

Minutes of the Ashburnham Conservation Commission

March 28, 2011

Present: MD: Marshall Dennis, Chairman

CP: Christopher Picone

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 MD received a request to visit 161 Dunn Road, for which a building permit application had been submitted. MD visited the site and, while the rear of the property was observed to be under water, it was MD's opinion that the water was seasonal and due to frozen ground conditions. Regardless, MD will request that the current owner (Tom Rivers) retain the services of a wetland consultant to determine the presence/absence of jurisdiction wetlands onsite.

7:45 PM MD opened the Public Hearing on the after-the-fact Notice of Intent filed for the construction of a driveway and associated landscaping within a 100 foot buffer zone of a bordering vegetated wetland at **80 Center St (Rte 101)**, owned by **Mr. Brian Beaton**. Mr. Beaton was in attendance, as was Mr. Leonard Beaton and Mr. Jamie Rheault of Whitman & Bingham and Associates. Abutters Mr. John Rahaim and Scott Bingham were not in attendance but did submit, in writing, their concerns about the proposed driveway.

There was discussion regarding the property delineation and the concern that the grading of the driveway had deposited soil onto and over the stone wall adjacent to a bordering vegetated wetland. The Commission will perform a site visit at 3 PM on Friday, 1 April 2011.

MD – Motion to continue the hearing until April 11th

CP- Seconded the Motion

Motion carried unanimously 3-0

8:05 PM **Lorraine Desouza** (LD) was present for an informational meeting to address potential restoration measures in the **Young Road** area on property owned by the Ashburnham Conservation Trust. LD noted that a portion of the property contains potentially viable habitat for turtle nesting. The presence of wood turtles, for example, has been recorded in the area in the past. LD would like permission to cut some white pines to open and restore habitat. MD suggested filing a Notice of Intent or an Abbreviated Notice of Intent since the area in question is less than 1,000 square feet.

Other Business:

8:22 PM **Steve Slocum** of the **Lower Naukeag Lake Association** was present to discuss the status of the Drawdown and Chemical Treatment permits. MD presented a spreadsheet he created showing the history of the Lower Naukeag drawdown permits. The current drawdown permit expires in 2013.

In contrast, the Chemical Treatment permit expired in 1999. Consequently, the filing of a new Notice of Intent and updated map of aquatic plant communities will be required in order the application of herbicides in 2011. The Commission also requested a list of chemicals being used and where they would be applied. MD further indicated that using the newsletter or email to notify abutters of the hearing would be acceptable, as would posting the date and time of the hearing on the bulletin and sign boards at the lake. SS requested the cost of the filing fees, which MD will provide.

Lastly, as discussed with SS, the most recent Final Generic Environmental Impact Report (Final GEIR) states that lake drawdowns should not commence prior to November 1st. Since the Association would prefer to commence drawdowns in October, SS will seek to get a document from the MA Department of Environmental Protection and/or the MA Department of Conservation & Recreation stating that the November 1st drawdown date set forth in the Final GEIR only is a guideline and can vary based upon site-specific conditions. This would facilitate the drawdown's commencement earlier in the year.

In addition:

- MD attended and participated in **Jeff Merrill's** Eagle Scout ceremony. Jeff Merrill is a Cushing Academy student who coordinated and supervised the construction of a trail on the **Russell Hill Trail Project** last fall.
- MD announced that the classified advertisement for a part time (16-hours/week) Conservation Agent will be published in the Gardner News. MD will discuss the Commission's contribution to the Agent's salary with the Town Administrator.

9:02 PM AA- Motion to adjourn
 CP- Seconded the Motion
 Motion carried unanimously 3-0

Respectfully submitted by Alana Archangelo, Member
April 10, 2011