

**Minutes of the Ashburnham Conservation Commission
February 25, 2013**

Present:

MD: Marshall Dennis, Chairman
AA: Alana Archangelo, Member
AH: Andrew Henderson, Member
MP: Maureen Pollock, Conservation Agent

Absent

CP: Christopher Picone, Member

6:45 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 Wetlands Protection Bylaw and associated Rules and Regulations.

6:48 PM

MD opened the public hearing for **39 School Street (Map 62, Parcel 1), filed by Cushing Academy** regarding a **Notice of Intent** for the proposed construction of a patio attached to the Dining Hall. James Rheault of Whitman & Bingham and Mark Harasimowicz of Cushing Academy were in attendance.

Mr. Rheault explained that along the patio, a stone pathway will replace the existing grass. The existing grass area has an erosion problem caused by current foot traffic. The stone pathway, which will be constructed by the Cushing Academy seniors, will help direct future foot traffic to stay on the stone, and not walk on the grass. A stormwater report has not been prepared because the proposed design will only include unit pavers and does not include concrete. Erosion control barriers will consist of silt fencing and straw bales.

At the request of the applicant, the public hearing was continued because the MassDEP file number had not been issued.

AA- Moved to continue the public to March 11, 2013 at 6:45PM

MD- Seconded

Unanimously passed 3-0

7:00 PM

MD opened the public hearing for **5 Shamrock Lane (Map 50, Parcel 8), filed by Michelle Barry** regarding a **Notice of Intent** (DEP # 092-0877) for the proposed demolition of an existing single family dwelling, deck, and failed septic system and construction of a single family dwelling and a new septic system within a 100 foot buffer zone. Chris MacKenzie of Whitman & Bingham, builders Wesley Smith and Ryan Smith, and abutter Gerald Ellis of 21 Island Road were in attendance.

Gerald Ellis expressed concerns about the new structure being located within the flood zone. MD stated that since the lake is controlled by a dam, flooding should not be an issue. Gerald Ellis also expressed concerns about tree clearing that was done in the fall. Mr. MacKenzie noted that the percolation test was 23 min/in which is within the required 2-60 min/in

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MD- Moved to close the Public Hearing

AA- Seconded
Unanimously passed 3-0

MD- Move to issue an Order of Conditions per plan and discussion
AA- Seconded
Unanimously passed 3-0

Other Business

- MD- signed the three (3) Bush Hill Forestry bids
- MP- Chris McCarthy of 72 West Shore Road sent the Commission a powerpoint regarding the beaver lodge on his property.

MD- A resident along Sunset Lake (Chris McCarthy) had inquired about removing an actively used beaver lodge on/adjacent to his property. MD stated that Mr. McCarthy needs to first go through the Board of Health to determine whether or not collapsing the lodge is considered an emergency. MD will review the state wildlife laws to see if there is anything precluding the implementation of Mr. McCarthy's plan to "collapse" the lodge. Once Mr. McCarthy speaks to the BOH, the Commission will know better how to advise him.

- MP- forest cutting plan submitted for 25 East Rindge Road
- MP- Richard Wright sent a request for a building a new home and septic system at Ashby Road (Map 31, Parcel 15) on behalf of his son, Seth Wright. MD recommends Richard Wright to show the limit of disturbance for the proposed septic system, house and driveway; distance to wetland on this site and offsite (towards Richard Wright's abutting property), and the width of the driveway. The project at Ashby Road (Map 31, Parcel 15) will need to file for a Notice of Intent.

8:04 PM

MD- Motion to adjourn
AA- Seconded
Unanimously passed 3-0

Respectfully submitted by Alana Archangelo, Conservation Commission Member,
February 25, 2013