

Minutes of the Ashburnham Conservation Commission  
December 12, 2011

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

CP: Christopher Picone

6:35 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. Due to the absence the third member of the commission, the Rules of Necessity were invoked to carry out the meeting with only two members.

6:45 PM **Gary Shepherd – 35 Brown’s Lake Road.** (DEP CE 092-0866) MD opened the Notice of Intent hearing pertaining to the demolition of an existing cabin and construction of a single-family home. Also in attendance were the owner Colin Boulanger and developer Neil Gorman, along with abutters and neighbors Frank Tagliavia, Stephen Progin and Fred Freidus.

After a brief overview of the plans, abutters raised concerns about the condition of the private road and water that has been collecting. They claimed that flooding has been a problem after vegetation had been removed and area to the east of the road was allegedly filled “with clay”. A cease-and-desist order was filed in 2010 for this earlier work.

After much discussion, the applicant agreed that the OoC will include regrading the road and crushed rock will be placed on top, along with a track pad construction entrance throughout the whole driveway. The crushed rock will be included in the next set of plans, and the roadwork will be considered “construction related erosion control.”

In addition, erosion control barriers will consist of 18” filter socks, or two stacked 9” socks, but no silt fence in order to facilitate drainage.

The gazebo to be constructed (on the existing cabin site) will not extend towards the lake past the existing fireplace. The applicants also stated that they want to raise the grade to meet the base of the existing fireplace to level with surroundings.

The applicants mentioned “selective clearing” to maintain the view from the gazebo to the lake, and the OoC will require flagging/marketing any trees before removal.

CP Motion to continue to Jan 9, 6:30 PM. MD Seconded. Passed 2-0.

7:32 PM **Ralph Hicks (Superintendent) – 96 Williams Road:** Notice of Intent pertaining to the construction of a new elementary school. Also in attendance, Dave Christenson and members of the Briggs Building Committee (BBC).

MD reopened the hearing. The applicants agreed to stockpile materials for erosion control. Dave Christenson requested on behalf of the BBC that the fee from the Wetland By-Law be waived. MD informed them that the fee would not be waived.

MD: Motion to close the hearing.

CP: Seconded

Passed 2:0

MD: Motion to accept the NOI per plan and discussion

CP. Seconded

Passed 2-0

The OoC will be sent to Dr. Hicks.

7:39 PM **Judith Boucher – 24 Jewell Hill Road:** Request for Determination of Applicability pertaining to site grading associated with a septic replacement. Kevin Horgan from Graz Engineering represented the applicant. Grading barely enters the 100' buffer zone for an intermittent stream. Plans have been approved by the BoH, and green cards were presented.

CP. Motion to issue a negative determination of applicability.

MD. Second.

Passed 2-0

Mail conditions to Kevin Horgan because applicant has sold her home.

#### **Other Commission Business/Administration:**

- **Determination of Negligible Impact – George Francois, Jr., Lake Road** (Map 12, Lot 43), for the clearing of debris and vegetation within 100-ft from Upper Naukeag Lake. Approved by a vote of 2-0.
- Gary Howland, Ashburnham Conservation Trust. Discussed upcoming forestry at Bush Hill for the Town of Ashburnham. The previous forester (Joelle Vatur) took a new position so another will be needed. Proceeds from forestry will go to the Conservation Fund. The Conservation Commission will have to pay for a Forest Cutting Plan at Bush Hill because the Town owns the land. By 2014 a new Stewardship Plan will also be due. MD will get an accounting on the three Conservation funds (Conservation, State, and By-law funds) to pay for these plans.
- Gary Howland, NRWA – Open Space and Recreation Plan (OSRP). Gary as been asked by NRWA and the North County Land Trust to help with develop a “regional context” to the OSRP. He will meet with Laura DiNardo and MD in the next few weeks.

**8:15 PM** CP- Motion to adjourn  
MD- Seconded  
Passed 2-0

Respectfully submitted by Chris Picone, Conservation Commission Member