

Minutes of the Ashburnham Conservation Commission
February 8, 2010

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

7:30 PM MD opened the meeting of the Ashburnham Conservation Commission under the MA Wetlands Protection Act, M.G.L Chapter 131, Section 40, and in accordance with the Ashburnham Wetlands Protection Bylaw and associated Rules and Regulations.

7:31 PM Steven Slocum of the Lower Naukeag Lake Association met with the Commission regarding the drawdown process of Lower Naukeag Lake. Mr. Slocum explained the drawdown process associated with the currently effective Order of Conditions. On October 15, 2009, the first board was removed. On October 20th, the second board was removed. Mr. Slocum monitors the lake level by a monitoring stick that he installed at the end of his dock. By October 30th, the water level had lowered five inches. The lake did not recede early enough for the residents to clean up their beaches. In 2009, prior to drawdown efforts the Order of Conditions had been amended to allow a 4-foot drawdown to commence on October 15th instead of November 1. The lake did not achieve its four foot drawdown again in 2009 due to the presence of beaver dams downstream of Depot Road. The third board was removed on November 6th and the lake level dropped eleven inches in total. By November 15th the lake level dropped 23 inches and on November 18th the fourth board was removed. By December 2nd the lake level dropped three feet and then ice formed. LD asked what date the drawdown commenced when the lake last achieved a four foot drawdown. Mr. Slocum said that the drawdown commenced at the end of September. Steve requested consideration to removed two 1-foot boards to commence the drawdown instead of one. The Commission requested Mr. Slocum submit a Amendment requesting a four-foot drawdown starting on October 1, 2010 and a two-foot drawdown to commence on October 15, 2011. Abutter notification requirements were discussed. The Commission said Mr. Slocum could notify abutters by email, postings on the lake and via a newsletter along with the submittal of an Affidavit of Service. Documentation proving the notification process shall be submitted with the Amendment request.

* Alana Archangelo joined the Meeting.

Other Business:

- LD: Motion to approve the minutes of December 28, 2009
CP: Seconded the Motion
Motion approved unanimously 3-0

- CP: Motion is approve the minutes of December 14, 2009

MD: Seconded the Motion

Motion approved 2-0 (LD abstained as she did not attend this meeting)

- LD: Motion to approve the minutes of January 11, 2010
CP: Seconded the Motion
Motion approved unanimously 3-0
- LD had requested LC to contact the DPW to secure the well at the Russell Hill Property. The DPW has requested permission to fill in this well. Permission was granted.
- LC notified the Commission that Warrant Articles were due by March 4th.
- CP informed the Commission that the Agricultural Commission was going to submit a Right-to-Farm Bylaw for Town Meeting.
- LC informed the Commission that she is in receipt of a 1-year Extension Request for 174 Ashby Road. This was for the construction of a driveway within the buffer zone to access a new single family house. The driveway has been constructed but grading and final stabilization has not been accomplished to date.
MD: Motion to issue a 1-year extension to the Order of Conditions for 174 Ashby Road
CP: Seconded the Motion
Motion approved unanimously 3-0
- LC informed the Commission that she is in receipt of an Extension Request for 6 Ellis Road. This was an Order of Conditions for a new single family house within Lakeview Estates on Holt Road. LC informed the Commission that the lot had been cleared three years ago but no additional work has been performed since. Additionally, LC informed the Commission that the ownership of the land has recently transferred to a foreclosure company.
MD: Motion not to extend this Order of Conditions for 6 Ellis Road due to the fact that the Order of Conditions references a specific design and the likelihood of this being constructed by the new Holding company is unlikely. Additionally the site conditions are not what they were when it was approved.
CP: Seconded the Motion
Motion approved unanimously 3-0
- LC informed the Commission that she is in receipt of an Extension Request for 34 Ellis Road. This was an Order of Conditions for a new single family house within Lakeview Estates on Holt Road. LC informed the Commission that the lot had been cleared three years ago but no additional work has been performed since. Additionally, LC informed the Commission that the ownership of the land has recently transferred to a foreclosure company.
MD: Motion not to extend this Order of Conditions for 34 Ellis Road due to the fact that the Order of Conditions references a specific design and the likelihood of this being constructed by the new Holding company is unlikely. Additionally the site conditions are not what they were when it was approved.

CP: Seconded the Motion
Motion approved unanimously 3-0

- LC informed the Commission that she is in receipt of an Extension Request for 103 Moore Road. This was an Order of Conditions for a new single family house within Lakeview Estates on Holt Road. LC informed the Commission that the lot had been cleared three years ago but no additional work has been performed since. Additionally, LC informed the Commission that the ownership of the land has recently transferred to a foreclosure company.

MD: Motion not to extend this Order of Conditions for 103 Moore Road due to the fact that the Order of Conditions references a specific design and the likelihood of this being constructed by the new Holding company is unlikely. Additionally the site conditions are not what they were when it was approved.

CP: Seconded the Motion
Motion approved unanimously 3-0

- LC presented a request from the Department of Public Works to replace some culverts on Ashby Road and repave the roadway from Stowell Road to Ridge State Road. Most of the culvert replacements are covered under the Order of Conditions for town wide maintenance for the DPW. One culvert at the corner of Ashby Road and Holt Road does not meet the size requirements to be covered under this Order. The Commission requested that a Notice of Intent be submitted for the replacement of this culvert.
- LC submitted a draft Town Report for the Commission to review and revise.
- The Commission discussed taking enforcement action against work performed without a valid Order of Conditions at 4 Liberty Lane. MD stated that he would draft a letter for the Commission to review.
- LC informed the Commission that the Land and Water Conservation Fund Grant is open if the Commission had any projects they would like to submit.
- The Commission discussed their finances. MD informed the Commission that the Wetlands Protection Bylaw needs to be amended at Town Meeting so that the Commission can manage their own funds. MD will contact MACC for advice and meet with the Town Administrator with modified language.

LD: Motion to Adjourn
CP: Seconded the Motion
Motion approved unanimously 3-0

Meeting adjourned at 9:25 PM
Respectfully submitted by Lori Capone, Conservation Agent