

Ashby Conservation Commission

Minutes for the Meeting of March 2, 2016

The meeting opened at 7:31pm with Roberta Flashman, Tim Bauman, Bob Leary and Cathy Kristofferson in attendance.

Minutes of the meeting of February 17, 2016 were reviewed and accepted with a slight correction to date of minutes accepted unanimously.

Treasurer's Report: nothing to report

Correspondence:

Dan Proctor sent a progress report for drive construction at Parcel 48, Richardson Road. (Terkanian)

NRWA sent their request for our Membership Renewal (\$50.) Last paid Feb 2015 – Cathy will process the payment.

The firm of Dombrowski, Aveni & Bunnell PC, sent the recording confirmation for COC for Whitney Road, DEP #93-261

Tip Line: Concerns regarding siltation from driveway into stream at 1342 Richardson Road. It appears that during the most recent rain storm the rain cascaded down both sides of the driveway, which was trenched and lined with stone. Along with the rain, however, there was enough silt in the water to cross the road and enter the brook in front of a garage across the street. A Site visit was conducted on 2/29/16. Tim will write to the owner of 1342 Richardson Rd suggesting that this is a violation of the wetlands protection act and they need to come to the Commission for discussion of a remedy.

David Thatcher sent an email request for COC for 982 Main Street, DEP #93-219.

Chair submitted a letter to Lodestar stating that the hearing had been closed and the issuance of the OOC would be forthcoming.

Todd Wacome sent an email to the ConComm box about making a presentation about a product for infiltration. The Commission concensus was that there was no interest in hearing his presentation.

Old Business:

Update of information and discussion of the proposed gas pipeline. DPU hearing on Thur, March 10, 2016 – precedent agreement for NED to use a tariff to pay for the pipeline. 3 dockets at DPU to allow survey to parcels. KM has filed to get access to over 450 parcels.

Issued COC for David and Rebecca Thatcher, 984 Main St. DEP#93-219

Issued COC for Rene Rainville, DLR Realty Trust (873 Main St Café), DEP#93-325

Issued the OOC for Lodestar/Duffy – Main St. DEP# 93-353 Will be mailed tomorrow.

Report of horse manure too close to wetland resource, Richardson Rd. A site visit was conducted on 2/29/16 and the Commission is in agreement that the horse enclosure is too close to a stream and that the manure pile at the rear of the property is closer than 10 feet to the wetlands and stream. Roberta made several unsuccessful attempts to call the owner. The phone number switches the call to a fax machine. The Commission Chair has consented to write a letter.

MACC annual conference at Holy Cross College in Worcester on Saturday, March 5, 2016. Three commissioners attending, chair will drive.

Follow-up on conference call with Joe Bellino, DEP, and Denise Child, DEP outlining the status of the on the way the Sikkila project. The Commission's Enforcement Order is still in effect. Superseding orders are under construction. The discussion with Roberta and Cathy walked through a number of the orders on the Commission's OOC in an effort to use it as the basis of the Department's Superseding Orders. Joe Bellino appeared to be most concerned about the details of applicant's appeal, and removal

of all offending conditions. Several of the conditions that he wants to remove are directly from the template available to Commissions during the creation of on-line conditions. There was little mention of how or when the restoration or replication would be accomplished. Roberta strongly recommended that there be deadlines on the start of the restoration and replication. This was especially important since the applicant is currently using the driveway as though the project is complete. DEP told the Commissioners that there were revised plans being submitted by the applicant that the Commission should be receiving soon. There was agreement to talk after receipt and review of the plans. Denise suggested it might be helpful to get all parties to meet and discuss the new plans and conditions.

New Business:

Meeting with Harald and Beth Ann Scheid to introduce and review plans for a cottage community project. The Commission felt that it might be helpful to them for the Commission to walk the property and offer some insight into best use/approach to construction on the property. Set up a site walk for 1:00pm March 9th.

Hearings: None

Hearings Scheduled: (None)

Site Visits:

2-25-16 Roberta met Mark Haines on Richardson Rd at the Farm that has recently been sold. The new owner is interested in reconstructing the barn. The barn is filled with sand in the lower level, which was put there to stabilize the foundation. Mark will be rebuilding a foundation after moving the barn off. He wanted to know the extent of where he could spread that sand. The barn is 100 ft from the wetlands and culverted stream. Since the area is already "lawn" (hayfield), the wetlands protection act would allow work within 50 ft of the wetland with only a Determination.

2-29-16 All Commissioners were present at all the visits on this date.

COC for Rene Rainville, DLR Realty Trust (873 Main St Café), DEP#93-325. The site has restored itself from the disturbance of placing a well and connection from the well to the café. The Commission will issue the COC and remove the requirement for a restoration or replication on the property. Further work on the property for either of these activities would only disturb an already stabilized and regrown wetland and buffer zone.

Request for COC for David and Rebecca Thatcher, 984 Main St. DEP#93-219. Reviewed the crossing of the brook and the driveway. Found that all was fine and siltation barriers had been removed. Will make a note on the COC that the plowing of the driveway is forcing gravel to the side of the driveway, filling wetlands.

McAuley property on 664 Richardson Road. Viewed the property and walked around the horse enclosure. Horse manure at the back of the enclosure is within 6 feet of the stream. The enclosure was constructed without consulting with the Commission. The right side of the enclosure follows the stream, many spots within 10 ft of the stream. Roberta was to call. She received no answer. Tim will write the letter informing her that the manure pile and the right side of the enclosure need to be moved away from the wetlands and streams.

1330 Richardson Rd. Run off from driveway entering roadway, crossing the road and washing into brook after crossing in front of a garage across the street. The sand comes from the driveway at 1330 Richardson Rd. It is a gravel driveway with ditches on both sides to carry water off the driveway. Because it is entering the stream, it is a violation and there needs to be a remedy. Tim to write a letter to the owner.

Erickson Road(#132?) DEP #93-305 The request was for the Commission to view the siltation barriers. They appeared to be ok. The straw wattles need more staking – every 6 ft. They need to install new permanent wetland markers as beaver activity has removed most of the old ones. The project needs a

driveway permit. There should also be a pre-construction site visit. NOTE: On 3/7/16 Roberta drove by the project and noted that construction has begun.

Terkanian Property on Erickson Road. Drive constructed by Dan Proctor. Roberta called on 3.2.16. The work needs some adjustment.

- 1) Dan said that he would not change the location of the culvert under the driveway because he feels that it would just fill with debris.
- 2) The apron near the stream has piles of dirt and very large stones – Dan said that he hit ground water and had to stabilize the area. The stones will eventually be covered. Stabilizing the edge of the stream will be an area for concern and monitoring.
- 3) The apron at the road is not big enough. Needs to be long enough to knock off the dirt from truck tires – 10 -15 ft at least.
- 4) There is an issue with the driveway permit: the driveway needs to be moved. Dan is waiting the precast structure for bridging the stream. It should come in about 30 days. He is waiting for that time to change the entrance. I emphasized that he needs to present plans to the Commission and those need to be approved before any work can begin on changing the entrance because of the proximity of the stream to the new site, which may require another stream crossing. Dan said he would put a chain across the drive to keep out any vehicles.
- 5) Several of the wattles have been buried under silt/dirt – need to be corrected.

Site Visits Needed:

12:00 Mar 9 Request from Bob Winter to walk for looking at the old ice cream stand at Sheldon Bridge He is thinking of building a business. Would like a site visit.

12:30 Mar 9 Chris MacKenzie – site visit for Foster Rd for RDA. Tim will set up a visit.

1:00pm Mar 9, Harold and Beth Ann Sheid. Walk their property looking for suggestions on best approach and entrance to the property for their cohousing project.

Meeting was adjourned at 9:35pm

Respectfully Submitted,

Roberta Flashman