

10/3/2018 Hearing opened at 7:00pm for review of the Ashby Highway Dept. Notice of Intent for work on the Whitney Rd culvert.

Steve Beauregard appeared to represent the Ashby Highway Department

Advertising notice presented and return receipt cards received for notification of abutters. These were sent out by the Commission to assist the Highway Department with the paperwork. Almost all the residents of Whitney Rd who had received the notice appeared to view and participate in the hearing.

The plan is to create a new stream bank with rip rap stone dam to prevent the sands from entering the stream and stream bed. This will allow the crew to clean out the sand caught behind that dam, a sump, without entering the stream bed.

The Highway Department will continue to use the chute on the other side of the road to deter the siltation from entering the stream bed.

The Highway Department will also attempt to grade the road to direct the water away from the upside of the stream.

Discussion from those attending centered on why there was no signed, engineered plan for the proposed work. Mr. Maynard also questioned the width of the town's right of way and whether the road was, in fact, a public road. Mr. Maynard was particularly stuck on bringing up issues that are not in the purview of the Conservation Commission. We are not sure what old scar is driving his apparent hostility towards the highway department and the town.

Steve stated that a portion of Chapter 97 funds pays for .67 miles of Whitney Rd. He felt that this was proof of the public nature of the road. The Highway Department also plows the road in the winter and grades the road in other seasons, as needed.

Motion made and seconded to continue the hearing to a date certain to allow determinations from attorneys about the legal status of the road and right of way. The vote was unanimous in favor of the motion.