

Ashby Conservation Commission
Minutes of the Meeting of July 7, 2010

Meeting was opened at 7:30 with Cathy Kristofferson, Tim Bauman, Bob Leary & Roberta Flashman in attendance.

Minutes of the meeting of June 16, 2010 were reviewed and accepted as written with a unanimous vote.

Treasurer's Report: \$13.40 was left as a final balance for the Commission's account. \$18 in postage was charged to the account since the last meeting. Cathy will try to determine what caused this charge, as we have been managing our postage from our petty cash. And, postage should have been charged to the wetlands account. All mailings for this past year have been directly connected to administration of the Wetlands Protection Act.

Started new FY11 with \$1523.00 Cathy has replenished the petty cash.

Correspondence:

Annual dues reminder from NRWA (Invoice = \$50.00) Also received the 2009 NRWA. Annual Report and a copy of the "Low Impact Development and Stormwater Management Toolkit." Motion made and 2nded to pay the dues of \$50.00. Vote unanimously in favor of the motion.

Annual dues invoice for MACC (\$150.00) received by mail. Roster form has been completed and returned. Motion made and 2nded to pay the annual dues of \$150.00 Vote in favor of the motion – 3 in favor, 1 abstention.

Letter from Freedom's Way, Heritage Association, Inc. Meeting schedule and contacts requested. Ashby is now included in the designated National Heritage Area.

Old Business

No further word from DEP (Gary Dulmaine) regarding the Enforcement Order for Butch Shepherd's clear-cutting in the wetland area on Jewett Hill Road. Tim called and left message today.

Additional concerns regarding "shed" construction under Determination for Dana Fugelso Brookline, MA for property 844 South Road. No building permit. No electrical permit. This has now become a bedroom and a half. Deck and height are a surprise. Happy about choice of material for deck - not pressure treated. Unhappy about the lack of permits for a building that will be occupied by humans rather than wheelbarrows. 120 sq ft is state statute for permits being required.

Information about 63 Ingerson Road and the clearing of property. Denis McRae states that he is building a skating rink (No permits issued). Will file an NOI, even though the project is well underway, with a hearing scheduled for 7-21-10 upon receipt of the appropriate paperwork. Failure to respond will result in an Enforcement Order. Tim received a call from the applicant – has flagged the wetlands, no plot plan yet. Has staked the haybales.

There is an on-going problem of Building Permit applications with the 100' / 200' wetland buffer check box left blank. Some could be marked "NA" but not those involving excavation. Tim has been circling the unchecked box in red and putting back on the desk.

In response to both of these above issues, it appears that there is need for a letter to the building inspector with a cc to the BOS. Also, need to be very careful about issuing Determinations and requiring full disclosure of all the activities – and nothing to be included in the determination that was not included. Tim will speak with the building inspector before we write a letter.

Discussion with Ed Torcoletti about the condition of the valley road culverts. Site visit planned when the DCR engineer is here for other inspection in the next couple of weeks. 7:30am. date to be

determined. Ed will get back to us when he knows the date. No news yet. Cathy will call Ed T.

The erosion controls from the guard rail project to be placed to protect the Valley Road/Route 31 vernal pool. Currently meeting with DCR rep to determine the location and flag the same for DCR to install (which is plunk on the ground). ConCom will try to arrange to be informed of installation time/date to attend. Hopefully, DCR will keep us informed. Not yet received. Just want it delivered to over the guardrail.

No further discussion regarding "Pulling Together": Invasive Plant Species Control Initiative following last meeting's presentation. Tim will write a letter of support. Discussion of invasive weed "mile-a-minute." Viewed pictures on-line for this invasive, as well as others seen all over Ashby.

OOC for NOI for septic replacement at 126 Jones Hill Road, designed by Ducharme and Dillis. Fred Alden IV, owner. Bob found the new eFiling system to be more than difficult. All Commissioners have signed the OOC. Cathy has submitted the OOC electronically.

New Business:

Stan Dillis requested a Commission signature on the plans for 126 Jones Hill Rd. Tim signed the plans. The OOC DEP# 93-317, will be issued tonight.

6-15-10 initial meeting on the center of Ashby Sewer District Study. Cathy and Tim attended.

Alan Pease appeared to discuss Land Use Agent position. Planning Bd was looking at using Graduate Students for a semester at a time. Other possibility was to hire someone, but it would be project based. Commission would be interested in someone tackling the projects of a Unified Building Permit and a Listing of Steps for Building in Ashby.

Hearings: None

Hearings Scheduled:

7-21-10, 8:00 PM, 63 Ingerson Road and the clearing of property. Denis McRae states that he is building a skating rink.

Site Visits:

6-17-10, 7:30 am, 63 Ingerson Rd. In response to complaints about excessive large machinery noises without any building permits being issued. No sign of owners being awake. Without entering the property more than driving into the driveway, could see building wreckage and road clearing/building. Some work within less than 50 ft of vernal pool. Bob and Roberta

6-19-10 In response to another abutter complaint, Roberta stopped by 63 Ingerson Rd to speak with owner. Mrs. McCrae was home. Told her of complaints and need to check with town before undertaking projects. She referred all questions to her husband.

6-22-10, 7:30 AM, 451 Wares Road, Septic replacement. Work outside the 200' buffer. Tim signed-off on plans. Cathy and Tim

6-24-19, 7:30 AM, 122 Deer Bay Road for septic replacement and possible house footprint move. Met with Mike Donnelly, owner, and Bill Hannigan from Hannigan Eng of Leominster. Looking for direction from the Commission - stay out of 100 ft buffer and explore all options, including purchase of abutting properties(abandoned?). Tim, Cathy, Roberta and Bob

6-26-10, 8:00 AM, 63 Ingerson Road and the clearing of property. Denis McRae owner building a skating rink. Instructed to put hay bales in place and stake. Need to stabilize the area. Mr. McCrae stated he needed one more load of regrind to level the area. There is a stream at the back of the property - more than 100 ft away. But a small wetlands to the right of driveway to cleared area.

Needs to file NOI. Needs engineering assistance to stabilize the slopes. Set hearing date for 7/21 and told how to file. Roberta, Bob and Tim

6-28-10, 7:30 AM, 137 Damon Rd. Met with Justin & Bruce Adams. Subdividing a lot into 2 – one replacement system, one new house. Wetlands were not flagged, but walked back to the stream and BVW behind both properties to assure that they are more than 100ft from systems. Roberta signed the plans that would be submitted to BOH. Cathy and Roberta

6-30-10, 7:30 AM, Willard Brook State Park. DCR requesting the installation of a "French drain" at the Damon Pond Picnic Area. Roberta, Cathy and Tim met with Bruce Colburn to hear his plans. really wanted to construct a stone culvert by lowering the wet area and raising the rest of the area - and covering the wet area with rock. He didn't know if the water was there from "piping" or was the result of raised ground water. Suggested that he dig a test ditch. He decided he would contact an engineer before proceeding further.

7/7/10 Cathy, Bob and Roberta individually visited 844 South Rd. Findings reported in the minutes.

Site Visits Needed:

Meeting was adjourned at 9:16pm

Respectfully Submitted,

Roberta Flashman