

Ashby Conservation Commission
Minutes for the Meeting of October 16, 2019

The meeting was opened at 7:35pm with Bob Leary, Cathy Kristofferson, Roberta Flashman and Tim Bauman in attendance.

The Minutes of the meeting of October 2, 2019 were reviewed and accepted as written unanimously.

Treasurer's Report: \$67.50 from Marcoulier NOI, 402 Jewett Hill Rd.

Correspondence:

- 10/5 - email - Richard Barry completed staking for inspection of site at Minuteman Farm / Piper Rd.
- 10/7 - Cutting Plan resubmitted after initial plan was not completed in a timely manner. Fors' property, Richardson Road, Planner Perna
- 10/7 - Invite to 50th Anniversary Celebration of NRWA
- 10/8 - ENV/EEA emailed info for Municipal Vulnerability Program (MVP)
- 10/10 - Foster Healy realtor emailed an inquiry about 0 Carrs Mill Rd. Replied that all permits on the property that would allow work within the wetlands or Riverfront area have expired.
- 10/15 – Neil Gorman emailed to schedule talk about 369 Davis Rd at upcoming meeting.

Old Business:

EO 80 South Rd, Kimberley Clinton, work in buffer zone, remediation status – Abutter appeared asking if there was any further information. At this point there are no updates. Cathy will communicate to the owner the need for expediency in seeding the area to stabilize.

Pink Lynx at 147 Log Cabin Rd update. Lots of questions and concerns have been raised about the project via Facebook. A large crowd was, at this moment, attending the Selectmen's meeting to open discussions about the business.

Boundary sign inventory – Found the box with the 500 signs which had been ordered and paid for in 2017.

Report back on biannual Watatic Management Committee meeting – October 10th – some discussion of how to keep the trail narrow and confined to the existing trail. There has been no further movement from Tom Mikes' family to create a memorial at the base of the mountain. Representatives from all 6 owner entities were in attendance, plus a representative from Friends of the Wapack trails committee.

The Cons Comm and Town Clerk are still working on the mechanism for ensuring that the Building Inspector has a list of current Enforcement Orders. Need to ensure that this list is on his desk each Wednesday evening so that when he issues building permits, he can check against the list.

Jewell Hill hike to be led by Trustees of the Reservations on 10/19 Saturday, noon – 3.

MACC monthly webinar: Riverfront areas and the Wetland Protection Act Regulations – MACC – Wednesday, November 13, 12:00pm – 12:45PM

Theodora Cohen, 1050 West Rd, called and met with Tom Peragallo. She reported that he suggested that she get the original plans from the original building. Cathy sent her a copy. Cathy is still trying to get her to understand that the wetlands need to be identified, surveyed and a mitigation plan submitted before Thanksgiving as part of an NOI for the work that has already been done on the property without permits for work within the 100 ft buffer to a wetland and work within the buffer zone to the Riverfront area. Failure to receive the NOI will result in the project being referred to DEP for potential fines.

New Business:

Neil Gorman appeared with Xenon Lis, Rich Monagle and Chris Smith to inquire about the status of work, or the ability to do work at 369 Davis Rd. There was an emergency certificate to allow driveway to be made passable for work on the house. OOC from 2000 was closed with a Cert of Compliance. An RDA and associated DA were issued to allow work at the back of the house, which is within the 200 ft buffer to the Riverfront area. In order to perform final work on the driveway, the owners need to submit a full NOI, with plans, since the entire driveway is within the wetlands buffer zone, some of it within 10 ft or less of the edge of wetlands. The plans MUST include management of water that has been draining under the road and directly entering the wetlands. Direct discharge of waters into a wetlands is not allowed under the WPA.

Hearings:

8pm - Stephen Marcoulier, 409 Jewett Hill Rd, NOI. The hearing was continued to Nov 6 @ 8:00pm. The applicant is expected to have a mitigation plan for alteration of 20 ft of stream bank. No DEP number has been issued yet. Both must be in place in order for the hearing to be closed.

Site Visits Scheduled:

Thursday, Oct 24 @1:00pm – site visit for Marcoulier at 409 Jewett Hill Rd to view the potential areas for mitigation of the damage to the existing stream bed.

Hearings Scheduled:

Nov 6, 2019 @8:00pm. Stephen Marcoulier, 409 Jewett Hill Rd, Continuance of Hearing for NOI. The applicant is expected to have a mitigation plan for alteration of 20 ft of stream bank.

Site Visits Needed:

Harris Rd. End of Harris Rd to view pond at the beginning of the trout stream.

Harris Rd. Review the grant with Martha Morgan vis-a-vis planning on how to remediate the stream.

Harris Rd. Marking of potential trail through the newly purchased conservation land.

Site Visit Log:

10/7 10:00 am - Minuteman Farm on Piper Rd, construction within the buffer zone to wetlands. Cathy and Roberta walked the property, viewing the staked area identifying the footprint for the proposed building, the existing fire pond, with culvert and overflow bank to direct flow over an intermittent stream bed to Willard Brook, > 200 ft downhill from the back of the pond. The pond is just barely (or not) within 50ft of the edge of the field. The line for the zone change from residential to residential/agricultural is about 100 ft from the stream bed. Suggest an RDA to ensure the finding for 3 yrs. OK to build provided that there are siltation barriers between the building site and the pond, as well as at the edge of the level area, before it heads sharply downhill towards the brook. **QUESTION:** How will this information/suggestion be communicated to the Minuteman Farm? Probably need to write a synopsis of the visit and recommendations to the SelectBoard and CC: Minuteman.

The meeting was adjourned at 9:20pm.

Respectfully submitted,

Roberta Flashman