

Minutes of the Ashburnham Conservation Commission

June 11, 2012

Present: MD: Marshall Dennis, Chairman

CP: Christopher Picone

AA: Alana Archangelo

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 Wetland Protection Bylaw and associated Rules and Regulations.

6:33 PM MD opened the public hearing for the Notice of Intent for the **Estate of Robert Murphy c/o Thomas, John, and Paul Murphy- 5 Shamrock Lane** pertaining to the request for a variance to replace a septic system within 100 feet of Lower Naukeag Lake. Michelle Deline was present as a representative. MD explained that a variance was not required under the State Act/regulations or Bylaw. After examining the proposed plan, MD requested that the project use straw bales instead of hay bales.

CP- Motion made to close the public hearing for 5 Shamrock Lane

AA- Seconded

Unanimously passed 3-0

CP- Motion to approve plans to replace septic system at 5 Shamrock Lane per plan and discussion.

MD- Seconded

Unanimously passed 3-0

6:40 PM **E Square Properties**, representing **Eustis Enterprises, 23 Westminster Street** filed a Request for Determination of Applicability-in order to replace the septic tank and d box for an existing SDS that serves the existing building. Chris Mossman was present as a representative. Mr. Mossman asked if there was a way to not have to do a certified mailing to inform abutters. MD said he'd look into it. The Commission had no issue with the proposed plan.

CP- Motion to close the public hearing for 23 Westminster Street

MD- Seconded

Unanimously passed 3-0

CP- Motion to issue a negative Determination of Applicability

MD- Seconded

Unanimously passed 3-0

The Commission signed the RDA.

Other Business:

- **Gary Howland, representing the Ashburnham Conservation Trust**, was present. The Commission needs to initial a small change in the **Sallie Thoma Conservation Restriction**.
- Mr. Howland has been in contact with **Eagle Scout candidate Noah Smith** regarding the Bush Hill project. The water crossing is wider now because of the rain. Noah will strategically place large rocks in the stream to aid water crossing and will NOT place any wooded planks across the stream.
- **Jamie Rheault** was in attendance, representing **Whitman and Bingham** regarding **100 Main Street** for a continued pre-NOI discussion regarding the project. Mr. Rheault reaffirmed that the Town will be a co-applicant for the project and updated the Commission of the following changes to the plan:
 - Riprap will be changed to a grass swale
 - The original proposed future addition will be cut back so as to not go into the wetland
 - The berm which was going to extend beyond the grass swale no longer will do so
 - The NOI will be filed as a limited project regarding wetland replication
 - MD reminded the Commission that the project will have a permanent impact of 2,969 square feet by the berm and a temporary impact of 5,659 square feet above the berm.
 - Mr. Rheault confirmed that the Commission was waiving the Bylaw fees.
 - MD affirmed this and asked Mr. Rheault if he had spoken to Doug Briggs. MD also stated that he would review the limited project proposal regarding wetland replication. Mr. Rheault requested that MD give him a call when he completed the review. MD said that wouldn't be a problem and they wanted to avoid getting an appeal letter from the DEP.

7:05 PM MD opened the public hearing for **Barbara Friedman of 40 Westminster Street**. An NOI was filed pertaining to the demolition of the existing 2 bedroom house, construction of a new house, partial relocation of the existing driveway, and connection to existing municipal utilities with the 100 foot buffer zone and 200 foot Riverfront Area. **Chris Mackenzie, of Whitman and Bingham** was present. He stated the existing dug well on the property will be filled in as the house is hooked up to town water. MD told him that straw bales would be needed

instead of hay bales for sediment control, or he could just use silt fence without the straw bales. There is one section on the plans where the fencing will have to be swung over as needed to let construction vehicles in and out.

AA- Motion to close the public hearing for 40 Westminster Street

CP- Seconded

Unanimously passed 3-0

AA- Motion to issue the Order of Conditions per plan and discussion

CP- Seconded

Unanimously passed 3-0

Other Business:

- The Commission signed a **Certificate of Compliance** for **Ernest and Kristen Stevens of 41 High Street** (Map 21, Parcel 49A)
- The Commission signed a **Certificate of Compliance for Gary Gleason of 155 Winchendon Rd** (Map 14, Parcel 1A)

7:45 PM MD- Motion to adjourn

CP- Seconded

Unanimously passed 3-0

Respectfully submitted by Alana Archangelo, Member

August 12, 2012