

Minutes of the Conservation Commission
February 25, 2008

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

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 Scott Kelley of 221 Ashby Road for the proposed reconstruction of the existing single family house with associated well relocation, access and retaining wall, located within the buffer zone of Winnekeag Lake. CP asked if there were any abutters present to speak for or against the project: none were present. Neil Gorman of David E. Ross Associates presented the project to the Commission for the Applicant who was also present. An Order of Conditions was issued in 2006 for the septic system, but now they are filing to tear down and reconstruct the house, drill a new well, and construct a 2-foot block retaining wall. Erosion controls have been added to the plan for the work associated with the retaining wall: silt fence was proposed, the Commission requested this be changed to wattles. All work associated with the wall will be done by hand. MD asked why the retaining wall was necessary. The Applicant stated it was to prevent further erosion of the shoreline due to wave action. LD asked for vegetation to be added to the shoreline to prevent further erosion of the bank. Mr. Gorman stated that the plan has also been revised to treat for tailings from the well by directing drillings into a temporary basin to be dug where the foundation presently exists. No perimeter drain or gutters are proposed. LD suggested an infiltration trench be incorporated into the site (under the deck) to collect roof run-off. The NOI was revised to reflect floodplain impact. No bank alteration is proposed in the NOI nor will be allowed in the Order of Conditions. LD requested straw bales be used instead of haybales for erosion controls within the site and that the retaining wall be conditioned that it shall not be extended more than 90" in perpetuity.

CP: Motion to close the Hearing

LD: Seconded the Motion

Motion carried unanimously 4-0

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

1. An infiltration trench be shown on the plan;
2. Straw bales be used in lieu of hay bales for erosion controls;
3. Wattles be used for erosion controls for the retaining wall; and,
4. Blueberry bushes be planted along the shoreline to inhibit further erosion.

MH: Seconded the Motion

Motion carried unanimously 4-0

7:45(8:12) PM CP opened the Notice of Intent Hearing for the Far Hills Association, Inc. for Sunset Lake, continued from February 11, 2008, for the proposed repairs to the Sunset Lake Dam and performance of annual drawdown for aquatic weed control. LC informed the Commission that they have asked for a continuance until March 10th.

CP: Motion to continue the Hearing to March 10, 2008 at 8:30 PM

MD: Seconded the Motion

Motion carried unanimously 4-0

Other Business:

1. LC informed the Commission of a LID Bylaw meeting the Miller's River Watershed Council is holding.
2. The Commission discussed the situation on Lot 11, Parcel 2A on East Rindge Road again.
3. The Commission asked if the Mount Grace bill has been paid yet. LC informed the Commission she is waiting for an account number from the Town Accountant so she can process it.
4. LC informed the Commission that they should nominate a Vice Chair now that they have four members.

LD: Motion to nominate MH as Vice Chairman

MD: Seconded the Motion

Motion carried unanimously 4-0

5. LC reminder the Commission that the MACC Conference is this Saturday.
6. LC informed the Commission that the State Forester took the Commissioner's comments regarding the Forest Cutting Plan at 136 Rindge Turnpike Road into consideration and has changed the plan accordingly.
7. Chris MacKenzie of the Whitman & Bingham presented a minor change to the approved plans for 52 River Styx Road due to a request from the Highway Department. The plans have been amended to install a 12" culvert under the driveway, the stone wall is to be reused for the entrance way, and the driveway has been graded away from the roadway and paved for the first 30 feet. The Commission agreed these changes were minor and would not require the filing of an Amendment.

8:30 PM CP opened the Notice of Intent Hearing for San Ken Homes for 24 & 30 River Styx Road, continued from 11/26, 12/10/07, 1/28/08 and 2/11/2008. The Notice of Intent has been revised to include 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. CP asked if there were any abutter present to speak for or against the project: no abutters were present. Chris MacKenzie of Whitman & Bingham presented the revised plan to the Commission for the Applicant, who was not present. Riverfront impacts equal 7,717 s.f. or 9.8% of the lot. MD asked for the calculations of riverfront impact associated with each lot. The plans have also been revised per LC's comments including: 1.) An erosion control barrier has been added above the culvert; 2.) Silt fence has been added around the settling

basin; 3.) Additional erosion controls have been added around the bordering vegetated wetland, and 3.) The stream is no longer labeled as intermittent. The Commission requested that replication be provided for the bordering vegetated wetland that would be impacted with the culvert and to submit a planting plan and soil conditions of the replication site. The Commission requested that the Applicant go to the Planning Board for their Common Driveway Permit before the Hearing is closed in case the Planning Board requires the driveway to be paved.

LD: Motion to continue the Hearing to March 24, 2008 at 7:45 PM

CP: Seconded the Motion

Motion carried unanimously 4-0

Other Business:

1. DEP forms signed: Negative Determination of Applicability for 166 Lakeshore Drive
2. LD noted that a front loader is being parked in the buffer zone at the Laidlaw site and requested LC contact them to have it removed.
3. LD asked if the Meissners had submitted a new plan yet for their project at 100 Main Street. LC stated that she has not heard from them since she informed them that the plan that was submitted following the close of the Hearing was insufficient to accurately reflect the proposed project. There was some discussion.

CP: Motion to adjourn

MH: Seconded the Motion

Motion carried unanimously 4-0

Meeting adjourned at 9:40 PM

Respectfully submitted by Lori Capone, Conservation Agent