the Motion  
Motion carried unanimously 3-0

Meeting adjourned at 8:45 PM  
Respectfully submitted by Lori Capone, Conservation Agent