

Minutes of the Ashburnham Conservation Commission
July 12, 2010 (Special meeting, posted in advance)

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

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 Steve Slokum of Lower Naukeag Lake Association asked if the hearing for their re-amended NOI would be tonight. They are requesting to re-amend the NOI for a drawdown. After the hearing was postponed by the Association on May 24, 2010, it was to be moved to July 12. However, without any clerical assistance and the loss of the Conservation Agent in late June, this hearing was not put on the agenda for tonight. It will be held, instead, at 7:30 PM July 26th.

7:32 PM MD opened the Notice of Intent Hearing for **Mark Dymek**, who filed a Request for Extension of Order of Conditions for the **Whitney Park** development. The permit was originally issued Aug. 14 2007. So far, the water, sewer and electric lines have been installed for Phase I of the project. Mark stated that he will pay the \$50 fee for a 3 year extension.

CP: Motion to approve the extension.

LD: Seconded the Motion

Motion carried unanimously 3-0 (AA had not yet arrived)

7:45 PM **Jurica Indruh – 420 Ashby Road – Notice of Intent** (Continued from May 24, 2010: Proposed construction of a septic system consisting of a septic tank, leach field, and associated grading, located within a buffer zone. Angel Lehtonen of Northland Engineers represented the applicant. Per our previous discussions, the proposed leach field location has been adjusted to avoid placing the grading in the wetland/area subject to flooding from sump pumps. It is also outside the floodplain, farther from the perennial stream, but now closer (84') to the pond.

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

LD: Seconded the Motion

Motion carried unanimously 4-0

- Other business with Northland Engineers was discussed:
- 70 Heather Dunn Rd. As built plan is pending.
 - 155 Winchendon Rd. Request for extension was submitted before it expired. It will be added to the July 26 agenda.

- 108-109 Winding Cove Rd. Order of Conditions was not notarized in Dec. 2009. It will be notarized in Town Hall and re-sent to Angel Lehtonen at Northland Engineers.
- 38 Stodge Meadow Rd. Wrong form was submitted. An after-the-fact RDA form needs to be completed and filed. The \$50 RDA fee has already been paid, and the RDA hearing will be held at 8 PM, July 26, 2010.

8:05 PM MD opened an NOI hearing for Douglas Smith and Kate Smtih from Soilsmith Designs, for The Estate of Rita T. Venis – **74 Lakeshore Drive**. Repair of a septic system within the buffer zone of Lake Watatic. No abutters were present. New Presby system will be 87.5 feet from the lake. No reserve needed since this is an upgrade. Wells to be abandoned since the street has town water. Old cesspool tank will be pumped, crushed, and trucked away with proof of proper disposal. Erosion control barriers were discussed: straw or 18” waddles approved, but not hay bales.

LD: Motion to close the Hearing

CP: Seconded the Motion

Motion carried unanimously 4-0

LD: Motion to issue an Order of Conditions per plan and discussion

CP: Seconded the Motion

Motion carried unanimously 4-0

8:18 PM MD opened an NOI hearing for **Fitchburg Sportsmen’s Club – 289 Rindge State Road** relative to improvement of the existing rifle range within a wetland and the 100-foot buffer zone. In attendance were Chris MacKenzie (Whitman and Bingham), Phil Madonia and Paul Lieneck. No abutters were present. LD offered to recuse herself since she is a member of the Club. The applicants did not object to her voting in this hearing.

The plan is to install baffles to catch stray bullets in the firing range. Installation will fill wetland under the baffles, which will be replicated nearby. Filling under each baffle, along with a rubberized liner and liming, will reduce leaching of lead bullets into the surrounding wetland. The rubberized liner material will be cleaned approximately every 10 years. The replication details from Chuck Caron were discussed, including the placement of wetland soils from the same site, and re-vegetation strategies. Chris MacKenzie was going to check with Mr. Caron with respect to supplemental information regarding the proposed wetland replication and its re-vegetation via seed bank or a supplemental seed mix.

MD requested a site visit, which was scheduled for Friday, July 16 at 9 AM.

The Hearing was continued to July 26, 8:15 PM.

The WPA violation on the FSC site north of the lake was also discussed. Restoring the area will be addressed in a separate NOI. Ideas will be discussed on the site visit Friday.

8:50 PM Miscellaneous items

- Signatures were obtained for all commissioners regarding the need to have read and understood the new Open Meeting Laws.
- Issued a Certificate of Compliance – National Grid I-135 Transmission Line (Since there is no DEP#, this is ASH-02)
 - LD: Motion to issue CoC
 - MD: Seconded the Motion
 - Motion carried unanimously 4-0
- Discussed a pending, after-the-fact Notice of Intent for 34 Winding Cove Road – Dock and Landscaping with the 100-foot buffer of Sunset Lake
- Issued a Determination of Negligible Impact for the building renovations at the Fitchburg Sportsmen’s Club, as discussed June 14, 2010.
 - CP: Motion to issue CoC
 - AA: Seconded the Motion
 - Motion carried 3-0 (LD abstained as a member)
- Issued a Determination of Negligible Impact for 64 West Shore Drive for a minor building addition within the 100 foot buffer zone to Watatic Lake.
 - LD: Motion to issue CoC
 - CP: Seconded the Motion
 - Motion carried 4-0
- Discussed Request for Certificate of Compliance – 63 Rindge State Road (Pending)
- Discussed Determination of Negligible Impact – 63 Rindge State Road (Pending)
- There was much discussion on how to proceed without a Conservation Agent.

Meeting adjourned at 9:27 PM

Respectfully submitted by Chris Picone, member, Conservation Commission