

Ashby Conservation Commission

Minutes for the Meeting of Sept 5, 2018

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

The minutes of the meeting of August 1, 2018 were reviewed and accepted unanimously as amended to remove a note to the Commission. The minutes of the meeting of August 15, 2018 were reviewed and accepted as written by the 2 Commissioners who were in attendance that evening.

Treasurer's Report: \$17.46 for Open Space and Land Grant application expenses, 2 certified mailings for \$7.62 and \$6.91.

Correspondence:

- 8/16 - DEP Notice of Site Visit for 4 Greenville Road Superseding Order of Conditions. Conducted site visit on 8/21/18.
- 8/16 - Request for building permit site visit, Welty, West Rd. Site visit completed on 8/30/18
- 8/21 and 8/29 - Emails with Neil Gorman/Ross Assoc. Requested a Certificate Of Compliance for 420 Main St. Cathy and Roberta checked the property and found that the siltation barriers are still in place.
- 8/22 - emails about how to file an NOI and advertise for a hearing from Eddie Snyder of Snyder Pools for the owners of 578 South Rd.
- 8/22 - request for wetland delineation suggestions from a Mr/Ms Anderson about a property on Simonds Rd. The person was interested in a lot that was for sale and requested that we recommend someone to delineate. The Commission does not feel comfortable making recommendations of companies or service providers.
- 8/24 - DEP Unilateral Administrative Order issued to Gerry Brodmerkle on Whitney Rd for work done in a wetlands and/or buffer zone to a wetland without a valid Order of Conditions.
- 8/28 - DEP sent photos of DPW culvert work on Whitney Road. DEP wants to know what the Commission will do in response to the vast amounts of siltation being directed into the stream from the dirt road.
- 8/28 - DEP Circuit Rider sent an email to Commissions updating Commissions with the services that the Circuit Ride can provide to Commissions. Roberta responded to the email, requesting a site visit at culverts in town with the Highway Department and Commission in an attempt to find a solution to road crossings at streams on dirt roads.
- 8/28 - Email from McKenzie at Ducharme & Dillis re: 151 Erickson Rd. – received NOI on 9/5/18.
- 8/29 – Phone call BloodTeamRealty about finding OOC for Lightfoot on Turnpike Rd. Found it and forwarded to them.
- 8/31 - Emails with DEP & McMurrays providing direction/instruction on the filing of their NOI for 9/5 hearing
- 8/31 - Email with DEP re: 93-364 NOI which was withdrawn – submitted by Neil Gorman for Property on Wheeler Rd. A Determination was used for the project rather than a NOI. Review of procedure of withdrawal was made as a result.

- 9/4 - NOI from Highway Dept for Whitney Rd culvert was placed into the mail slot. The NOI is an incomplete submission: missing maps, project designs, abutter notifications and advertising. Roberta will contact Steve to work on completing the application.
- 9/5 - phone & email about Map 15 Parcel 51 – asking what area of the property is able to be built. Looking at possibility of donating to the town. Need to ascertain if there's possibility of building anything. We have permission to enter the property to assess. Will schedule a site visit, see below.
- 9/5 - received request for a Certificate Of Compliance for 72 Allen Rd, 93-334. Dillon.
- 9/5 – received NOI for Terkanian on Erickson Rd.

Old Business:

The Commission continues to try to find time to sort and clean-out the file cabinets prior to meetings

Annual letter re: updated DEP/DCR Forestry Memorandum of Understanding & Forestry Regulations

South Rd Fields, bobolinks, The Bobolink Project (<https://www.bobolinkproject.com>). We need a meeting with the Land Trust to figure out what we want to do with the field.

https://www.massaudubon.org/content/download/19413/274073/file/Best-Management-Practices_Grasslands.pdf. No mow before August 15.

New Business:

Siltation issue on Harris Road. Waiting for response from F&W on resources to clean up the stream. Will visit road with HWY and DEP to see if there are solutions.

Siltation issues on Erickson Rd & Valley Rd. Mostly caused by the grading of the roads in advance of the street sweeper, but they have been ongoing for a while.

Enforcement Order, Whitney Rd, Ashby Highway Department. Highway Dept graded all the roads in town which created berms along the road and caused the water to run down and dump into the stream. Roberta will again ask Judy Schmidt to come and meet with us and the Highway Dept at stream crossings to discuss solutions. Roberta will also reply to Steve about his NOI. It is NOT complete.

Parcel at Map 15 Parcel 51 on Fitchburg State Road. Owners would like some direction from the Commission in determining if the property is buildable and how/whether to donate the land to Town or Land Trust. Will schedule a site visit – see below.

Ken Hanson: Property on Erickson Rd. Need to send them an application for Chapter 61/61B. He would like to continue discussion of more permanent protection. He will file for Chapter 61 before end of September.

Hearings:

9/5 at 8:00pm, #93-382, McMurray, 1392 West State Rd, addition – closed hearing at 8:17pm. Cathy will write the OOC.

Hearings Scheduled:

9/19 at 8:00pm, Stan Dillis of Ducharme & Dillis, 0 Erickson/Terkanian, Driveway extension

9/19 at 8:30pm, Chris MacKenzie Ducharme & Dillis, 151 Erickson/Robert Harding, crossing

9/19 at 9:00 pm, Possible hearing with Steve Beauregard for Ashby Highway Dept if the application is complete before next Wed and advertising is submitted. Looking for direction on restoration of a stream and construction of water channeling from the dirt section of Whitney Rd.

Site Visits:

8/21 - 9am, 4 Greenville Rd, DEP Superceding Order of Conditions Site Visit, Tim, Roberta, Bob & Cathy met with Denise Child and others from DEP to review the site conditions that led to the Commission denying the NOI submitted by CrossField Consulting, Chris Guida. The largest issue was the Riverfront area of the property that had been pretty much ignored by the development plans.

8/21 - 10am, 420 Main St, request for Certificate Of Compliance. Roberta & Cathy visited the site and found that the siltation barriers were still in place. They didn't need to go any further in their visit and notified Neil Gorman, project manager, of their finding.

8/30 - 8:30am, Whitney Rd. Issued an Enforcement Order to the Ashby Highway Department for work that has deposited water and siltation directly into the stream which passes under the road shortly after the paved section of the road ends. Roberta & Cathy met on site with Steve Beauregard, his Foreman and one other Highway Dept employee.

8/30 - 9:30am, West Rd, Request for a signature on the building permit for an addition. Roberta & Cathy met with Pam Welty. No wetlands were in site. Ground was level. Cathy signed the building permit.

8/31 - Whitney Rd, culvert violation, Roberta drove by the site and got out to inspect the work that was done – as requested.

Site Visits needed:

Left to be scheduled:

End of Harris Rd - Wayne Hardy

Brownell, Flint Rd - building moved out of 100' buffer

420 Main St - COC, waiting on confirmation

Scheduled for Thursday 6, 2018 at times indicated below.

Pool installation, 578 South Road, Matt Morro Snyder Pools – Thursday, 8:00am

Dillon, 72 Allen Rd, - COC - Thursday, 8:15am

Fitchburg State Rd, Map15/Parcel51, buildability - Thursday, 8:30am

The meeting was adjourned at 9:12 pm.

Respectfully Submitted,

Roberta Flashman