

MINUTES OF THE CONSERVATION COMMISSION
Monday August 22, 2016
6:30 P.M.

Town Hall – Lower Level Meeting Room

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

Absent: Andrew Henderson

6:30 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:

6:32 PM Request For Determination of Applicability – 39 Center Street (Map 20 Parcel 58): The applicant, represented by Chris Mossman (Trowbridge Engineering), is proposing to replace an existing septic system with a Presby system. The proposed erosion controls (silt fence) was reviewed and deemed sufficient.

MD motioned to close the public hearing for 39 Center Street.
LC Seconded the Motion.
Approved 3-0, unanimously.

MD motioned to issue a Determination of Applicability (Negative Determination #3).
LC Seconded the Motion.
Approved 3-0, unanimously.

6:35 PM Notice of Intent – 37 Spruce Drive (Map 46 Parcel 56): This after-the-fact NOI pertained to the construction of a patio area and retaining wall within the Buffer Zone of Sunset Lake. The applicant, William Doiron (owner), and Andrew Raposo were present

Dave Perry represented the applicants and presented the septic system plan prepared when the system was installed. The plan showed railroad/landscape ties proximate to the lake that have since deteriorated. The owner tried to repair the area, but the project became larger than anticipated. Presently, the project is approximately 30% complete. For stabilization purposes, some fill already has been added behind an existing cement wall. Pavers are being added and new walls are proposed. To date, a silt barrier near the shoreline has been installed.

Since the property slopes towards Sunset Lake, the project is designed to eliminate erosion into the lake. Once completed, sod (rather than seed) will be installed to more expeditiously stabilize disturbed areas.

MD motioned to close the public hearing for 37 Spruce Drive.
LD Seconded the Motion.
Approved 3-0, unanimously

MD motioned to issue an Order of Conditions per plan and discussion.
LD Seconded the Motion.
Approved 3-0, unanimously

Dave Perry requested that the OoC be made available for him to pick up at the Land Use office.

6:50 PM Request For Determination of Applicability (rescheduled) – Waste Transfer Station (Map 3 Parcel 8): The applicant, the Town of Ashburnham DPW, would like a determination on the location of the dumpsters at the Transfer Station.

Per a field visit by the Conservation Agent, the site is outside of any regulated resource, Buffer Zone or Riverfront Area.

MD motioned to close the public hearing.
LD Seconded the Motion.
Approved 3-0, unanimously.

MD motioned to issue a Determination of Applicability (Negative Determination #1).
LD Seconded the Motion.
Approved 3-0, unanimously.

6:55 PM – Request For Determination (rescheduled) – 26 West Shore Dr. (Map 44 Parcel 61 & 62).

The Request is for landscaping work, replacement of rotting landscaping timbers with block walls. The work is within the Buffer Zone for Sunset Lake.

Kevin and Suzanne McElroy (owners) were present.

Railroad ties have deteriorated at the bottom of the property. He will build 2 walls (5'2" above and then a 3' wall lower down the slope) to replace them, with locking blocks.

MD conditioned that a silt fence be installed before any excavation begins for the locking stone walls. The location can allow room to do the work, but no more than 15' from the lower new wall (3' wall on the plans).

There are two existing drainage pipes that seem to non-functional. The application proposes new 4" pipe but it is not clear why that is proposed, and it is not on the sketch plan. A revised application must include reasoning for the new pipe and locations on the plan.

MD motioned to close the Hearing for 26 West Shore Dr.
LD seconded.
Approved 3-0

MD motioned to issue a negative determination #3 with conditions above (provided a silt fence is added and drain pipe is addressed).
LD seconded.
Approved 3-0

The owner will get the necessary info from the contractor and bring the revisions to Town Hall. Conditions can be mailed to the owners' address.

7:08 PM – Notice Of Intent – 203 Lakeshore Dr. (Map 57 Parcel 3). For the construction of a replacement septic system within the Riverfront Area and Land Subject to Flooding.

Represented by Chuck Caron.

The applicant needs to replace their septic system. The BoH has already approved the system.

The location of the field is within land subject to flooding and requires some filling. Typically this would require the excavation of an area equal to that being filled (compensatory storage), but in this case that would result in more damage to the site near the stream. The commission concluded it does not make sense to require compensatory storage in this unique case.

1. The filled volume would be compensated by the adjacent lake that would take up the small amount of displaced floodplain storage (21+ cu yds).
2. The owner does not believe the stream ever floods that high, but he is checking.
3. This is a "non-detailed floodplain."
4. No other site on the property would be amenable for creating the storage.

In the past, we have found that when the Con Comm approved the plan without compensatory flood storage, that has inhibited the ability to get flood insurance for the property.

MD motioned to close the Hearing for 203 Lakeshore Dr.
LD seconded.
Approved 3-0

MD motioned to approve and issue an OoC, cognizant of the fact that this is in a floodplain zone.

LD seconded.

Approved 3-0

7:20 PM – Notice Of Intent – 40 Hilltop Dr. (Map 56 Parcel 80 & 81). For the demolition of an existing building and construction of a single family home within the Buffer Zone for Lake Watatic.

Duane and Jayne Glow (owners), Neil Gorman (rep)
Joan Ficarra, Herold Dandy, Ronald Putnam (abutters)

Neil Gorman presented the plans from the NOI in detail. The septic will replace a waste lagoon and move the system much farther from the lake edge/wetland.

The wetland delineation was done Sept 2015.

Some large pines will be cut, but most of the area will be left with natural vegetation, with some new lawn in front of the house.

Abutters present supported the plan.

MD motioned to close the Hearing for 40 Hilltop Dr.

LD seconded.

Approved 3-0

MD motioned to approve the NOI per plan and discussion.

LD seconded.

Approved 3-0

7:40 PM – Notice Of Intent – Cushing Academy, School St. (Map 21 Parcel 106). For grading and site work (that is associated with the construction of two dormitories) within the Riverfront Area.

Brian Milisci (Whitman and Bingham) and Eric Hubert (from CSL, project manager for Cushing)

Plans from the NOI were presented in detail. Part of the project will impact the 100-200 riverfront of Phillips Brook. Water from impervious areas (roofs, driveways) will be collected in underground catch basins and 36" pipes for storage. Subsurface detention basins are now common to replace open detention basins. They propose a 12" inlet, with 4" outlet for slow drainage unless larger storms release water to detention systems. The system will drain fully between storms.

Phillips Brook is mapped as perennial. Stream stats were not run for these plans.

We will plan a site visit. Contact Eric Hubert at 617-874-0463. Eric is there when needed. e-hubert@csl-consulting.com Brian M agreed that we should continue the hearing after a site visit. Plans are to break ground by end of September, but most of the work is outside the 200 riverfront buffer so can begin any time.

MD motioned to continue the Hearing to our next meeting, Sept. 12, 6:35 PM.

LC seconded.

Approved 3-0 unanimously.

Guest & Visitors

Tylor Spencer, observing.

8:05 Other Commission Business/Administration:

Request For a Partial Certificate Of Compliance for 31 Whitney Dr. File # 092-0385 & 092-0755. The lot is not within the buffer zone, but the OoC applied to the whole subdivision. The CoC applies only to 31 Whitney Dr.

MD motioned to issue the Certificate Of Compliance for 31 Whitney Dr.

LC seconded.

Approved unanimously, 3-0.

Request For a Certificate Of Compliance for 442 Ashby Rd. DEP File # 092-0913.

We cannot issue the CoC yet as it appears the soil was not planted per plan and discussion.

Reviewed a DNI for 7 Seneca Dr., for removal of two damaged trees.

Review of Forest Cutting Plan for Byfield & Rindge Rds.

8:20 PM

MD motioned to adjourn.

LC Seconded the Motion.

Approved 3-0, unanimously.

Meeting Adjourned 8:20 PM