

Minutes of the Ashburnham Conservation Commission
August 25, 2008

- Present: CP: Christopher Picone, Chairman MH: Michael Horgan, Vice Chairman
LD: Lorraine DeSouza MD: Marshall Dennis
LC: Lori Capone, Conservation Agent
- 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 James Welch of 18 Watatic Pond Road for the proposed upgrade of the septic system for the existing single family house, located within the buffer zone. CP asked if there were any abutters to speak for or against the application: Bernadette Hines of 26 Watatic Pond Road attended the Meeting. Christopher MacKenzie of Whitman & Bingham presented the project to the Commission for the owner, who was not present. The Applicant is proposing a raised septic system due to the fact that seasonal high groundwater elevation was encountered 18 inches below the surface. Approximately 1900 s.f. of buffer zone impact is being proposed. The water line will probably have to be relocated which is not shown on the plans but will be located within the limit of work, shown on the plans. LD requested that the project be conditioned to use jutte matting if the proposed 3:1 slope doesn't hold. Ms. Hines had no comments regarding the proposed design.
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
MH: Seconded the Motion
Motion carried unanimously 4-0
- 7:45 PM CP opened the Notice of Intent Hearing for David Parker of 76 Lakeshore for the proposed construction of an addition, deck, garage, and improvements to the foundation, located within the buffer zone. CP asked if there were any abutters to speak for or against this application: none were present. Mr. Parker and Ms. Zipperstein presented the project to the Commission. LD requested more detail regarding the erosion controls, the vernal pool across the street be located on the plan, and receipt from disposal of demolition materials. CP requested soil piles be covered with a tarp to prevent erosion.
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
MD: Seconded the Motion
Motion carried unanimously 4-0

8:00(8:05) PMCP opened the Notice of Intent Hearing for Richard Olson of 196 Sherbert Road for the proposed construction of a 20' x 13' addition located within the buffer zone continued from August 11, 2008. CP asked if there were any abutters present to speak for or against the project: none were present. Mr. Olson and Irene Dominguez presented the revised plans to the Commission. Silt fence has been added to the plan 20 feet from the proposed addition for erosion control. LC informed the Commission that DEP has issued a project number with no additional comments.

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

Motion carried unanimously 4-0

Other Business:

➤ LD: Motion to approve the minutes of July 28, 2008 with corrections

MH: Seconded the Motion

Motion carried 3-0 (CP abstained as he was not present at that Meeting)

8:15 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. CP asked if there were any abutters present to speak for or against the application. Burton Gould, Winchendon Selectman and John Rideout of 207 Lake Road were present. Brian Krivitsky of Jefferson Development presented the plans to the Commission. Mr. Gould expressed concern regarding the status of the existing tight tank and taxes owed to the Town of Ashburnham. Mr. Rideout expressed concern regarding past Zoning Action and design of proposed system. Mr. Krivitsky explained that the Board of Health has already reviewed and approved the proposed design, which is a state-of-the-art system. LC informed the Commission that they are still waiting to hear from the Natural Heritage Program since the site is located within endangered species habitat. CP and MD requested a site visit be performed. A site visit was scheduled for August 29, 2008 at 9:00AM.

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

MH: Seconded the Motion

Motion carried unanimously 4-0

8:30(8:45) PM CP opened the Notice of Intent Hearing for Charles and Helen Collins of 40 Ashby Road for the construction of the proposed sewage disposal system upgrade for a single family house located within the buffer zone and riverfront area. CP asked if there were any abutters to speak for or against this application: Nancy Rivard and Bill Karhan of 30 Ashby Road were present. Neil Gorman of David E. Ross Associates presented the project to the Commission for the Applicant, who was also present. The plans have been revised to depict the drainage pipe located on the site and the location of the Floodway Zone. The existing cesspool, located within the groundwater, is proposed to be decommissioned and replaced by a tank, pump chamber and leach field. The leach field has been designed with a polyethylene barrier in order to locate the system as far from

Phillips Brook as possible. Silt fence is proposed for erosion controls since the site is relatively flat. Ms. Rivard expressed concern regarding her shallow well and additional drainage she may receive as a result of the installation of the raised leach field. There was much discussion. LD requested a swale be installed to collect any water that may be diverted from the leach field. Mr. Gorman said he would consult with his client regarding a drainage swale as the Town does not have an easement for the existing drainage pipe. Ms. Rivard submitted a letter from her attorney regarding a lot line dispute she is having with the Applicant. Mr. Gorman gave a history of the lot line delineation that was performed and admitted there is some question as to where the lot line is. MD expressed concern regarding the floodplain impact with no proposed compensatory storage. CP requested that the Hearing be continued for the Applicant to obtain Board of Health approval, resolution of the lot line dispute, and for the plans to be revised to show compensatory storage.

LD: Motion to continue the Hearing to September 22, 2008 at 7:45PM

MD: Seconded the Motion

Motion carried unanimously 4-0

Other Business:

- Adam Reno approached the Commission for permission to conduct an Eagle Scout Project. MH stated for the record that he is the Troop Leader for Troop 33 Westminster Boy Scouts of America and recused himself from the discussion. Mr. Reno would like permission to clean up the existing nature trail located behind Briggs School and would like to cut a new trail for use by an all terrain wheelchair. Mr. Reno would also like to install a bench near the pond. Mary Gagnon will be on site overseeing the project.

CP: Motion to issue a Determination of Negligible Impact for the proposed Eagle Scout Project with the condition that Mary Gagnon oversees the project

MD: Seconded the Motion

Motion carried 3-0 (MH abstained)

- LC informed the Commission that we are in receipt of a Request for a Certificate of Compliance for 19 Stodge Drive. LC has inspected the site and found it to be in compliance with the Order of Conditions and recommends the issuance of a Certificate of Compliance.

LD: Motion to issue a Certificate of Compliance for 19 Stodge Drive

MD: Seconded the Motion

Motion carried unanimously 4-0

- DEP forms signed by the Commission: Orders of Conditions for Richard Olson: 196 Sherbert Road, Stodge Meadow Association, Thomas Roy: 29 Wood Path, and Edwin Cooper: 20 Blueberry Road; Certificate of Compliance for 19 Stodge Drive

- LC presented a Determination of Negligible Impact for 36 Sunset Drive for the removal of one tree located within the buffer zone. The tree will be removed in sections and the stump shall remain.

MH: Motion to approve the Determination of Negligible Impact for 36 Sunset Drive

CP: Seconded the Motion

Motion carried unanimously 4-0

- LC presented a Determination of Negligible Impact for the placement of a 10' x 14' shed placed on cinder blocks located within the buffer zone and riverfront area at 75 Old Ashby Road. No alteration is proposed to the buffer zone or riverfront area.
LD: Motion to issue a Determination of Negligible Impact for 75 Old Ashby Road.
CP: Seconded the Motion
Motion carried unanimously 4-0
- LD: Motion to approve the minutes of July 14, 2008
CP: Seconded the Motion
Motion carried unanimously 4-0
- LC presented a request to place a 9' x 9' shed located on cinder blocks located 40 feet from Lake Watatic on Lake Haven Road, revised from the request made at the August 11th meeting. The Commission still felt that more details were needed regarding how the location would be accessed and requested a Request for Determination of Applicability be submitted.
- LC disseminated paperwork regarding the certification of four new vernal pools in Town.
- LC discussed the following applications in front of the Zoning Board of Appeals: reconstruction of the scout house located on River Street, construction of a deck at 1 Little Watatic Pond Road, construction of a horse stable at 14 Hardy Road, and demo and reconstruction of the dwelling at 11 Log Cabin Road
- LC discussed the Scenic Road Application for the Highway Department to perform brush cutting.

MH: Motion to adjourn
CP: Seconded the Motion
Motion carried unanimously 4-0

Meeting adjourned at 10:28 PM
Respectfully submitted by Lori Capone, Conservation Agent