

Ashby Conservation Commission
Minutes for the Meeting of April 3, 2019

The meeting was opened at 7:30pm with Cathy Kristofferson, Tim Bauman, Bob Leary and Roberta Flashman in attendance.

The Minutes of the meetings of March 20, 2019 were reviewed and approved unanimously with one change: Agenda changed to Minutes.

Treasurer's Report: \$262.52 received for NOI and \$45.73 to replenish the petty cash.

Correspondence:

- 3/21 - emails verifying site visits
- 3/28 – email: Hancock Associates requested a signed original copy of Orders of Condition 93-370.
- 3/28, 4/1 - emails with Paul Glover regarding lots on Mayo Rd
- 3/30 - mail about Forest Legacy SMP II Tract 8
- 4/1, 4/3 - emails about project at 369 Davis Rd.
- 4/3 - notification from the Planning Board about Natural Resource Planning Zoning presentation to be held on Wednesday, April 24th @ 7:00pm

Old Business:

Buczynski LAND Grant project status - request check for purchase price of \$68,000. Trying to get everything completed in time for a closing for May 1, 2019.

Review the emergency certificate for 369 Davis. The Commission received a Fire Dept declaration of an emergency for the property. Emergency project was completed this past week. Washed stone was placed onto the driveway to make it passable.

The Commission signed and issued the COC for Justin Adams' project at 1433 Richardson Rd .

Paul Glover has lots on Mayo Rd for which his OOC has expired. He will resubmit NOI and get a better list and then schedule a site visit.

New Business:

The Commission had received a request from Mr. Breitmeier to re-issue 93-370 Brite Excavating. Applicant did not show up at the meeting to complete this request. The OOC was not reissued. He is looking for an original to register with his deed.

Rt119 MassDOT work. The Commission notices burlap covered mulch wattles being placed along 119, indicating that the State Highway Dept is preparing for repaving, but the Commission has received no notification of such. Calls to DEP and MassHighway will be made to clarify.

Zenon Lis appeared to ask for a signature for the building permit for 369 Davis Rd. Motion to sign the building permit. Motion 2nd. Motion passed unanimously. He submitted a signed and notarized request for specific work, and included a promise to file an RDA. The Commission asked that he include his request for screening and pavers under the hexagonal building into the RDA.

Forest Legacy SMP II Tract 8: John Mikola has transferred the ownership of the property to a Trust. The Commission will note this change on our next monitoring report.

Doug Leab came to the Commission to ask to re-establish the trail along the side of the Morrison property. He explained that he only wants to use hand tools to cut back the laurel and remove fallen tree limbs from the path of the trail. A motion was made and seconded to allow to Ashby citizens to work on the trail after the Commission reflags the trail. Roberta will walk the trail with Doug on Friday, April 5th @ 9:00am,.

The Commission received a request from Soilsmith Doug Smith for sign-off for septic replacement at 78 Kendall Hill Road, Bill Clement owner. Doug only sent the plan to the Commission. This project needs a site visit. The Commission set the site visit for Tuesday, April 9th @ 9:00am.

The Commission received a letter from Little Watatic Pond Association disclosing their plans for weed treatment this summer. Steve Coswell is the president of the association. June and July will be the months during which treatments will occur. The Commission issued ongoing conditions for this project which, at that time, reviewed the chemicals and intent of the project. Ashburnham ConsComm has issued an OOC for this year. The company will post restrictions for use of the pond following each application around the pond and ensure that all residents on the pond are notified.

Hearings:

4/3 - 8pm, 290 Deer Bay Road, Bruce Adams, Adams Construction, NSFH

Site Visits:

3/22 - 1433 Richardson Rd, Bob, Roberta, Cathy and Tim met on-site with Justin and Bruce Adams to review the property for issuance of a Certificate of Compliance(COC). The area of wetland replication was still frozen so it was difficult to see if either of the two areas had achieved more than 50% wetland plant population of the areas. The 1st wetland replication area certainly appeared to have sufficient water in the area and high bush blueberry and yellow birch were noted. Existing red maple had been substituted for the planting of new trees. In the 2nd area the replication was questionable, but there would be no purpose served in allowing machinery into the area to plant more trees or shrubs. The owner, Justin Adams, agreed to install signs dissuading owners from dumping snow into the areas.

3/22 - 290 Deer Bay, Adams Construction. Bob, Roberta, Cathy and Tim met on-site with Justin and Bruce Adams to view their plans for a new, single family home to replace a small foundation and a “mobile home” that use to occupy two separate lots, now combined to make one lot, still non-conforming. The existing foundation will be increased to almost double the size. It will also include a corner deck, extending an additional 10 ft out from the new foundation. Entire project will result in less than 50ft for the residence from the high water mark of the pond and a residence 30 ft closer to the pond than the original foundation of either of the two prior homes. They are taking out 2 live trees and a couple of dead ones. There are some indistinct plans for planting new trees. The entire project seems less than firm in its commitment to sizes and locations.

3/22 - 369 Davis Rd, Zenon Lis, Bob, Roberta, Cathy and Tim met on-site with Zenon and Chris Smith of CMS Trucking, to review the property for issuance of a COC. The driveway runs right along the edge of the wetlands. The headwall and culvert at the stream crossing were installed well; not perched. The driveway was all mud and prevented easy access to the house. It might not allow a fire truck or ambulance to pass. The Commission will allow washed stone to be placed on the drive as an emergency action. The members of the Commission requested that Zenon submit an NOI for the reconstruction of the driveway that would include adequate drainage, as well as requesting that a deck be allowed at the back of the house, which would be within the riverfront area. He told us he might want to cut a few to trees to limit possible future damage to the house.

3/22 - Parcel 13.5 Bennett Rd, Bob, Roberta and Cathy met on-site with Andy Krook, who had requested the Commission sign his application for septic system to the BOH. There was an intermittent stream from a seep at the back of the property. Bob signed the septic plan.

3/22 - 234 New Ipswich Rd, Chapman, Bob, Roberta and Cathy conducted an on-site inspection of a proposed location for a septic system and leach area. There was really only one viable location for the system and it was more than 100 ft away from all wetlands. Bob signed the plan.

4/02 - 369 Davis Rd, Cathy, Roberta and Tim met on-site with Shaun, Zenon's representative, to view the results of the trucking in of washed stone to the driveway. The driveway now looks passable. This site visit was to view a request to sign a building permit for a 2 story deck on the back of the house. Lower deck to be 16x13 and upper deck to be 16x8. Requested the following be put into a letter and notarized:

1. Enhance the existing drainage stone catching the roof drainage and leading toward the slope
2. Hand dig the holes for the sono tubes
3. Surround the sono tubes with stone, to prevent newly disturbed soils from eroding
4. Install 2 fences to catch debris from construction, so wouldn't proceed downhill
5. Include a promise to submit and RDA for the project, since the Commission would consider signing the building permit in the next meeting in deference to the owner's bank's time constraints on the project.

Site Visits needed:

End of Harris Rd, Wayne Hardy, dam condition

The meeting was adjourned at 9:08pm.

Respectfully submitted,

Roberta Flashman