

*****DRAFT*****Ashby Conservation Commission
Minutes for the Meeting of February 9, 2011

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

The meeting was posted and intended to be a deliberative meeting for the purpose of reviewing the Notice of Intent received from Rene Rainville of DLR Realty for a project at 873 Main St.

The project, as submitted, was reviewed and found to be lacking the following pieces:

1. There has been no plan for the access road coming into the site for the well from New Ipswich Rd included in the filing. The property Parcel 1.1 is listed as part of the NOI for this project. Half of the wetland impact and all of the proposed replication area is contained within that parcel. There is an outstanding Enforcement Order for construction of a road within the buffer zone without an Order of Conditions. The access road ends within 5-10 feet of the wetlands bound.
2. On the NOI, no book and page numbers are listed for the properties included in the project.
3. No plans have been included for the replication. Would request that there be plans for a restoration if the applicant truly does not think that the replication is feasible or required because of the temporary nature of the wetlands disturbance.
4. No storm water calculations or even the report, beyond the 3 summary pages, have been submitted with the NOI. They have been submitted to the Planning Board. These will require review by an engineer. The Planning Board has hired an engineering firm to conduct such a review and the Conservation Commission has requested a copy of the review.
5. Data sheets are missing for the determination of the wetland – both plants and soils. The soil testing done for the replication area only includes 2 tests for upland soils. Only one of the copies of the NOI submitted to the Commission had the 2 BVW Field Data Form data sheets that included the data for these test holes but only Sheet 1 of 2 was included for both forms despite the applicant having checked the Section I and II required box.
6. No NOI Wetland Fee transmittal form was included with the NOI.
7. The appendix referenced in the Wetlands Reports was not included with the NOI.
8. There has been no plan submitted for testing/controlling/removal of potential hazardous waste from the project in view of the history of the existing building having been an automotive repair shop more than 25 years ago, complete with the drain in the garage floor for removal of fluids from the floor.
9. More complete information is needed about the final destination of the water from the bottom of the rain garden.

It was also noted that no DEP number has yet been issued for this project. Some of the missing information noted above was submitted to the Planning Board for review of the project, and has been posted on the Town of Ashby website.

A motion was made and seconded and voted unanimously in favor to have the engineering firm retained by the Planning Board conduct a review of the NOI and storm water calculations.

There has yet to be a hearing date assigned to the project, as the application is incomplete. Roberta will check with DEP on Friday, Feb 11, 2011 to ensure that the failure to schedule a hearing for an incomplete application is in accordance with the Wetland Regulations, and to check whether DEP has problems with the project, and, hence, has not yet issued a project number.

The meeting was adjourned at 9:30pm.

Respectfully submitted,

Roberta Flashman