

Minutes of the Ashburnham Conservation Commission
March 22, 2010

Present: MD: Marshall Dennis, Chairman LD: Lorraine DeSouza
 CP: Christopher Picone AA: Alana Archangelo
 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.

The Commission welcomed Alana Archangelo to the Commission.

7:31 PM MD opened the Notice of Intent Hearing for the Department of Public Works (DPW) for the replacement of a 48” culvert on Ashby Road. MD asked if there were any abutters present to speak for or against the project: no abutters were present. Mr. Nims of the DPW presented the plan to replace drainage structures and repave Ashby Road to the Commission. MD asked if any coffer dams will be necessary. Mr. Nims explained that dewatering will be performed if necessary. Dewatering areas are shown on the plan but no coffer dams. LD asked if the proposed 48” concrete pipe could be upgraded to a box culvert. Mr. Nims explained that a box culvert was not proposed for this crossing as the resource area is not a stream crossing; it acts as an equalizer pipe. LD expressed concern with drainage from Lakeview Estates and whether the proposed 48” culvert was sufficient. Mr. Nims stated that this culvert had no problem handling the recent storm event and couldn’t see any possible drainage from Lakeview Estates exceeding this volume. Stabilization of side slopes were discussed. Mr. Nims stated that the Town has a vested interest in seeing that the side slopes are adequately stabilized to protect the integrity of the roadway. LD asked whether the beaver deceiver is still in working order. Mr. Nims stated that he never thought it was functional and suggested installing a gate at the culvert invert to manage beaver debris. MD requested that the existing and future beaver debris that had historically been stockpiled near the culvert be removed from the site. CP suggested straw bales, or a similar erosion control barrier, be utilized for erosion controls instead of the proposed haybales. CP questioned the timing of construction to ensure construction would not negatively affect animal migration. Mr. Nims stated that the construction should occur in the summer when the water levels were at their lowest.

Mr. Nims also informed that Commission that they will be repaving Rindge Turnpike Road but no structure will be replaced. The Commission agreed this fell within the scope of the existing Order of Conditions for town wide maintenance but requested that he contact the Commission two weeks prior to commencement of work to determine if any erosion controls should be installed.

MD: Motion to close the Hearing and approve the issuance of an Order of Conditions per plan and discussion

CP: Seconded the Motion

Motion approved unanimously 4-0

8:00 PM Rick Muelhke of the Nashua River Watershed Association attended the meeting to discuss introducing beetles on Route 119 to reduce the existing and future populations of purple loosestrife. The beetles will be released on Town land managed by the Conservation Commission. The beetles will be released in mid-June and will be monitored through mid-August. Mr. Muelhke informed the Commission that it will take 5-10 years before the Town will see the expected results. LD suggested informing the neighbors of the project to request they not mow their purple loosestrife so that the project is not negatively influenced. As this is technically altering wetland vegetation, Mr. Muelhke is requesting a Determination of Negligible Impact. LC will forward the application to Mr. Muelhke and will be voted on at the future meeting.

Other Business:

- LC disseminated information submitted by the Lower Naukeag Lake Association associated with their request for an Amendment. LC will set up a Hearing for the Commission's April 12th Meeting.
- LC disseminated the monitoring report submitted by the Stodge Meadow Association associated with their lake drawdown as required by their Order of Conditions.
- LC informed the Commission that the Department of Conservation and Recreation has invited a member of the Commission to attend a dinner regarding Conservation Restrictions. MD said he would attend if LD was not able to.
- LC requested permission to attend Keystone Training provided by the University of Massachusetts to learn about forest ecology and management. There is a \$50.00 registration fee associated with the training and the 30 hour training session would be deducted from hours spent in Town. LC would then serve as the Town's contact person for forestry issues and would provide the Town with 30 hours of volunteer time.
MD: Motion to authorize LC to attend the Keystone Training Program
CP: Seconded the Motion
Motion carried unanimously 4-0
- LC informed the Commission that she received an announcement from DEP regarding Wind Grant Opportunities. LC forwarded the information to Stan Herriot at the Light Department.
- LC informed the Commission that Mass Highway has requested permission to install two catch basins and replace a culvert under Fitchburg Road in front of 117 Fitchburg Road.

No alteration of the resource area was proposed. The Commission authorized the work to proceed.

- LC informed the Commission of a drainage problem at 30 Noel Drive. The yard and existing single family house flooded in the recent rain events and the homeowner has requested permission to pump the water out into the street toward an existing culvert that discharges towards Sunset Lake. The quality of the water inside the structure was unknown so the Commission authorized the water in the yard to be discharged as requested but the water inside the basement would need to be pumped into a pumper truck and disposed of properly.
- The Commission discussed an existing situation at 4 Liberty Lane. The homeowner was sent a letter regarding the matter on February 16th which required her to either provide evidence that the stockpiled fill was removed from the site or, if the fill was spread in the yard, that an after-the-fact Notice of Intent be submitted. To date the Commission received no response from the homeowner. MD stated that it was a blatant violation of the law that needs to be addressed as the homeowner was directed by both the Commission and the Department of Environmental Protection that they had no permit to spread the fill and requested that the Commission pursue the violation. CP suggested issuing a second violation letter.
MD: Motion to write a second warning notice requiring the homeowner to respond and/or attend the next meeting. If no response is provided by April 12th then the Commission would issue an Enforcement Order.
CP: Seconded the Motion
Motion carried unanimously 4-0
- The Commission discussed the Warrant Article submitted for ATM to change the Bylaw language. MD explained changes to the FY11 Budget imposed by the Town Administrator.

LD: Motion to adjourn

MD: Seconded the Motion

Motion carried unanimously

Meeting adjourned at 9:45 PM

Respectfully submitted by Lori Capone, Conservation Agent