



MEETING MINUTES OF THE CONSERVATION COMMISSION
Monday, April 10th, 2017
6:30 P.M.

Town Hall – Lower Level Meeting Room

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

Absent: 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.

Ken Chisolm met with the Commission concerning the need for a signature on a tax form relating to a gift of land on Crosby Road.

MD motioned that the Commission approve MD's signing of US Tax form 8453 signifying the value of the donated land at \$30,513.

LC seconded.

Approved 3 – 0.

Public Meetings/Hearings:

6:40 PM – Notice of Intent (Continued) – Lot 316 Spruce Drive (Map 46, Parcel 18):

The applicant, William Polewarczyk, is filing for the construction of a single family house in the Buffer Zone of Sunset Lake.

John Madeiros was in attendance to represent the applicant, who also was present with his builder. It was noted that rip-rap along the property's southern border would dissipate drainage/runoff from the garage roof and driveway. Also, the area between the erosion controls and lake is forested, further limiting the likelihood of lake sedimentation. MD stated that the OoC will allow "vista pruning" of trees, but only after a site visit by a representative of the Commission to determine the exact location and extent of clearing so as to avoid the excessive disturbance of vegetation along the lake.

OoC is to be mailed to owner in Lancaster.

MD motioned to close the Public Hearing for 316 Spruce Drive.

LC seconded.

Approved 3 – 0.

MD motioned to issue an Order of Conditions per plan and discussion.

LC seconded.

Approved 3 - 0.

6:57 PM – Notice of Intent – 35 Sherbert Road (Map 13, Parcel 68): The applicants, Dana & Aida Girouard, are seeking approval to construct a replacement septic system with a portion of the work to occur within a Buffer Zone of a Bordering Vegetated Wetland.

Angel Lehtonen of Northland Engineers was in attendance to represent the applicant. The proposed system is 92' from wetland edge, with the toe of the graded slope to be 75' from the wetland edge. An erosion control barrier, as shown on the plan, is proposed to preclude further intrusion into the 100' zone.

MD motioned to close the Public Hearing for 35 Sherbert Road.
LC seconded.
Approved 3 – 0.

MD motioned to issue an Order of Conditions per plan and discussion.
LC seconded.
Approved 3 - 0.

Angel requested custody of the Order of Conditions for recording purposes.

Guest & Visitors

Sean Donnelly (CSL Consulting) and Wes Flis (Whitman & Bingham) addressed the Commission on behalf of Cushing Academy concerning the subject of future projects.

The potential future plans were presented. The addition to the kitchen will help Cushing Academy meet safety codes, and new patios will improve pedestrian routes to the new dorms.

MD noted that, due to the project's location within the Riverfront Area (RFA), an NOI would need to include an analysis of alternatives which would include all potential options and, especially, the extent of **impervious surface** associated with each alternative. The analysis also should contain:

- An analysis of inner and outer riparian zone impacts;
- An overlay plan that shows existing buildings, driveways and patio overlain with the proposed plan; and
- The % of RFA that presently is lawn, forested and impervious compared with land use percentages associated with the proposed plan.

Lot-related RFA impacts relative to the entirety of the Cushing Academy campus subsequently were discussed. MD noted that while the impact of the new dormitories previously approved across the street/upslope from the proposed dining hall expansion area were limited, documentation regarding the extent of prior Campus-wide RFA impacts would assist in determining the % of RFA impacts relative to the State regulatory thresholds. In fact, DEP previously had commented on this matter with respect to a prior NOI filed by Cushing. Accordingly, MD requested such documentation.

CP requested that Cushing address the perennial stream upstream from this worksite. He noted that the lawns are mowed all the way to the stream edge throughout this perennial stream as it meanders through the Academy. CP also indicated that maintenance of a shade-generating vegetated buffer adjacent to the stream both

upstream from the worksite and elsewhere on campus likely would assist in mitigating and improving existing RFA and stream-related conditions.

Lastly, MD requested that the silt fence be re-established around the large dirt pile adjacent to Route 101 by the Public Safety complex.

Other Commission Business/Administration:

- MD motioned to approve the minutes of March 13th meeting.
LC seconded.
Approved 3 – 0.
- Review of the previously issued Determination of Negligible Impact for 7 Wellville Beach Trail.
- Review of Forest Cutting Plans for:
 - Hartshorne Family LLC property off Harris Rd.
 - Kunz property off Willard Rd.
 - Ashburnham Wood Lot LLC property off Willard Rd.
- The MA Division of Fisheries & Wildlife has made a DRAFT Priority Habitat Map available for public comment. MD will send the link.
- The Stodge Meadow Association is looking into the possibility of receiving an extension on an Order of Conditions relating to their Annual Drawdown. The original NOI was issued in 2008 for 5 years and then extended under the Permit Extension Act to August of 2017.

MD will check what the total cost would be for a new application and also check to see if there have been annual reports submitted to the Commission, as required by the NOI.

- The Commission discussed the Open Space and Recreation Plan, which is almost completed. Copies of the Final Plan will be made for the MA Division of Conservation Services, Land Use Office, Library, ACT, and perhaps others, with the initial printing to be paid for by the Commission.

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

7:48 Adjourned.