

8:00 PM MD opened the Request for Determination of Applicability public hearing relative to the application of herbicides by the **Pan Am Railways** along the railroad right-of-way at selected locations in South Ashburnham. MD stated that he had contacted **Keith Morris**, who filed the RDA on behalf of Pan Am, and requested supplemental information regarding the delineation of wetlands within the right-of-way and the actual herbicide application procedure(s). To date, no response has been received.

CP: Motion to continue the RDA public hearing for Pan Am Railways for the application of herbicide along selected areas in South Ashburnham to January 10, 2011 at 7:30 PM.

AA: Seconded the Motion

Motion carried unanimously 3-0

8:05 PM **Tim Sullivan of OCRAH Land Development** was present for an informational meeting to discuss the potential construction of a single family dwelling with an attached garage at **2 Westminster Street**. The existing home was demolished after a fire in 1999. The Commission advised Mr. Sullivan that, from the Commission's perspective, construction on the subject property appeared feasible.

Other Business:

- The Commission had a discussion regarding the dilemma of issuing Certificates of Compliance when the applicant DOES NOT request it. MD referenced a situation where the homeowner's home is being foreclosed upon and the foreclosing bank is requesting that the CoC be issued. MD will email the DEP for advice.
- MD informed the Commission that, after reviewing the project files, the Extension Order under which the Lower Naukeag Lake Association presently is applying herbicides could not be located. The Association has requested a determination by the Commission on the applicability of the MA Permit Extension Act to their current Orders relative to herbicide application and lake-drawdown activities. MD will request a copy of the missing Order from the Association.
- MD informed the Commission that the property owners are interested in demolishing an existing single family dwelling on **Brideau Road (formally Martin Road) on Lower Naukeag Lake** and construct a new one on the same site.
- The Commission reviewed and revised the Minutes from the December 13, 2010 meeting.
CP: Motion to approve the December 13, 2010 meeting minutes as revised
MD: Seconded the Motion
Motion carried unanimously 3-0

MD: Motion to adjourn

AA: Seconded the Motion

Motion carried unanimously 3-0

Respectfully submitted by:

Alana Archangelo, Conservation Commission Member