

Minutes of the Ashburnham Conservation Commission
April 25, 2011

Present: MD: Marshall Dennis, Chairman
AA: Alana Archangelo

CP: Christopher Picone

6:30 PM MD opened the meeting of the Ashburnham Conservation Commission under the MA Wetland Protection Act, M. G.L. Chapter 131, Section 40, and in accordance with the Ashburnham Protection Bylaw and associated Rules and Regulations

6:31 PM MD opened the Public Hearing for the Notice of Intent filed by the Far Hills Lake Association for an **integrated lake management plan involving a lake drawdown program and the application of herbicides for the control of nuisance aquatic vegetation at Sunset Lake**. Will Stevenson (WS) and Joy Liptak (JL) of Lycott Environmental Inc. were in attendance representing the Far Hills Lake Association. Gene Kopfmann and Dave Griffin were in attendance representing the Far Hills Lake Association.

After reviewing the plans, MD asked if any mechanical removal of nuisance vegetation was planned. JL indicated that water chestnut and water lilies may be pulled, but the primary nuisance species of concern (e.g. milfoil) would necessitate herbicide/algaecide treatment.

JL stated that, initially, a plant species survey is conducted in the spring, followed by treatment. A report of all findings is prepared and submitted to the Commission at the end of the year.

MD asked about the depth of the lake. WL indicated it was in the range of 5-15 feet with an 18-20 foot depth by the dam. MD requested the types of herbicides to be applied. WS indicated they usually used diquat and copper for algae which are contact herbicides, but typically they don't specify the chemicals in case a better alternative becomes available. MD informed the Lycott representatives that the Commission needs to be informed of the herbicides to be applied prior to spraying. MD also provided WS and JL with the summary of drawdown and herbicide permitting history he had compiled.

CP requested clarification on where the safe zones and refuges were on the map of Sunset Lake, and reminded WS and JL that no herbicides could be applied within 5 feet of the shorelines, as well as within 50 feet of beaver lodges. WS stated that the size of the boat made it so no herbicide could be applied within 15 feet of the shore anyway. CP inquired as to whether Lycott tested for dissolved oxygen (DO) concentrations after herbicide applications. WS stated they did not because the subsequent die off is much slower following herbicide applications. WS further indicated that normally, if at all, such testing normally would occur after algaecide applications. With respect to lake drawdowns, CP noted that in 2009 the lake filled up in three days after all the boards were replaced and, as a

consequence, the stream below the dam may have dried up. He requested that the Lake Association monitor downstream flows to ensure that the stream contained sufficient quantities of water (i.e. bankfull conditions) at all times. Based on State guidelines, discharge flows to the outlet stream of at least 3.4 cubic feet per second are required during the lake recharge period.

MD requested copies of the pre-season survey, understanding that it would be a draft product.

CP- Motion to close the hearing
AA- Seconded the Motion
Motion carried unanimously 3-0

CP- Motion to approve the NOI per plan and discussion
AA- Seconded the Motion
Motion carried unanimously 3-0

7:05 PM

MD opened the Public Meeting for the **Request for Determination of Applicability (RDA) for the reclamation of approximately 3.5 miles of Route 101 generally between Route 119 and the Route 101/Stowell Road intersection.** Roadway work will involve full depth reclamation, removing and resetting guard rails, installing new guard rails, drainage structure inlet improvements, realignment of intersections and selective clearing and trimming to re-establish clear zones. MD acknowledged that he has many ongoing contracts with the Massachusetts Department of Transportation/Highway Division (MassDOT). Bill Clougherty (BC) was in attendance representing MassDOT.

BC restated that the project went beyond the scope of simple repair, and will include replacing drainage structures and drop inlet covers. He also stated that upon inspection, catch basins may need to be replaced. BC indicated that 12 inch high straw or mulch wattles will be installed for erosion control and the wooden stakes holding them in place would be removed at the end of construction. MD requested that the wattles be cut open and flattened at the end of the work. BC stated that this work will commence after Steve Nims has finished replacing certain culverts. MD requested that the Commission be given 96 hours advance notice before work commences.

MD - Motion to approve the Request for the Determination of Applicability per plan and discussion
CP- Seconded the Motion
Motion carried unanimously 3-0

7:30 PM

MD opened the Public Hearing for the **Notice of Intent filed by Ocrac Land Development** for the construction of a single family house within Bordering Land Subject to Flooding, the 200 foot Riverfront Area and the 100 foot buffer zone associated with the Whitman River at **2 Westminster Street.** John Harrison (JH)

and Tim Sullivan (TS) were in attendance, representing Ocrah Land Development. Joseph Zbikowski, an abutter, was also in attendance.

After reviewing the plans, MD informed JH and TS that a track pad must be installed at the driveway entrance and the silt fence must be extended to go around the shed. MD noted that the proposed construction complies with the State wetlands regulations since it met the provisions of 310 CMR 10.58(4)(d)3.

MD- Motion to close the Public Hearing
CP- Seconded the Motion
Motion carried unanimously 3-0

MD- Motion to issue Affirmative Order of Conditions
AA - Seconded the Motion
Motion carried unanimously 3-0

Other Business

- MD received the NOI for the application of herbicides at Lower Naukeag and it will be on the agenda for May 9.
- MD will inspect 20 Tuckerman Road relative to driveway repair activities within 100 feet of a Bordering Vegetated Wetland.
- Seven resumes were received for the position of Conservation Agent. The Commission decided to conduct interviews for qualified candidates on Friday, May 6th in the afternoon.

8:12 PM CP- Motion to adjourn
MD- Seconded the Motion
Motion carried unanimously 3-0

Respectfully submitted by Alana Archangelo,
Member

May 9, 2011