

Minutes of the Ashburnham Conservation Commission  
November 24, 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 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 Ryan DeMeo of 0 Lower Lake Road, Map 50, Parcel 7, last continued from October 27, 2008, for the proposed selective thinning and construction of a gravel driveway, within the buffer zone. Mr., Mrs., and Ryan DeMeo were present. CP asked if there were any abutters present to speak for or against the application: none were present. CP, MD, LD and LC visited the site since the last meeting. There was much discussion regarding how many trees should be removed while still maintaining a healthy forest. It was agreed that a 15 foot setback from the wetland would be maintained as an undisturbed buffer zone and no more than 50% of the forest canopy would be removed. The stumps would remain, except within the driveway area, to maintain soil stability.

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:

- Steven Slocum of the Lower Naukeag Lake Association addressed the Commission regarding the progress of this year's four foot drawdown. Mr. Slocum submitted data regarding how the drawdown proceeded and informed the Commission that the drawdown accidentally commenced one week early and the drawdown is still two feet behind schedule. Mr. Slocum expressed concern regarding the negative impacts this may pose to the invertebrate, amphibian and other wildlife populations. LC will check to see if Lake Watatic performed a drawdown this year perhaps increasing flow into Lower Naukeag. Mr. Slocum also informed the Commission that there is a crack in the spillway near the sluiceway. LC was directed to talk with the Town Administrator and Don Ouellette, DPW Director, to see if the dam can be fixed. CP agreed that maybe the four foot drawdown should commence early. LC informed the Commission that this would require an Amendment. The Commission was amenable.
- LC informed the Commission that Steeple View Realty Trust is still looking for an Extension of their Order of Conditions for Cashman Hill Estates. A decision was

postponed pending a site visit by the Commission members. CP expressed concern regarding the elevation of the replication area. LC informed the Commission that the replication area was constructed under the supervision of a wetland scientist and the applicant has two growing seasons to achieve 75% establishment with indigenous wetland plant species.

MD: Motion to issue a three year Extension for Cashman Hill Estates

CP: Seconded the Motion

Motion carried unanimously 3-0

- LC informed the Commission that they are in receipt of Request for a Certificate of Compliance for 203 Sherbert Road for the construction of a new single family house. LC has inspected the site and explained that the backyard is to remain hard packed gravel so she had them install a crushed stone border around the yard to prevent any potential siltation from reaching the adjacent bordering vegetated wetland.

CP: Motion to issue a Certificate of Compliance

MH: Seconded the Motion

Motion carried unanimously 3-0

- LC informed the Commission that they are in receipt of a Request for a Partial Certificate of Compliance. The project consisted of the construction of a detached garage and additions to the existing dwelling. The Partial Certificate is for the construction of the garage only. The silt fence associated with the construction of this was located adjacent to the roadway and the applicant is concerned that the snow plows will remove the silt fence over the winter. LC performed a site visit and provided pictures of the site to the Commission. LC informed the Commission that the Applicant would also like to remove four hemlock saplings located at the end of his driveway to provide a better site distance.

CP: Motion to issue a Partial Certificate of Compliance for the construction of the garage only and allow the removal of the four hemlock saplings

MH: Seconded the Motion

Motion carried unanimously

- The Commission discussed the erosion problem emanating from 12 and 30 East Rindge Road. It was determined that LC would invite the owner of 12 East Rindge Road to the next Commission meeting to discuss this matter further.

- LC presented a Determination of Negligible Impact to the Commission for Mr. and Mrs. Antidormi of 5 Log Cabin Road. The Determination was for the removal of three trees within the buffer zone, the closest being located 20 feet from the resource area; all stumps are to remain.

MD: Motion to approve the Determination of Negligible Impact for 5 Log Cabin Road

CP: Seconded the Motion

Motion carried unanimously 3-0

9:00 PM CP opened the Notice of Intent Hearing for Jackie and Scott Cullen of 73 Russell Hill Road for the after-the-fact installation of a drainage pipe, located within the buffer zone. Mr. and Mrs. Cullen presented the project to the Commission. CP

asked if there were any abutters to speak for or against the application: none were present. Mrs. Cullen explained that the driveway was continuously eroding into the street so they sought professional help. They installed a perforated pipe covered in weed repellent fabric, embedded in crushed stone to discharge only clean water into the street. Mrs. Cullen explained that they had no idea this project would require a permit from the Conservation Commission. The Commission agreed that the drainage project was well engineered.

CP: Motion to close the Hearing

MH: Seconded the Motion

Motion carried unanimously 3-0

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

MH: Seconded the Motion

Motion carried unanimously 3-0

Other Business:

- LC disseminated a Forest Cutting Plan for Gerald Brown and Evelyn Foster for Willard Road for review and comment
- CP informed the Commission that there is a round table discussion regarding sustainable forestry on municipal lands at Harvard Forest on December 11<sup>th</sup>.
- LC updated the Commission regarding the project at 5 Houde Avenue. Due to the installation of geo-grid associated with the retaining wall construction, the Applicant is not able to replant the trees along the retaining wall as agreed to at the meeting. The Applicant is requesting permission to plant the trees elsewhere along the shoreline and plant shrubs and herbaceous plants along the retaining wall. The Commission accepted the change.
- DEP forms were signed: Order of Conditions for 11 Log Cabin Road, Certificate of Compliance for 203 Sherbert Road, Partial Certificate of Compliance at 76 Lakeshore Drive, and Extension Permit for Cashman Hill Estates
- MH: Motion to approve the minutes of October 27, 2008  
CP: Seconded the Motion  
Motion carried unanimously 3-0

CP: Motion to adjourn

MD: Seconded the Motion

Motion carried unanimously 3-0

Meeting adjourned at 9:29 PM

Respectfully submitted by Lori Capone, Conservation Agent