

Minutes of the Ashburnham Conservation Commission

March 12, 2012

Present: MD: Marshall Dennis, Chairman

CP: Christopher Picone

AA: Alana Archangelo

6:32 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.

Other Business:

Request for a **Certificate of Compliance for Renee and Bobby Boucher of 177 Cashman Hill Road** was continued to March 26 as no one was present regarding this property.

Keith Armstrong was present on behalf of **Kristi and Scott Johnson of 23 Spruce Drive (Map 46, Parcel 24)** for a **Determination of Negligible Impact** for the construction of a deck within the 100 foot buffer zone to Sunset Lake. Mr. Armstrong's plans call for the removal of an existing deck and shed and replacing the deck. The existing concrete under the deck will be removed and replaced with 12-14 SONO tubes. The excavated soil will be stockpiled, covered and removed. CP expressed concern with starting a precedent regarding having DNIs for deck construction instead of RDAs. For this particular project, however, the deck that is being replaced is over 90 feet from the lake's bank.

CP- Motion to approve the DNI

MD- Seconded

Unanimously passed 3-0

6:40 PM **Gary Howland from the Ashburnham Conservation Trust** was in attendance to give updates on various projects. Charles "Chuck" Caron was in attendance with Mr. Howland as was Sallie Thoma regarding the Conservation Restriction ACT is trying to get on her property. Mr. Howland stated that Ms. Thoma's property, located on Willard Road, has had its perimeter survey completed and the deed is clear and doable, and they are waiting for the appraisal to come in. Chuck reported Sallie would like to clear cut a 2 acre stand on the property which was originally field, then it was planted with Christmas trees. The Christmas trees were cut down and chipped, and the gray birch that are there now were badly damaged in the ice storm of 2008. Sallie would like the space to be a mowable habitat. There is a time constraint to get

this done by May 15, 2012 because it changes the forested area (the Forestry Legacy Grant says the area has to stay forest and it goes into effect May 15). Chuck said an excavator could rake up the little stumps and create furrows running perpendicular to the wetland. Gary is concerned about how to make sure this is done legally. MD said to file it as an RDA with a seeding plan by April 9.

Mr. Howland's next order of business was regarding the Bush Hill Town Forest. Mr. Kirk Lesley would be writing up the cutting plan and putting up gates and signage. By 2014 a new Forestry Stewardship Plan needs to be filed.

Mr. Howland next discussed the town's Conservation Fund- there is currently \$31,600 in it for land purchase and stewardship. The Commission uses several funds ; the Bylaw Fund which is a budgeted expense fund that goes into the General Fund, the State Fund, which is not an expense fund, but has our state fees and currently has \$113,000, and the Conservation Fund, which has \$31,600 in it for purchase and stewardship.

Mr. Howland then updated the Commission on the Open Space and Recreation Plan. The state just purchased over 600 acres in Ashburnham with a Conservation Restriction. Mr. Howland is still working on updating the map.

Jennifer Jones was in attendance with the **Ashburnham Conservation Trust** to update the **turtle habitat restoration project on Young Road and the Bluefield property**. She said the project would go forward in two stages; first the area needed to have several white pines and some limbs cut and cleared out in time for turtle nesting season. Fees were discussed. It would cost \$50 to file an RDA but much more for an NOI (\$350 and \$175 because it's a resource area improvement, then 50% because it's in a riverfront, \$58 to post the notice in the Gardner News, plus \$6.50 per abutter, of which there are 5.) Although it seems like a small project, MD would be more comfortable with having ACT file an NOI. Mr. Howland expressed his agreement that he did not want it to look like the Commission was granting any favors and wanted everything to be aboveboard. Ms. Jones will get started on the NOI.

The Commission discussed the challenges associated with having to meet and approve Determinations of Negligible Impact as a group, which sometimes significantly slowed down small projects. It was proposed that the authority might be granted to the Conservation Agent or Chair to approve DNI's without first having to meet with the commission, but all DNI's would still be submitted to all members before approval would be granted.

CP- Motion to give authority to Conservation Agent and/or Chair to approve DNI's without first having to meet with the Commission as a whole.

AA- Seconded

Unanimously passed 3-0

8:00 PM MD- Motion to adjourn

AA- Seconded

Unanimously passed 3-0

Respectfully submitted by Alana Archangelo, Member