

Ashby Conservation Commission

Minutes for the Meeting of November 17, 2010

Meeting opened at 7:39pm with Cathy, Roberta and Bob in attendance. Tim Bauman arrived at 7:45pm. The minutes of the meeting of November 3, 2010 were reviewed and accepted as written unanimously.

Treasurer's Report: Nothing to report at this time.

Correspondence:

Email from Maryann DiPinto, DEP with a little more information on the Permit Extension Act of November 2010 (Section 173 of Chapter 240 of the ACTS OF 2010).

North County Land Trust trails committee sent notice of need for another meeting – tentative 12/1 or 12/2 - @ 5:00. Cathy may be able to attend. These meetings concern the trails surrounding the Fitchburg Water Department Lands.

Old Business:

Request received for a Certificate Of Compliance for the Conway's project (single family home) on Mayo Road. The request included their new phone number and book and page of the deed filing for the Order Of Conditions that had been previously issued for the project. The Commission is ready to issue the COC. All members signed signature page, which will be attached to the already completed COC and mailed.

Forest Legacy up-date.

Damon Property has completed the Closing and the deed was recorded on 10-28-10.

Cathy will scan the deed so that it can be included in the baseline documentation and then give to Lorraine Pease, Town Clerk, for storing in the vault.

Tracts 7 and 8 have been moved to 2011. Cathy will write a 3rd party MOU that would allow Ashby Land Trust be a financial backer of the protection of these two properties. The MOU defines what rules and procedures need to be followed for funding monies connected to the protection of the properties, like survey costs, and the rules and procedures for reimbursement.

Forest legacy sign requirements and boundary markers: Might be able to get a free sign, but not boundary markers. All are done at Voss signs. Roberta will pursue with Voss signs to get the boundary markers with the logo. Need two different versions – one for town owned property and one for privately owned property. Boundary signs should also have the forest legacy logo and ConsComm email conscom@ci.ashby.ma.us

Roberta contacted Jules Melbin about making signs for the newest property secured under the Forest Legacy Program. He is ready to give us a price if we get him the verbiage. Top Board: The Damon Property. 2nd Board: Owned by Town of Ashby and monitored by the Ashby Conservation Commission.

Need to schedule monitoring of Packard property – day after Thanksgiving – Nov 26th. @10:00. Most likely Cathy and Roberta will do this.

Discussion took place about the Blood Hill Management Committee. NCLT has confirmed their representative to be Paula Packard for a term to expire on 6/30/ 2013. The Town Clerk confirmed that Cedwyn Morgan was appointed by the BOS as Conservation Commission recommended representative. Matt Leonard is also still on the Committee – reappointed by Selectmen. Roberta has contacted the Fitchburg Water Department about their representative and communicated Denis Munier, the Deputy Chief. Cathy will speak more with him at the Trails Committee meeting.

Ray Jackson and Ollie Mutch will be reviewing the trail on Blood hill for assessment of how to repair the stone culvert

Haven't heard anything further about attempts to correct the situation with the vernal pool across from Pillsbury's house on Pillsbury Rd. In an attempt to clean up debris, it was thoroughly cleaned out.

Svedburg, Pillsbury Rd. Received a note from BOH about how they determine wetlands, making a point that it is different from determinations under the River Protection Act, which determines the buffer zone along perennial streams and bodies of water that are along these streams.

New Business:

Bill Davis and the Highway Department have a different approach to road repair. They plan to grind up really bad roads and leave them as gravel. Tim asked for a list of which roads they were planning to include – Whitney Rd, Damon Rd, Jones Hill Rd (bad section), and Spring Hill Rd. This is possibly just a partial list. Tim asked for the schedule for this work and notification of when they start and where. Will need siltation fencing and other ways of protecting the wetlands during the process and after they are returned to a gravel state.

Ranee Rainville appeared before the Commission, not on the agenda. He requested that the Commission review the placement of the line from the proposed public well on his proposed project on Main St in relation to the wetlands. Looks like the line would cut through the wetlands. He requested permission to cut brush so that an excavator would be able to get through during the winter. He would be cutting a 30 ft wide swathe through the wetlands. It was the Commission's sense that this is not in the best interest of the wetlands protection act, in that it would be allowing cutting and clearing before an order of conditions or even a notice of intent had been filed. It would also be a violation of the Open Meeting Law to make a decision of that magnitude without having listed the request on the agenda.

149 New Ipswich Rd., Frank and Suree Thomas. Would like Commission to sign the building permit. Their reconstruction of the house will be adding a deck to the back of the house that will be supported by steel I-Beams that have their foundation in the basement of the existing structure. They brought in plans of the reconstruction. All work will be on the interior of the house, and include replacing one or two of the walls. Tim Signed the building permit with condition that can only change the interior of the house.

Cutting Plan for Willard Brook State Forest damaged pine stand. Tim emailed Forester Harris Penniman Jr. to suggest final decisions on silt fencing and culverts. Also requested start date of project. Waiting for response.

Ernie Pappas appeared before the Commission, not on the agenda. He stated his interest in the Blood Hill Management Committee. He is also interested in volunteering in work crews and possibly membership on the committee.

The Commission received an anonymous tip about dumping near the culvert next to the stream between the Steffian and Delaney properties on South Rd. Tim will write a letter to both abutters and asked that the construction materials and yard refuse be removed from the immediate margins of the stream.

Request for COC from Mike Bussell retrieved from mail today and will put on next meetings agenda for issuance.

ERSI issued a new release of software. The new versions are not backward compatible.

Cathy had requested an abutter map for the Forest Legacy work – and had to pay \$10 for a photocopied taped map with scribbles.

Chair will be away from 22nd to 30th – Agenda needs to be posted by the 29th. Bob will post the

agenda after emailing to Cathy and Roberta requesting any additional items.

Hearings: None

Hearings Scheduled:

Tentatively scheduling for December 1, 2010 @ 8:00pm, dependent upon receipt of NOI and placement of advertising, a hearing for the Fitchburg Water Department's NOI for repairs to the top of the Dam at the Ashby Compensating Reservoir

Site Visits:

Thursday, Nov 11, 2010. Tim conducted a site visit to the Conway's on Mayo Road to review the project prior to issuance of COC.

Meeting was adjourned at 9:28pm

Respectfully Submitted,

Roberta Flashman