

Hearing opened 10/3/2018 at 9:00pm, Chris MacKenzie of Ducharme & Dillis, 151 Erickson/Robert Harding, New Single Family Home w/septic DEP# 93 -383

A site visit was conducted on September 18, 2018, during the torrential rains associated with hurricane Florence, which dropped almost 6 inches of rain in Ashby. There were 3 flowing streams on the property moving storm water through the existing wetlands. All 3 had distinct channels.

In speaking with Rick Metcalf of the BOH, they consider this project an upgrade to a failed system rather than new construction. As a result, the requirement for a system 100ft outside of the wetland bounds is not in effect. There is a leach field in place on the property that was installed approximately 15 years ago in anticipation of rebuilding the house on site.

How will a new well be connected to the house without crossing the wetland? Will they use the sewage pipe as a water pipe conduit to cross the stream? The BOH did not have any "as built" plans on the project, and so did not show the leaching field being connected to the septic tank and pump chamber. Mike McCallum, former owner of the property, came to share what he had for plans and what he remembered had been completed. The waste pipe had been installed under the stream – a 2" pipe that had a 4" sleeve in the area approaching and under the stream. The water pipe from a new well, a 1" pipe, could be snaked through either the 2" pipe or certainly through the 4" sleeve to avoid excavation under the stream. The Commission, who required the sleeved pipe to begin with as a way to avoid future excavation under the stream, would, most likely, require this reuse of the existing pipes.

Mike had been told by the BOH that the leach field did not meet requirements for a 3 bedroom home and would have had to raise the entire system a foot more above ground water. He and the BOH reached a compromise: changing the system from one that could support a 3 bedroom home to one that could only support a 2 bedroom home. Despite the fact that BOH shows the existing dilapidated structure as a 3 bedroom home, Mike and Jim Wiswell, an abutter who has lived next to the property for more than 50 years, agreed that the prior dwelling was a one bedroom home.

Chris disputes the statements of Mike McCallum about the capacity of the system. This might have to be resolved by the BOH, and is really not in the purview of the Conservation Commission.

Data sheets for determining the wetland bounds are still not submitted. Roberta had also asked that the plans show the full extent of the property. This has not been done yet. Mike McCallum suggested that there might be a feasible site for a home behind the existing structure, but that location would require an additional wetland crossing. With the plans that the Commission has been given, there is no way to ascertain this. Jim Wiswell, the abutter, owns the property beside and behind this property and stated that there are wetlands on his land, behind this property. It is unclear what type of wetlands is there, whether they are protectable and how far they are from any proposed site for a new home. A future site visit might be required.

The Conservation Commission contests the wetland lines. Many, if not all of the wetland flags were hung on speckled alder branches. Speckled alder is a wetland obligate plant. With no data sheets yet to be seen, there is no way to know why these flags were placed in those locations. The Commission would like to have the wetland bounds delineated by an outside consultant. This would be done at the applicant's expense. If the applicant is willing to relocate all the buildings outside the 500 ft buffer to the wetlands, as currently marked, the Commission is possibly willing to accept the current wetland lines. Chris will relay this information to the applicant.

The Conservation Commission expect the following to be delivered to the continuation of the hearing: a new plan showing all property bounds, data sheets supporting the wetland delineation and an answer from the applicant about re-alignment of the proposed structures to fit within the area outside the currently marked 50 ft buffer to the wetlands, possibly with a new plan showing that change to location of the proposed structures.

A motion was made and seconded to continue the hearing to October 17, 2018 @ 8:30pm. The vote was unanimous in favor of the motion.