

Ashby Conservation Commission  
Minutes for the Meeting of September 18, 2019

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

The Minutes of the meeting of September 4, 2019 were reviewed and accepted unanimously as written.

**Treasurer's Report:** nothing to report

**Correspondence:**

- 9/6 - updated CR emailed from TTOR for the Crocker LAND project
- 9/12 - email inquiring about monitoring of Pink Lynx at 147 Log Cabin Rd
- 9/14 - updated roster of Commissioners sent to MACC
- 9/16 - email from the Town Treasure about tax title properties

**Old Business:**

Crocker LAND project status. An update of the CR was made by the Fitchburg Water Dept. Nothing of consequence was changed.

1051 West Rd owned Alex & Theodora Cohen, work with jurisdictional wetlands, EO & RDA. Roberta received a call from Theodora on Thursday, September 5<sup>th</sup> asking about the meeting and wanting the information to advertise. Re-sent the information. Theodora still would not set a date for a site visit.

Theodora Cohen appeared before the Commission this evening. She gave a history of the purchase which had expectation of creating horse farm. She decided to grow hemp because of personal experience with CBD. She has a license to grow hemp from MDAR. She wanted to draw water from the Souhegan. She had electrical work done which required a ditch be dug from the well to the barn. This is where the Commission understood a ditch was dug to the Souhegan. She stated that the water was being drawn from the river with over-the-ground pipes(hoses). She plans to work with NRCS to create a farm plan. Her lawyer has suggested that prior to a site visit the Conservation Commission agree to a set of conditions: that only a designated area of the property be open for inspection, that only one member conduct the site visit, and that the property receive an after-the-fact farm exemption. The Commission NEVER conducts a site visit with only one Commissioner. The Commission does not understand what exemption they would be requesting. And, the Commission will have the right to view whatever might be in question on the property in regards to the Souhegan River and attending 100 ft buffer to BVW and 200ft RiverFront buffer.

Theodora will check with her attorney and possibly allow a site visit on Tuesday. Although Theodora had advertised the Determination for tonight, there is no way we could make a Determination without viewing the property. The issuance of the Determination of Applicability has been continued to our next meeting on October 2, 2019.

EO 80 South Rd, Kimberley Clinton, work in buffer zone, status and new report of activity. She still has not come in to talk with the Commission.

**New Business:**

Pink Lynx at 147 Log Cabin Rd. Roberta contacted Judy Schmitz, DEP circuit rider, about whether there were permits issued to Jeremy Ethier on Log Cabin Rd for Solid Waste Disposal or Composting. She gave Roberta a contact name of the Department Chief for Solid Waste Disposal. He had scheduled someone to

conduct a site visit on the property on Monday, September 16, 2019. We might be able to know what went on by Thursday, September 19, 2019.

Roberta had a discussion with DEP Judy Schmitz about drones. As far as she knows, there are no special directives prohibiting the use of drones for either monitoring or viewing sites where people cannot gain access. There are no court cases yet.

Terry Palmer for Matt Palmer, general contractor for work at 451 Wares Rd brought in a building permit application for signature. The construction of a deck on the back of the house will require 4 sono tubes. Using an auger rather than back hoe. Tim signed the application.

Stephen Marcoulier, 402 Jewett Hill Rd. came in for assistance with filling out the NOI for work that was done crossing wetlands. Cathy will make maps and email them to Stephen. Stephen will bring in the forms when they are completed for our review.

Brett Pomerleau, 864 Turnpike Rd. – Needs to have the building permit signed for a garage – needs to have Commission verify that it will be outside the buffer zone. 8:30am Tuesday, Sept. 24<sup>th</sup>.

Bruce Adams appeared for a site visit at 290 Deer Bay Rd. –Pre-construction site visit. – 8:30 am, Thursday, September 26<sup>th</sup>.

5 Tax title takings proposed by Kate Stacy were reviewed and the Commission found no wetlands issues nor any property that would make sense for the town to keep for open space.

**Hearings Scheduled: none**

**Site Visits Scheduled:**

- Tuesday, Sept. 24<sup>th</sup>, 8:30 am - 864 Turnpike Rd. Verify that site of proposed garage is outside the 100 ft buffer.
- **Potential** Tuesday, Sept. 24<sup>th</sup>, 9:00am – 1051 West Rd. Determination of Applicability.
- Thursday, Sept. 26<sup>th</sup>, 8:30 am - 290 Deer Bay Rd. Pre-construction site visit.

**Site Visits Needed:**

80 South Rd - report of refuse washed into wetland, excavating equipment in wetland resource area

The meeting was adjourned at 8:56pm

Respectfully submitted,

Roberta Flashman