

*****DRAFT*****

Ashby Conservation Commission

Minutes for the Meeting of April 20, 2011

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

The minutes of the meeting of April 6, 2011 were reviewed and accepted as written with a unanimous vote.

Treasurer's Report:

Correspondence:

Additional request from Nate Mahanen of Hannigan Engineering to postpone the opening of the public hearing for the Notice of Intent for 102 Deer Bay Road until May 18, 2011, at a time to be determined by the Commission. Chair responded that 8:00 PM was the time and reminded applicant of the need to advertise.

Received the Owners' Title Insurance Policy for the Damon Property on Frost Road and the Certificate of Title from Attorney Thomas Gustafson,. Cathy will scan and then give to Town Clerk to be placed in safe. Cathy will eventually do a baseline on the property.

Received a copy of the Registry filing of the OOC for 864 South Road, DEP # 93-324, from the Law Office of Erb and Erb.

Received Requests for Determination of Applicability for road projects for Rindge Road and Wheeler Road from Supt. Bill Davis, Ashby Highway Department. Chair will ask Bill to advertise. The Determinations will be issued at the next meeting.

Received a notice of new funding for Conservation Appraisals and Open Space & Recreation Plans for Small Communities Grants from Mass. Executive Office of Energy and Environmental Affairs.

Received a first draft of construction sequence from LEC Environmental Consultants, Inc.

Receive Forest Cutting Plan for 126 Turnpike Rd, owner David Martin. Cutting to be done by Dan Cyr, Bay State Forestry.

Received a draft of greenway map created by NRWA. It only shows tributaries to Nashua River and Protected Land abutting the tributaries.

Old Business:

COC for Mike Bussell will be issued as the silt fence at 584 Main Street has been removed. Tim will write up the COC.

Follow-up on the Watatic Management Committee Meeting, held Thursday, April 14th. SCA will be doing work on the trails in the first week of May. Lorraine DeSousa has a plan for the kiosk and Ed Turcolletti has 6 new signs for the area. Anonymous tip (photo) needs to have someone who will be a witness in order for the EPO to take action. DCR was going to GPS the trails and get the points to Gary. Cathy will document the potential snowmobile trails and their rerouting.

Forest Legacy updates. MOA between the Ashby Conservation Commission and The Ashby Land Trust signed at the ALT Annual Meeting, 4-9-11. Chair signed for the Commission. Cathy will scan and send to the State, Land Trust and Town Clerk. Selectman Casey asked that Mike Flemming put his request for the MOA into writing so that there would be a paper trail for the MOA. Cathy will relay the message.

There has been no response from Ross Engineering to a request for suggested language and guidance for an amendment to the construction/ inspection of the well drilling and purification process for the

Laakso property at 864 South Road has.

Blood Hill Management Committee submitted a Determination of Applicability for work at Blood Hill to clean out a culvert and other work associated with water running down the trail. Issued Negative Determination.

The Chair reminded Commissioners of the April 23rd Trail Maintenance event at Blood Hill. 10:00 AM start.

The OOC for Ollie Tervo for septic replacement at 29 Laurelwood Road was signed by all Commissioners and issued online tonight.

The Commissioners discussed the current state of the NOI for project by Ross Associates for 873 Main Street, DLR Realty. The Enforcement Order remains binding although permission to burn slash has been granted in an area designated. This concession made in view of the limited calendar for burning (May 1st). Report of the peer review by LEC Environmental Consultants, Inc was received and distributed. Will close hearing when we receive agreed upon materials. These include the sequence of construction for the utility lines and any remediation required by the BOH, ACOE or EPA. Stopped hearing at 9:25pm. Roberta will start the electronic filing. Roberta was handed a set of plans at the Planning Board meeting on 4/13/11. Tom Peragallo had written a draft for the construction sequence that was presented to the commission for comment/changes. Comments were sent. Tom was planning to talk with project Engineer, Jesse Johnson before submitting the final version to the Commission.

NOTE from Secretary: Final report received from Tom Peragallo on Thursday, April 21, 2011 and accepted by Commission members, individually via email, on Sunday, April 24, 2011. As of tonight, April 25, 2011, the hearing is considered closed.

Cathy was the guest presenter at the Nashua River Watershed where she discussed the preparation of baseline documents for protected lands. She returned the baselines for Lyman and Packard properties, which she used in the presentation.

New Business:

Patrick Leach came in to discuss his concerns about the wind towers being built on Blood Hill in Ashburnham. They will be erecting 2 industrial turbines on the location, 500 ft from border with the Wiita Conservation Area. Mr. Leach's concerns include what he considers to be exaggerated benefits from the turbines, which, he feels, do not offset the complete costs of the project and the imposition of the project on his land and home. He cited noise and light flicker as the most objectionable side effects of the installation. He also gave the Commission several articles about ice that is thrown from the blades when they have not been in motion for a while and then start into motion. He requested that the Commission write a letter to Ashburnham stating concerns. He suggested that there has been pollution associated with wind turbines, which is especially heavy in the event of the toppling of a tower. He also wondered what the affect might be on local wildlife. He suggested that Commissioners view the website www.Betterplan.squarespace.com for more information. He was also concerned that the towers might lower his property value as well as the value of other properties around the turbine. There are recommendations that no one live within 1.25 miles of the turbine. Lisa Leach also spoke. Talked about the ice thrown from the blades and the needs for set backs from the turbines. Their house is about 2,000 ft from the location, but will be about 750 ft down hill from the tip of the blade. Phil Bouge, another abutter, reviewed articles and research of wind turbines and failure of towers releasing large amounts of lubricants. ROI is around 2% a year. Ginger Wall, another resident, concurred with the findings of others. The Chair responded that he would write a letter to the Town of Ashburham presenting the concerns of Ashby residents.

Pomerleau project on Allen Rd is back in high gear without rechecking the siltation fencing. Need site visit to talk with contractors. Tim and Bob will conduct a site visit on Thursday, 4/21/11.

Dave Pillsbury presented the Commission with a donation of \$150 for use in purchasing signage for Town Property.

Received a bill from Tom Peragallo for the peer review in the amount of \$3,061.03. Motion to pay made and 2nd and voted unanimously.

Hearings:

April 20, 2011, 8:00 PM, Continuation of hearing from 1-5-2001: NOI for Ashby Res. Dam maintenance/repair from Fitchburg Water Dept. Denis Meunier. (Site visit held on 12-11-10) DEP # 93-321. Closed at 8:26. Cathy will write the OOC.

Hearings Scheduled:

May 18, 2011 8:00 pm NOI for 102 Deer Bay Road septic replacement and construction of home. Should get revised plans for the project since the ZBA gave conditions changing the placement of the house.

Site Visits:

Saturday, April 8, 2011, 10:00 AM, 873 Main Street to determine appropriate area to burn slash. Burn site must be out of the wetland buffer and away from the building. Roberta and Cathy.

Sunday, 4-9-11, 8:30 AM (as above) reviewed decision with owner, described markings, explained that slash must be removed from the wet areas. Rene Rainville, Roberta, Cathy and Tim

Site Visits Needed: none at this time.

The meeting was adjourned at 9:45pm

Respectfully submitted,

Roberta Flashman