

**MINUTES OF THE CONSERVATION COMMISSION**  
**Monday October 24, 2016**  
**6:30 P.M.**

**Town Hall – Lower Level Meeting Room**

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

**6:35 PM – Request For Determination – Page Ave. Page Beach Improvement Society (Map 52 ).**

The proposed work consists of repair of stone retaining wall and cement stairs as well as replacing a paved walkway with pavers. The applicants want to open up part of the concrete wall to improve access and improve safety. The work is located within the Buffer Zone for Lower Naukeag Lake.

The RDA was supposed to apply only to the stairs and walkway. But during the discussion it became clear that over 100 feet of other work was planned, including replacement of a large stone/cement wall. Therefore we need a site visit (**Saturday, 10 AM, at Page Beach**) to determine if we can include any more work on the wall into this same RDA permit, or whether an NOI would be required for more extensive work later.

MD motioned to extend the Hearing to Nov 14, 2016.

LC seconded.

Approved 4:0.

**6:50 PM – Request For Determination– 300 Ashby Rd. (Map 31 Parcel 22F).** The applicant, Nicholas Davis is proposing the construction of an in-ground pool along with associated landscaping (walkways & patio). The work is located within the Buffer Zone, about 50 ft from a Bordering Vegetated Wetland.

Wetland delineations on the plan are from the 2010 NOI to build the house. According to Jamie Rheault (Whitman and Bingham), 90-95% of the project is on existing lawn. A small access area is within the 200 ft. river front area.

AH notified the group that his employer is an abutter, so he recused himself from the deliberations and vote.

As part of the conditions, MD requested that a specific list of plantings be provided. There are areas to be landscaped on the plan, so invasive species must be avoided. Furthermore, a plan will be submitted showing where the excavated soil will be temporarily stockpiled. According to J. Rheault, the fill from excavating will be trucked off "as it is removed." A small amount will be used to level off some of the areas shown on the plans, enclosed by erosion controls.

CP asked why this project was not submitted as an NOI, as the limit of work reaches 30-40 ft. from the wetland, and the excavation and sitework are comparable to a small house. Mr. Rheault responded that the work was beyond the 30 foot buffer and entirely in existing lawn, and therefore the RDA was more appropriate. CP argued that this sets a poor precedent: most NOIs for houses and septic systems could claim the same reasoning to demand an RDA instead of an NOI. But it was not worth changing this proposal once submitted.

MD motioned to issue a negative determination of applicability (#3).

LC seconded.

Approved 3:0 (AH abstained)

#### **Other Commission Business/Administration:**

Request For a Certificate Of Compliance for 66 West Shore Dr. DEP File # 092-508. The area is completely covered with grass and looks okay.

MD motioned to issue a CoC for 66 West Shore Dr.

LC seconded.

Approved 4:0.

Request For a Certificate Of Compliance for 10 Valerie Circle DEP File # 092-0861. The Town agent visited the site and noted that some grass clipping were dumped in the replication area. Those have since been removed. The small replication area has signs of mixed wetland vegetation despite the dry summer. Otherwise there are no issue as the site is stable.

MD motioned to issue a CoC for 10 Valerie Circle.

LC seconded.

Approved 4:0.

**Gary Howland** of ACT discussed the need to maintain the road to the top of Watatic Mountain. A well-engineered road already exists, but it needs maintenance. It had been maintained by volunteers, but the state did not want unlicensed people working on it further. DCR did not have the equipment and labor to maintain it until recently. Now the Watatic Management Committee is

discussing whether the road should be maintained. Maintenance is part of the original management plan. The consensus on the Ashburham Conservation Commission seemed to be that the road should/could be maintained by DCR to improve emergency access.

We also discussed the need for an updated Forest Management Plan for Bush Hill, due in 2016. When the site was logged recently, we interviewed foresters and were impressed by Bay State out of Northfield. Gary knew the forester and will contact the company.

Reviewed three Forest Cutting Plans:

- parcel located on Rt. 101 (Ashby Rd.).
- parcel located on Rt. 12 (Winchendon Rd.).
- parcel located at 323 Lake Rd..

**7:50 PM**

MD motioned to adjourn.

LC Seconded the Motion.

Approved 4-0, unanimously.