

**MINUTES OF THE CONSERVATION COMMISSION**  
**Monday, April 25th, 2016**  
**6:30 P.M.**

**Town Hall – Lower Level Meeting Room**

**Agenda Review/General Discussion**

Present: MD: Marshall Dennis  
CP: Christopher Picone  
LC Linda Couture

Absent: AH Andrew Henderson

**6:35 PM: Agenda Review/General Discussion**

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.

**Public Meetings/Hearings:**

**6:35 PM – Notice of Intent (Continued) – 64 West Shore Dr. (Map 45, Parcel 42).** The applicant Timothy Coder is requesting work on the construction of a brick paver patio area within the Buffer Zone for Sunset Lake.

Tim Coder was present for the Hearing.

DEP File # was received.

MD requested that sand or similar drainage persists between the stones, so the patio does not become an impermeable barrier that sheets off water. The applicant confirmed that there will be crushed stone and sand under the pavers.

DEP notes that they are concerned about performance standards because this patio is within the 100 year flood plain. Our consensus was that as long as the sand and drainage persists between the pavers, this should not impact water percolation in the floodplain. We also cannot be sure where the floodplain line would be, as that is not determined with enough accuracy to be sure it includes this patio.

MD motioned to close the hearing for 64 West Shore Dr.

CP Seconded the Motion.

Approved 3-0, unanimously.

MD motioned to issue an Order Of Conditions for 64 West Shore Dr.

LC Seconded the Motion.

Approved 3-0, unanimously.

**6:40 PM – Request For Extension to DEP File # 092-750, for 71 Murray Rd. (Map 18, Parcel portion of 13 A).**

Discussion opened at 6:47 PM. Attended by Matt Pearson and Peter Pearson.

DEP File # 092-750

The original NOI was approved in 2007, and one extension had been issued to the previous owner in 2010. The Permit Extension Act would then make this permit valid to May 15, 2016. The new owner (P. Pearson) will improve on drainage issues that were not addressed by previous owners.

MD motioned to extend the Order of Conditions to May 15, 2019.

LC seconded the motion.

Approved 3-0, unanimously.

**Guest & Visitors**

Dan McCarty would like to meet with the Commission to discuss Cashman Hill Estates.

No one showed up for the applicant. CP viewed the site earlier that day and noted that the road had cut into a spring that has been flooding 60-80 feet of road since the development was established. We should check if that area would be considered jurisdictional now. Also, there is a wetland replication area on the North side of the entrance. CP was not sure where the precise replication area was, but the general area had abundant wetland plants (rushes, jewelweed) and also some invasive species (Japanese Knotweed, buckthorn, garlic mustard).

**Other Commission Business/Administration:**

MD motioned to approve minutes from all 14 of the meeting minutes from January 29-Dec. 14 of 2015.

CP Seconded the Motion.

Approved 3-0, unanimously.

For our next meeting (May 9), we will vote on Minutes from January-April 2016.

DEP has commented on the NOI from 100 Main St. DEP argues that even though the Town is a co-applicant, the private co-applicant would still be responsible for a filing fee. DEP might withhold the file # until they are paid. The Con Com has the authority to set the payment category for the NOI, and

MD will investigate which category seems most appropriate. It might be possible to consider this "work on a single family lot," which requires a relatively small state fee.

MD motioned to waive the Town By-Law fee associated with this NOI, as the Town is a co-applicant. This motion would take effect once the applicants request a waiver, per the by-law.

LC Seconded the Motion.

Approved 3-0, unanimously.

The Commission received a letter of concern that trail damage and "perc test holes" were affecting the area around the Mid-State Trail north of Lake Winnekeag. MD will be out at the Camp Winnekeag for a COC, and he will inquire about possible trail damage on their property.

MD motioned to adjourn.

LC Seconded the Motion.

Approved 3-0, unanimously.

Meeting Adjourned 7:30 PM