

Ashby Conservation Commission

Minutes for the Meeting of July 17, 2019

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

The minutes of the meeting of June 19, 2019 were updated and accepted unanimously to include a site visit left off the original minutes. The minutes of the meeting of June 26, 2019 were accepted unanimously as written. The minutes of the meeting of July 2, 2019 were accepted unanimously as written.

Treasurer's Report: nothing to report.

Correspondence:

- 7/9 - email from Dan Proctor's office to set a date and time for a pre-construction site visit for 1033 Turnpike Rd. He also provided an update on the status of Erickson Rd.
- 7/10 - emails with Neil Gorman setting up site visit for RCOC for 242 Deer Bay Rd.
- 7/11 - phone call and email from Atty Barrett informing Commission COC for 530 Jewett Hill Rd
- 7/12 - phone call from Theodora Cohen cancelling site visit at 1051 West Rd. She told Roberta the Commission would be receiving a letter from her lawyer
- 7/12 - email from ALT regarding status of project proposals
- 7/15 - call from Woodruff inquiring whether the Commission/Town would be interested in receiving a donation of a 0.21 ac parcel Map 11 parcel 130 on Ingerson Rd.
- 7/15 - emails from Whitman & Bingham to set up a site visit for COC for 113 County Road. No removal of siltation barriers or marking of wetlands. No plantings on the slope. They will do the work, except the plantings.
- 7/16 - received plans from Soilsmith for septic upgrade at 596 Foster Rd
- 7/16 - call from Nancy Chew's office requesting special handling of OOC for 197 Harris Rd.

Old Business:

Crocker LAND project status. Cathy has created a page on google drive for tracking all the paperwork and calls and other communications about the project. The Select Board is working on fixing the language and responsible parties on the CR.

Ashby Land Trust will be devising plans for managing invasives and creating a walking trail during this coming year. Once they are completed, they will present them to the Commission.

Lodestar replication was viewed on 7/10/19 and found that 75% of plantings were viable. A motion was made to issue a COC for Lodestar. The vote was unanimous in favor of the motion. The Certificate of Compliance was signed and issued.

Issued COC for 242 Deer Bay for Kulik and Twyler.

Work within a jurisdictional wetlands had been reported at 1051 West Rd being conducted by Alex and Theodora Cohen. Ms Cohen called on Friday, 7/12 to cancel the 7/15 site visit. The Commission is waiting for a letter from her Lawyer explaining why she thinks she is exempt from compliance with the wetlands protection act, and specifically the Rivers Protection Act. The Commission will wait for the letter until end of July. Then the Commission will write another letter requesting a site visit and/or compliance and copy DEP on the letter.

New Business:

Request for Determination of Applicability was received from 630 Pillsbury for a septic replacement outside of buffer zone. **The Determination of Applicability will be issued on 8/7/19.**

COC was issued for 530 Jewett Hill Rd, following a site visit on 7/17/2019.

Following a site visit at 113 County Rd., the Commission is waiting for compliance: removal of siltation barriers and placement of wetland boundary markers.

The Commission received a request to accept, on behalf of the Town, a 0.21 ac parcel on Ingerson Rd., Map 11, parcel 130, owned by Woodruff. After discussion of the values of the property and location, including abutters, there was a motion made and seconded to refuse the parcel. The motion carried unanimously.

The Commission noticed work being conducted in the buffer zone to a wetland and stream at 80 South Rd and owned by Kimberley Clinton. When a Commissioner tried to talk with the owner, they were dismissed from the property. The Commission issued an Enforcement order 7/17/19, with a police escort.

Cathy and Roberta listened to a MACC webinar on solar siting and how the potential for negative impact can be decreased through efforts of Conservation Commissions and Planning Boards.

Gary Borneman, 299 Jewett Hill Rd, came in to inquiry what he had to do to permit a new well drilling.

A driveway was noticed being built across a wetland (intermittent stream) at 402 Jewett Hill Rd. The Commission researched the owners and prior Conditions on the property. Action?

Roberta and Cathy were sworn in as Commissioners for another 3 years.

Adam Hargrave, 75 Log Cabin Rd, came in to have the Commission sign his building permit application. The Commission has been out on the site at least 2 times and there are no wetlands. Tim signed the application.

The Commission discussed ideas about drone use especially in regards to monitoring CR's.

Hearings Scheduled: none

Site Visits Conducted:

- 7/3/2019
 - John Perrin met Bob, Cathy & Roberta on his newly purchased property at 600 Main St to view his 8 acres and give him an informal idea about whether he would be able to build a 2nd home on the property. He is short on the total frontage required for 2 homes on the property. There is a perennial (?) stream behind his house and a few other wet areas on the property. His first hurdle would be the ZBA to see if he could subdivide for a 2nd home.
- 7/10/2019
 - Lodestar - Tim, Bob, Roberta and Cathy met on Kevin Midei on site to view the replication area with a mapping of the plantings in hand. We accumulated a rough count of at least 33 bushes. There were originally 40 planted, so there is a success of at least 75%. Plenty of ferns, sedges and reeds also in abundance - so much so that it was hard to find the bushes. There were 4 maple trees that had been saved and appeared to be growing.
 - DEP#93-0382 Tim, Bob, Roberta and Cathy met Peter and Mary McMurray on site at their 1392 West State St property for a COC inspection. All wetland bounds were marked with the metal signs. All siltation barriers had been removed. All earth moving was completed and stable.

- Tim, Bob, Roberta and Cathy met with Steve Sokol at 149 Bennett to view the potential site for a new septic system. The system has 2 tanks: one for septic and one for acid holding - used in the processing of CBD. All distances to wetlands were checked to affirm that the new system was 100 ft away from all wetlands. Further, the channel that had been a problem in funneling silt and water into the stream had been corrected with a retention sump to prevent water from entering the stream. Tim signed the septic system plans.
- Bob, Roberta and Cathy met with Jim Moran, engineer, on site at 630 Pillsbury to view the placement of a replacement septic system. The wetland edges were verified and the system is outside of the 100 ft buffer to wetlands and 200 ft buffer to the vernal pool across the street. The fill for the system will be in the buffer zone. Asked the engineer to file a Request for Determination of Applicability. If receive the paperwork for the July 17th meeting, we will note it one the plans and sign the plans for their July 24th meeting.
- Bob, Roberta and Cathy met with Parker Dinsmore of Proctor Excavating on site at 1033 Turnpike St for a pre-construction site visit for a replacement septic system within the 200 ft buffer to a perennial stream - Trap Falls Brook. Found plastic enclosed straw wattles in place. These will have to be replaced with either siltation fencing or non-plastic wattles, preferably mulch filled. Edge of wetland signs were placed at the edge of the property rather than on the abutting State owned property. Bob checked back later in the day and verified the change out of the siltation barriers.
- 7/15/2019
 - Tim, Bob, Roberta and Cathy met with Megan Twyler and John Kulik at 242 Deer Bay to review their compliance with the OOC. All siltation barriers have been removed. Have installed one wetland boundary marker, but need another on the side nearest the pond. May have to install on a metal post.
 - Tim, Bob, Roberta and Cathy met with Elain Walters at 530 Jewett Hill Rd to review their compliance with the OOC. The replication area has not been mowed, which is great. Asked the owner to mark the bound of that wetland with permanent markers – Roberta will assist her.
- 7/17/2019
 - Cathy and Roberta met with Donna and Rodney Fors, owners, and Jaimie Rheault from Whitman and Bingham at 113 County Road to review their compliance with the OOC. The siltation barriers are still in place, no wetland signs have been installed and no long term plantings (creeping juniper or the like) were made on the slope. Received assurances that all but the plantings would be completed and the Commission would be notified when they could recheck.
 - Cathy and Roberta went to 596 Foster Rd to review the plan on site for a septic system upgrade done by Brian Reichett from Soilsmith. There is an existing pond about 50 ft from the bottom of the driveway. The system location was staked and the pond is more that 100ft from the location.
 - Cath and Roberta noted the construction of a driveway across an intermittent stream at 402 Jewett Hill Rd. There is no culvert apparent, although it might be buried under the rocks that appear to fill the intermittent stream. This is the old Shephard property which received an enforcement order and fine for working in an intermittent stream without a permit.

Site Visits Needed:

1051 West Rd - work within the buffer zone; no ag exemptions applicable

113 County Rd – will call when they have completed the work for the COC

Meeting was adjourned at 9:21pm.

Respectfully submitted,

Roberta Flashman