

**Conservation Commission
Meeting Minutes of September 25, 2013
Ashfield Town Hall**

Present: Lester Garvin, Chair (LG)
Brian Clark (BC)
Janet Clark (JC)
Dave Fessenden (DF)
Phil Lussier (PL)
Brittany Martin, Scribe (BM)
Russ Evans, Guest (RE)
Marsha Evans, Guest (ME)
Tom Leue, Guest (TL)
Duncan Colter, Guest, (DC)

1. The meeting is called to order at 7:34pm.
2. Board reviews the September 11, 2013 minutes. BC moves to accept the amended minutes, DF seconds and all vote in favor.
3. LG provides the new internet access passcode for the Town Hall internet to the Board.
4. Board discusses Best Management Practices for road drainage. The Board would like to invite Tom Poissant to a meeting to learn what practices could be considered at a low cost nature, especially in regards to new construction so that future projects are done correctly the first time around. There is a pamphlet located at the Ashfield Town Hall but LG would like to discuss this further for the Board's education.
5. Board continues the discussion of the RDA hearing for Albert Pieropan of 69 Pfersick Road. LG states that there were unanswered questions from last meeting, when the RDA hearing was opened, and that the Board has invited Tom Leue to the meeting as he designed the system. LG asked TL for an As-Built and the information on the CMR regulation upon which the work was based, both of which he provided. TL reads the CMR regulations. TL states that the house in question is 199 Pfersick Road. TL states that other areas of the property had perc tests and that they had a poor perc test performance. He stated that the area that is uphill and away from the well did perc but it did not perc as well as the soil on the other side of the road. TL states that Al Pieropan is giving an easement of the land across the street. TL states that this land was the best location for the septic system. TL further states that they were allowed to put a leach field in if it was 100' or more from the brook. The fill is less than 100' from the brook. During construction the contractor bulldozed out a larger area than was required. Outside of that bulldozed area was a buffer zone and there was sedimentation. TL states that the sediment did not reach the stream. He also states that he realizes now that they should have filed an RDA for the construction process. TL states that the decision to place the septic system where they did as opposed to uphill, in a less desirable location, was also due to financial reasons. LG states that it sounds like the construction went into a buffer zone. TL states that the contractor did work within 65' of the stream and that there was no siltation. He also states that the stumps that were removed from the ground on the property are not buried, they are still on-site, above ground in a pile about 10' high. PL inquires about what will happen with the stumps and the land that has been cleared, to which TL replies that he doesn't know about the stumps and that the area has been seeded with grass. PL states that it may make sense for the Board to ask for an NOI so that the Board has some leverage if the area needs to be restored in the buffer zone. BC states that if there is more work done, it may do more damage than good.

The Board is concerned with the sediments that are in the area and in the stumps, and aren't sure what will happen to them during the next big storm if they are not taken care of properly.

RE, a neighbor, states that if he and his wife were going to do something like this, they would have come to the Board first. They expect everyone to be treated the same in regards to these types of projects and feel that some people receive special treatment because they have been in the area so long. RE states that in the past he would have liked to proceed in the least expensive way with some of his projects but he wouldn't ever get them approved. PL states that this is a replacement system and not a new one. RE states that the leach field could have been placed somewhere else, that wasn't in the riverfront. LG states that the DEP has two laws, one regarding riverfront and the other regarding wetlands protection act. LG further states that an RDA should have been filed for this project. TL admits the error made. LG suggests that the Board make a site visit to determine the potential harm of the stump wall and the sediment. PL moves to continue the hearing until the next meeting on October 9, 2013, DF seconds and all vote in favor. TL has been invited back to the next meeting.

6. PL shares an email from Paul Lemelin regarding a boilerplate disclaimer for online applications. PL states that 80+% online applications don't need the Conservation Commission's signoff but it would be a good idea to add this. JC moves that the Board approve the changes for the online applications, PL seconds and all vote in favor.
7. There are no pending on-line building permits to review and approve.
8. PL motions to adjourn the meeting, DF seconds and all vote in favor.

Meeting adjourns at 9:02pm.

Respectfully submitted,
Brittany Martin, Scribe

Documents and Exhibits (filed at the Ashfield Town Hall)

1. CMR Regulations
2. Pieropan Property aerial photo
3. As-Built Drawing of Pieropan property
4. Email from Paul Lemelin