



## MINUTES OF THE CONSERVATION COMMISSION

Monday, February 27th, 2017

6:30 P.M.

Town Hall – Lower Level Meeting Room

Present: MD: Marshall Dennis

LC: Linda Couture

CP: Christopher Picone

AH: Andrew Henderson

### 6:33 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.

**6:35 PM – Notice of Intent (Continued) – 158 Ashby Road (Map 32 Parcel 10):** The applicants (Emalee McAneney & John Mack) have filed for work on a septic system replacement, a portion of which is within the Buffer Zone of a Bordering Vegetated Wetland. The Applicant's representative, **Angel Lehtonen** (AL) of Northland Engineering, also was present and provided the Commission with revised plans dated January 17<sup>th</sup>, 2017.

In their comments on the NOI, DEP had noted the absence of erosion controls on plans. As described below, this matter has been resolved. AL described that there is no construction access from the north side of the project area. Accordingly, construction vehicles will have to access the site directly from Ashby Road (Route 101), then travel between the septic work and an existing stone wall along the site's southern boundary. As such, construction vehicles will be traversing existing lawn areas, thereby limiting ground surface disturbances along the access. Therefore, AL recommended a mulch sock only around the catch basin on Route 101.

However, since this property is near the catch basins that discharge to Lake Winnekeag, the Commission expressed concern about potential erosion/sedimentation-related impacts to the lake. Thus, the Commission decided that erosion controls would be required along the driveway and around the road side of the septic work, as indicated on the updated plan, which AL initialed and dated. It was determined that a silt fence would be sufficient, with straw bales on reserve in case of a torrential rain. Consistent with AL's recommendation, a filter sock also will be installed around the Route 101 catch basin near the site access.

MD motioned to close the Public Hearing for 158 Ashby Road.

LC seconded.

Approved 4 – 0.

MD motioned to issue an Order of Conditions per plan and discussion.  
LC seconded.  
Approved 4 - 0.

*AL requested that the OoC be sent to her office. Please call when ready.*

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

##### **Guest & Visitors**

Gary Howland, Ashburnham Conservation Trust (GH)  
Janet H. Morrison, Esq., Land Conservation Consulting (JM)

**Discussion of Draft Open Space & Recreation Plan:** MD noted that Melissa Cryan of the MA Division of Conservation Services provided comments on the Draft Plan in late 2014. Since then, MD and JM have addressed many of the comments. Updated letters of support are being obtained from Board of Selectmen, the Town Administrator, and Planning Board.

JM updated the tables with land holdings in Agricultural Preservation and Conservation Restrictions. JM is also hoping to edit the map of protected open space so that CRs are colored differently than other permanently preserved space. GH offered to provide JM with the updated ACT map that would have that same information. There is additional open space that is not protected by CRs but is held by land trusts; those lands are not on state database layers until a CR is obtained. JM will send us all an updated map for our comments.

GH asked that the Hood land on Packard Hill Rd (40 acres) be added as a CR. The CR is held by ACT. GH also noted that it may be appropriate to add another Hartshorn property on Lake Road, although that might be included in the large Hartshorn block already mapped. MD will ask Rich to check the OSRP disks for shape files to see if we can edit them directly or if new/replacement maps will be required.

In conjunction with the OSRP, public access to open water for recreational purposes was discussed. Whitney Pond in South Ashburnham was identified as a potential location, but sediment testing likely would be required prior to public use. In this regard, it was suggested that the MA Department of Fish & Game (Cindy DelPapa, Riverways Program Manager @Western Regional Office) be contacted with respect to potential small grants that might be appropriate sediment testing in Whitney Pond.

Relative to other OSRP issues, GH noted that ACT is investigating a 100 acre parcel that could connect the Russel Hill and Mt. Hunger conservation areas.

#### **Other business**

- **78 Wagg Hill Road:** The Commission was notified by letter from the owner that the property was for sale, informing the Town of its right of refusal, as required for Chapter 61 lands. JM stated that the owner should be advised that they are supposed to provide the Town with a signed Purchase and Sale Agreement between the potential buyer and the seller, and that the 120 day time period for the Town to exercise or decline its right of first refusal is not triggered until the signed P&S agreement with the potential purchase price is formerly delivered to the Town. JM added that the Town can release the land sooner, but legally has up to 120 days from the P&S to decide to purchase the property, or not.

- Rita Kountz wants to donate a lot (Map 56, Parcel 12 on Lake Shore Drive) proximate to Lake Watatic that is adjacent to another Town-owned lot. MD will discuss the matter with the Town Administrator.
- The Commission received notice that, consistent with the approved site plan for Cashman Hill Estates, two parcels totaling 6+ acres had been transferred via a new deed to the Conservation Commission.
- **Review of Forest Cutting Plans**
  - Forest Cutting Plan for Bush Hill Road. CP noted that the skid road is crossing an intermittent stream with no apparent erosion controls. He questioned why the state forester would not require such controls;
  - Forest Cutting Plan for 40 acres along/south of Willard Road;
  - Forest Cutting Plan for 40 acres along/north of Willard Road
  - Forest Cutting Plan for Old County Road (Beals Property);
  - Forest Cutting Plan for Depot Road;
  - Forest Cutting Plan for Old County Road (Kalon Trust Property); and
  - Forest Cutting Plan for Rt. 119 Fitchburg Sportsmen Club;
- Approval of the minutes of March 14<sup>th</sup>, August 22<sup>nd</sup>, October 24<sup>th</sup>, November 14<sup>th</sup>, and December 12<sup>th</sup>, 2016.

MD motioned to approve the referenced minutes.  
 LC seconded.  
 Approved 4 – 0.

MD motioned to adjourn.  
 LC seconded.  
 Approved 4 – 0.

8:04 Adjourned.