

Minutes of the Ashburnham Conservation Commission  
January 11, 2010

Present: MD: Marshall Dennis, Chairman                      CP: Christopher Picone  
          LD: Lorraine DeSouza                                    LC: Lori Capone, Conservation Agent

7:30 PM            MD opened the meeting of the Ashburnham Conservation Commission under the Wetlands Protection Act, M.G.L. Ch. 131 Sect. 40, and in accordance with the Ashburnham Wetlands Protection Bylaw.

7:31 PM            MD opened the Notice of Intent Hearing for Charles and Helen Collins of 40 Ashby Road, last continued from January 12, 2009, for a proposed sewage disposal system upgrade for a single family house located within the buffer zone and riverfront area. MD asked if there were any abutters present to speak for or against the application: none were present. LC informed the Commission that they are in receipt of a request to continue the Hearing for six month due to the fact that the issue is in land court to determine ownership of the land where the project is proposed. There was discussion regarding the fact that, to provide time for resolution of the land dispute, this Hearing already has been continued since August 25, 2008.

MD: Motion to close the Hearing, deny the issuance of an Order of Conditions and require a new Notice of Intent be submitted subsequent to the land dispute being resolved.

LD: Seconded the Motion  
Motion carried unanimously 3-0

7:35 PM            MD opened the Request for Determination of Applicability Hearing for Kirk and Linda Leamy of 82 Lakeshore Drive for the proposed installation of a replacement septic system, located within the buffer zone. MD asked if there were any abutters present to speak for or against the application: none were present. Christopher Mossman, of Trowbridge Engineering, explained that the abutters list from the Assessor's Office was erroneous and presented evidence to the Commission that all abutters have been properly notified. The Commission agreed. Mr. Mossman proceeded to present the proposed activity to the Commission for the Applicant, who was also present. Mr. Mossman explained that the proposed work was located within the buffer zone of two resource areas: Lake Watatic and a certified vernal pool. Disturbance to the buffer zone was under 5,000 s.f. and was contained within an existing lawn area. The plan was amended to include haybales across the boat ramp. Work is to commence in April or May.

MD: Motion to close the Hearing and issue a Negative Determination of Applicability, contingent on receiving Board of Health approval.

CP: Seconded the Motion  
Motion carried unanimously 3-0

Other Business:

1. Alana Archangleo joined the meeting interested in serving as an Associate member of the Commission
2. The Commission discussed a potential violation at 4 Liberty Lane. LC noticed that the pile of fill was no longer on the premises and the lawn had been hydro-seeded. The Commission discussed their options and decided to send a letter to the homeowner and DEP regarding this matter.
3. The Commission discussed the complaint they received regarding tree clearing activities near Whitney Pond. LC inquired with the abutter who stated that the only people he saw doing work out there was the Rail-Trail Committee. The Commission requested LC write a letter to the Rail Trail Committee stating that no work is to be conducted in the buffer zone without their prior authorization.
4. LC informed the Commission that the Town Report was due on February 11 and disseminated the Commission's report from last year.
5. LC reminded the Commission that the Town Administrator would like to meet with them regarding FY11 budget. MD will contact the TA.
6. The Commission discussed a survey the TA requested they complete regarding the regionalization of a Conservation Agent. The Commission reviewed and approved the survey.
7. LD: Motion to approve the minutes of November 9, 2009 and November 23, 2009  
CP: Seconded the Motion  
Motion carried unanimously 3-0

MD: Motion to adjourn  
CP: Seconded the Motion  
Motion carried unanimously 3-0

Meeting adjourned at 8:50 PM  
Respectfully submitted by Lori Capone, Conservation Agent