

Ashby Conservation Commission  
Minutes for the Meeting of April 6, 2011

Meeting open at 7:30 with Tim Bauman, Bob Leary, Roberta Flashman and Cathy Kristofferson in attendance.

Minutes of the meeting of March 16, 2011 were accepted unanimously as written.

**Treasurer's Report:** nothing to report

**Correspondence:**

Nate Mahanen of Hannigan Engineering requested that we wait for a ZBA decision before holding our hearing for septic replacement and construction at 102 Deer Bay Road. ZBA has scheduled the hearing for Michael Donnelly, 102 Deer Bay Road for Tuesday, April 12th at 7:00 PM in the land use room.

Received an NOI for Ollie Tervo for septic replacement at 29 Laurelwood Road. Hearing is tonight. Have requested more complete plans.

Watatic Management Committee Meeting, Thursday, April 14<sup>th</sup>, 7:00 PM, Ashby Town Hall. Cathy will reserve the room.

Received the final Report of the Site Peer Review of DLR Realty (873 Main Street) by Tom Peragallo of LEC Environmental Consultants, Inc. has been received and copies have been emailed to Jesse Johnson at Ross and Neal Anderson and to commissioners. The report is vastly different from what the Commission received from Neal Anderson that led to a Negative Determination issued a year ago. The report concludes that the wetland and stream are connected to other wetlands and are therefore protectable. The original Determination remains in force for the full three years when the Wetlands Protection Act views the project.

**Old Business:**

COC for 584 Main Street, Mike Bussell owner, continues to be withheld pending removal of the silt fence.

Plans for a septic replacement for Pitre property at 107 Hosmer Road by Ross Associates was reviewed at a site visit on May 31<sup>st</sup>. All activities appear to be outside the buffer as all wetlands are beyond 200 feet from proposed work area. The Assessor's map was wrong – showed road going through the house. Tim signed the plan tonight and placed in BOH mailbox.

Forest Legacy updates. MOA between the Ashby Conservation Commission and The Ashby Land Trust is to be signed at the ALT Annual Meeting, 4-9-11.

A “woolly adelgid” fact sheet to have at the Town Hall if citizens start inquiring is underway, but not complete yet.

Neal Gorman of Ross Associates has asked for an intermediate step to be included in the construction sequence of the OOC for Lynda Laakso property 864 South Road. The step would cover the construction/inspection of the well drilling and purification. The troublesome issue is where does the water with chlorine in it get directed so that it doesn't enter the reservoir directly. The OOC had been hand delivered to N. Gorman by Chair 3-18-11. The Enforcement Order remains in effect. Nothing yet received on exact language for steps.

The handouts and presentations for workshops offered at MACC's Annual Conference on March 5, 2011 are now available at [http://www.maccweb.org/aec\\_2011\\_handouts.html](http://www.maccweb.org/aec_2011_handouts.html).

**New Business:**

Justin Adams brought in plans for signature on wetland bounds for 544 Richardson Road plan to

upgrade septic system. Commission members had a site visit back in December. Tim signed the plans.

Justin Adams may be doing the work at Laakso property and wanted to know if he could use his mini-excavator to install the siltation fencing. Will allow as long as he notifies the Commission in advance of the work so that someone can check the site at the end of work.

Received ESRI Annual Maintenance Quote. Cathy spoke in favor of paying for the maintenance since she finds it difficult to make maps without the software. A motion was made to pay for the maintenance and the vote was three to one in favor of the motion – Roberta opposed. Cathy will put in the request for the invoice to be paid.

Discussion of need for Determination of Applicability for work at Blood Hill to clean put a culvert. (Should check with Dave Pillsbury about need to drive vehicles up the trail.) Roberta will submit and place advertising for the issuance at our next meeting.

We need publicity for the Apr 23rd. Trail Maintenance event at Blood Hill. – Tim will make a poster and get it onto town website. When the posters are available, other Commissioners will post it in as many places as possible.

Cathy – item for discussion – the Commission does have the option of declining an RDA and requesting submission of an ANRAD from the applicant. This should have been the approach to the 873 Main St. And, in fact, the Commission can have the applicant pay for a professional to perform the work.

Cathy is borrowing the Packard baseline – to do a presentation at Nashua River Watershed

#### **Hearings:**

8:00 PM NOI for project by Ross Associates for 873 Main Street, DLR Realty. The Enforcement Order remains binding. Report of the peer review received and distributed from LEC Environmental Consultants, Inc. Will close when receive materials. Stopped hearing at 9:25pm. Roberta will start the electronic filing.

8:45 PM. NOI for Ollie Tervo for septic replacement at 29 Laurelwood Road. Whitman and Bingham have engineered the plan. Closed hearing at 9:45pm – Cathy will write the OOC.

#### **Hearings Scheduled:**

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.

April 20, 2011 8:00 pm Hearing scheduled for March 16, 2011 at for NOI received from Hannigan Engineering for 102 Deer Bay Road. Septic replacement and construction. Awaiting word from ZBA's decision.

#### **Site Visits:**

3-23-11, 10:30 AM 873 Main Street with Tom Peragallo. Cathy and Tim

3-24-11, 12:00 noon, 873 Main Street with Tom Peragallo and Bill Davis. Tim

3-28-11, 9:00 am 873 Main Street with Tom Peragallo, Rich Kirby, Cathy and Tim.

4-1-11, 107 Hosmer Road, septic replacement designed by Ross Assoc. All outside the 200ft buffer of pond in the rear and vernal pool across the street. Will sign off. Cathy and Tim.

4-1-11, 29 Laurelwood Road, septic replacement NOI from Whitman and Bingham. Asking for plan showing the entire lot. Cathy and Tim

#### **Site Visits Needed:**

Possibly for 102 Deer Bay Road, septic replacement, demo and reconstruction of building.

Adjourned at 10:00pm

Respectfully Submitted

Roberta Flashman