

Minutes of the Ashburnham Conservation Commission  
July 28, 2008

Present: MH: Michael Horgan, Acting Chair                   LD: Lorraine DeSouza  
          MD: Marshall Dennis                                    LC: Lori Capone, Conservation Agent

Absent: CP: Christopher Picone, Chair

7:30 PM MH 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 MH opened the Notice of Intent Hearing for Stodge Meadow Association for Stodge Meadow Pond for the proposed performance of an annual drawdown for weed control. MH read into the record, a letter dated July 26, 2008 from Christopher Picone, Chairman of the Conservation Commission, who was not able to attend the Meeting.

MH asked if there were any abutters present to speak for or against the Application. Abutters present were: Denis Maguy of 105 Stodge Meadow Road, George Gay of 145 Stodge Meadow Road, Donald Gillis of 57 Stodge Meadow Road, Carmine and Phyllis Antidormi of 5 Log Cabin Road, Gary Kerins of 31 Hay Road, Phil Gilley Jr. of 33 Hay Road, Leland and Doris Ross of 7 Rosemary Lane

Bob Gingras, president of the Stodge Meadow Association, presented the project to the Commission and explained this filing is in response to a letter received from the Commission in January regarding obtaining an Order of Conditions for the 2-foot drawdown that has been performed since 1969. Mr. Gingras explained that the drawdown is performed primarily for protection of the structural integrity and maintenance of the dam but has the added benefit of weed treatment. The usual drawdown timeframe is from October 12<sup>th</sup> to April 15<sup>th</sup>. This is coordinated with downstream ponds to ensure they do not get flooded. Total temporary alteration of land under water body of Stodge Meadow Pond is estimated at approximately 5,000 s.f.. Affects to the downstream resource areas were discussed, particularly Marble Pond, Billy Ward Pond and Little Watatic. LC informed the Commission that none of the downstream ponds have permits for drawdown activities. There was much discussion. The Commission expressed concern with the impact the dam has on cutting off water flow to the downstream river. The SMA asserted the stream consists of granite blocks, dries up regularly and does not support fish therefore the Commission should not be concerned with any negative impacts.

LD stated that she took some of the comments in the NOI to be a bit condescending and apologized if the Commission has ever been disrespectful to them. Mr. Gingras stated that he did not mean to imply any disrespect and apologized if anyone took offense. LD further explained that the downstream river is jurisdictional and shown on the USGS map as perennial and requested that the drawdown be performed in a manner that does not have a negative impact of this resource area. MD asked how difficult it would be to

maintain flow to this stream. The SMA stated that they would lose the amount of water Stodge Meadow could retain to accommodate recreational use. MD requested the Commission perform a site visit. A site visit was scheduled for August 1, 2008 at 4:00 PM.

Carmine Antidormi of 5 Log Cabin Road questioned why the Commission is trying to recreate stream flow that has been altered since the mid 1880's. MD explained that the Commission is trying to enhance the resource area while still allowing the proposed activity.

MH: Motion to continue the Hearing to August 11, 2008 at 7:45 PM

MD: Seconded the Motion

Motion carried unanimously 3-0

8:05(8:20) PMMH opened the Notice of Intent Hearing for Paul E. and Teresa Moylan of 70 Stowell Road continued from July 14, 2008 for the after-the-fact installation of a dock in Lake Watatic. MH asked if there were any abutters present to speak for or against the Application: no abutters were present. LC explained that she was contacted by Christopher Mossman of Trowbridge Engineering who stated he worked out the situation with his client and requested the Commission close the Hearing and issue the Certificate of Compliance for DEP #92-311.

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

MD: Seconded the Motion

Motion carried unanimously 3-0

MH: Motion to issue a Certificate of Compliance for DEP #92-311

LD: Seconded the Motion

Motion carried unanimously 3-0

8:15(8:22) PMMD opened the Notice of Intent Hearing for the Town of Ashburnham Department of Public Works for proposed removal and reconstruction of the Ashby Road Culvert. MH asked if there were any abutters present to speak for or against the Application: no abutters were present. Donald Ouellette, Director of the Department of Public Works, representing the Town, presented the project to the Commission. Mr. Ouellette explained that the culvert is in deplorable condition and the State threatened to close down the road last year if temporary repairs were not completed. Steel plates were installed last year but they are beginning to settle and sink holes are starting to form. Work is proposed to begin the last week in August and be completed by the third week in September. This target date should coincide with low flow conditions. The proposed culvert consists of pre-cast concrete like the one installed on Westminster Road. The wing walls may be poured on site. Soil borings did not reveal any ledge but if ledge is encountered it will be hammered out prior to setting the culvert. Water flow will continue through the construction area. Mr. Ouellette indicated that the Town may pull one board from Lake Winnekeag's dam before construction, let the water drop, and re-install the board to

allow the area to dewater slightly. One foot of materials shall be re-established in the culvert bottom to restore the stream bed. LD requested jutte matting be installed on the side slopes and requested haybales not be used for erosion controls.

MH: Motion to close the Hearing per plan and discussion

MD: Seconded the Motion

Motion carried unanimously 3-0

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

MD: Seconded the Motion

Motion carried unanimously 3-0

8:30(8:39) PMMH opened the Notice of Intent Hearing for Philip F. M. Gilley, Jr. of 33 Hay Road for the proposed demolition and reconstruction of an existing garage located within the buffer zone. MH asked if there were any abutters present to speak for or against the Application: no abutters were present. Mr. Gilley and Keith Honkala, his contractor, presented the project to the Commission. Silt fence shall be installed for erosion controls. A dewatering plan was discussed in case groundwater is encountered when digging for the frost wall. Dewatering procedures shall be coordinated with LC.

MH: Motion to close the Hearing

MD: Seconded the Motion

Motion carried unanimously 3-0

MH: Motion to issue an Order of Conditions with the condition that silt fence be used for erosion controls and dewatering activities be coordinated with LC.

LD: Seconded the Motion

Motion carried unanimously 3-0

8:45 PM LC informed the Commission that they could not open the Notice of Intent Hearing for Thomas Roy of 29 Wood Path for the proposed septic system repair located within the buffer zone because there was an error with the notification of abutters. The Hearing was postponed to August 11, 2008.

#### Other Business:

- LC informed the Commission that they are in receipt of a Request for a Certificate of Compliance for 64 Winding Cove Road for a septic system repair. LC has inspected the site and the found it to be stabilized.

LD: Motion to issue a Certificate of Compliance for 64 Winding Cover Road

MD: Seconded the Motion

Motion carried unanimously 3-0

- LC informed the Commission that they are in receipt of a Request for a Certificate of Compliance for 205 Hastings Road for a septic system repair. LC has inspected the site and the found it to be stabilized.

MH: Motion to issue a Certificate of Compliance for 205 Hasting Road

MD: Seconded the Motion

Motion carried unanimously 3-0

- LC presented an Enforcement Order for 2 East Rindge Road as the Commission requested at the last Meeting as the site has eroded into the pond again. The Commission requested a Notice of Intent be submitted within 30 days regarding how the site was going to be stabilized.  
MH: Motion to issue an Enforcement Order to 2 East Rindge Road per discussion  
MD: Seconded the Motion  
Motion carried unanimously 3-0
  
- LC presented a Determination of Negligible Impact for 49 Willard Road for the construction of an 8' x 12' mudroom located 85 feet from a bordering vegetated wetland. Excavated soils from the bigfoot footings shall be stockpiled on the driveway and covered with tarp to prevent erosion.  
MH: Motion to issue a Determination of Negligible Impact for 49 Willard Road  
LD: Seconded the Motion  
Motion carried unanimously 3-0
  
- The Commission discussed a list of Goals & Objectives for the Commission as requested by the Town Administrator
  
- LD: Motion to approve the minutes of June 9, 2008  
MD: Seconded the Motion  
Motion carried unanimously 3-0
  
- LD: Motion to approve the minutes of June 23, 2008  
MD: Seconded the Motion  
Motion carried unanimously 3-0

MH: Motion to adjourn the Meeting

LD: Seconded the Motion

Motion carried unanimously 3-0

Meeting adjourned at 10:08

Respectfully submitted by Lori Capone, Conservation Agent