

Town of Ayer
Community Preservation Committee

Town Hall * One Main Street * Ayer, MA 01432

Minutes for 4/2/2014 - Approved 8/6/2014

Location: Town Hall, 1st Floor

Members present: Janet Providakes (JP) [Housing]- Chair, Beth Suedmeyer (BAS) [At Large], Jason Mayo (JM) [Parks & Rec.], Barry Schwarzel (BES) [Historical], Jess Gugino (JG) [ConsCom]- Clerk

Not present: Mark Fermanian (MF) [Planning Board], Vacancy [At Large]

APAC taped: YES

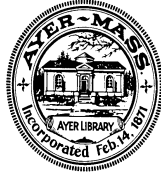
6:10 PM – Open Meeting

- **Meeting Minutes Approval**

- BAS moved to approve the minutes for 3/5/14; BES 2nd.
 - Motion approved unanimously.

- **Discussion: Spring Town Meeting 2014 Warrant Articles**

- JP reviewed the current balance of funds in the CPC account, as of 1/31/2014:
 - Open Space: \$822,721.22
 - Historical Restoration: \$128,158.32
 - Community Housing: \$160,508
 - Budgetary Reserve: \$141,834
 - Undesignated Fund: \$235,029.13
 - TOTAL for 1/31/14: \$1,488,250.67
 - JP will contact Town Accountant Lisa Gabree for clarification as to what the Budgetary Reserve is and how these funds may be used.
- Allocation of the set-asides.
 - The CPA requires a minimum annual allocation from new revenues of 10% each to Open Space, Historical Restoration, and Community Housing.
 - BAS suggested 50% of the allocation to go into the Open Space fund and others agreed.
 - From a total in new revenues of \$201,260, JP proposed the following set-asides:
 - \$5000 to meet CPC administrative expenses;
 - 50% to Open Space;
 - 10% to Historical Restoration;
 - 10% to Community Housing;
 - The remainder to the Undesignated Fund.
 - JG moved to approve the set-asides as outlined by the Chair; BES 2nd.
 - Motion approved unanimously.
- Due Diligence funds.

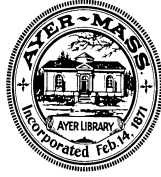


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- A second Warrant Article, transferring \$12,000 from the Undesignated Fund for use in performing due diligence, was detailed by JP.
- JG moved to approve the transfer of \$12,000 for this purpose; BAS 2nd.
 - Motion approved unanimously.
- Comprehensive Pond Survey CPC funding.
 - If approved by CPC following the Public Hearing to start at 7 p.m., an additional warrant article requesting the transfer of \$20,000 to the Conservation Commission for the purpose of partially funding a comprehensive pond survey would also be voted on.
 - BAS suggested that 50% of this funding be taken from Open Space, and 50% from the Undesignated Fund, for a total of \$20,000.
- **New Business**
 - Town Hall project
 - JP received an email from Selectman Pauline Conley alerting CPC that Town Administrator Robert Pontbriand would be coming before CPC to discuss an application to fund the replacement of Town Hall windows for energy savings.
 - Mr. Pontbriand appeared before CPC several years earlier and this topic was raised then.
 - Discussion then focused on the problem of meeting state-required historical standards, especially if complete window replacement compromised the 'historic fabric' of the building in question.
 - Planning Board representation on CPC
 - MF did not get his paperwork in on time for running for re-election to the Planning Board.
 - It is likely that the Planning Board will have to appoint a new member to serve as representative to CPC.
- **A brief recess was taken before the 7 p.m. Public Hearing commenced.**
- **Public Hearing: Conservation Commission application for CPC funding for comprehensive pond survey**
 - Bill Daniels, Chairman of ConCom, formally presented the application.
 - Also present were members of the Pond & Dam Management Committee: Don Rzasa, Chair; Chuck Miller, and Marina Giovannini.
 - In addition, approximately 15 members of the general public were present.

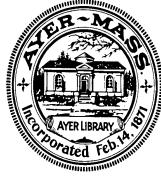


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- Mr. Daniels described in detail the proposed survey which would assess the condition of six of Ayer's ponds: Sandy, Long, Flannagan (aka Fletcher), Grove, Pine Meadow, and Balch.
- Mr. Daniels also described the lengthy process by which ConCom issued an RFQ and evaluated several proposals before voting to go with the proposal submitted by Geosyntec Consultants.
- The total cost for Geosyntec's proposed work is \$83,032.
 - \$10,000 in CPC funds were allotted for this purpose in 2011 by Fall Town Meeting vote and remain available for use.
 - This Public Hearing is for ConCom's application requesting an additional \$20,000 in CPC funds for the same purpose.
 - In addition, DPW Superintendent Mark Wetzel has agreed to contribute \$15,000 from the DPW budget for this survey.
 - Assuming CPC agrees to forward the ConCom request to Spring Town Meeting 2014, and that voters pass the request, the total funding accounted for would equal \$45,000.
 - A balance of \$38,000 then remains to be funded to meet the \$83,000 proposal.
 - ConCom and the Pond & Dam Committee appeared before the Board of Selectmen on 3/25/14.
 - BOS members unanimously voted in support of placing an additional Article on the Warrant requesting the transfer of \$40,000 from 'free cash' to make up the rest of the Geosyntec proposal's balance.
 - BOS members indicated that if this measure did not pass, they could resort to the use of UDAG funds.
- The proposal submitted by Geosyntec would perform the following work:
 - Task 1:
 - Aquatic Vegetation Surveys
 - Water Quality Sampling
 - Task 2:
 - Pollutant Source Assessment of proximal watersheds for each pond
 - Land Use Assessment/Phosphorus Loading and Model
 - Task 3:
 - Aquatic Vegetation Management Plan, including recommendations for public education and outreach
 - Task 4:
 - Grove Pond – secondary contact recreation risk evaluation
- Questions and comments were taken from the audience.

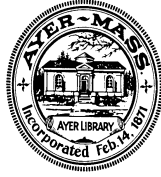


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- Laurie Nehring, of People of Ayer Concerned About the Environment (PACE) asked how this study compared to the 2005 study done by Aquatic Control Technologies.
 - Mr. Daniels said the 2005 study focused solely on weed control.
 - This study is far more extensive, seeking information on factors affecting the health of the ponds and pollution sources as well as weed growth.
 - It will help the Town to identify best management practices and to better plan on how to spend money to protect the ponds.
- James McKay asked why Plow Shop Pond was not on the list of ponds to be studied.
 - Mr. Daniels said this pond is heavily contaminated and is not used for recreation.
 - It was also eliminated because limited clean-up work was conducted on this pond by the Army in 2013.
- BAS asked if Grove Pond, also with contaminated sediments, was going to be studied like the other 5 ponds.
 - Mr. Daniels said yes, and also that Geosyntec would be reviewing other studies done on Grove Pond.
 - If further sampling was required, Geosyntec would provide a new budget for consideration.
 - BAS suggested that Geosyntec be advised to consult and coordinate with PACE and the Army Corps of Engineers to review their data.
 - Julie Corenzwit, of PACE, noted that the Army's sampling data on Grove Pond is a lot less recent than their sampling on Plow Shop Pond.
 - Ms. Nehring said a previous study of Grove Pond was conducted by the federal Agency for Toxic Substances and Disease Registry.
 - The study concluded that contaminant levels posed no likely harmful exposure but Ms. Nehring said she was not confident it was a good study.
 - It would be helpful, therefore, to have the pond independently reviewed.
 - There has been interest in expanding recreational activities in the vicinity of Grove Pond, and a risk assessment therefore seemed strongly in the Town's best interest.
 - An issue to consider in any expansion of recreational activities (i.e. boating from Pirone Park) is that contaminants deeply

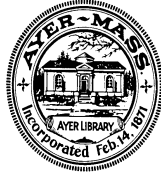


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- embedded within sediment may pose a significantly increased risk when stirred up by increased human activity.
- Ed Kelley asked if the wetland pond that abuts Autumn Ridge and Gun Club property (aka ‘Rock Meadow Pond’) was to be studied.
 - The 2011 failure of the beaver dam that impounds this water led to a portion of Oak Ridge Drive being washed out.
 - Mr. Daniels said that since this was not a true pond but a beaver impoundment, it was not included in the Geosyntec study.
 - ConCom, however, is planning to work with Beaver Solutions to install a “beaver deceiver” at this dam that would lower the water levels and reduce the risk of another dam failure.
 - Ms. Corenzwit asked why Spectacle Pond was not included.
 - Mr. Daniels said Ayer only contains a small portion of this pond, and that the Town of Littleton maintains it because it is part of their water supply.
 - Ms. Corenzwit asked if the proposed study would address wetlands adjacent to the ponds.
 - Mr. Daniels reiterated that the scope of the study is far more extensive than simply weed control and will also study adjacent watersheds and upland areas as point sources into the ponds.
 - Mr. Daniels and Mr. Miller emphasized that after completion of the study, ConCom and Pond & Dam would then work with the BOS and FinCom to develop an action plan and budgetary resources necessary to implement it.
 - BAS noted that completion of the proposed study would make the Town eligible for various implementation grants going forward.
 - JP suggested that a Public Hearing or presentation be made to go over the findings of the study when complete.
 - Mr. Daniels thought this an excellent suggestion and that Robert Hartzel, of Geosyntec, could be asked to come in at that time to entertain questions.
 - Mr. McKay asked if the State didn’t already do federally mandated pollution control testing, especially in Areas of Critical Environmental Concern (ACECs).
 - Portions of Ayer are located within two ACECs, the Petapawag and the Squannassit.
 - Mr. Daniels said the federal mandate applies stormwater standards but does not do the testing.

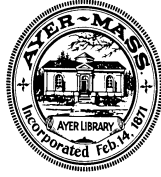


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- This is why the Ayer DPW is willing to contribute money toward the proposal because of the stormwater and pollutant source assessment aspects.
- JG said another advantage of the proposed study is that the information gathered will allow the Town to develop State-approved Resource Management Plans (RMPs) for its Great Ponds (Sandy and Long).
 - This, in turn, would allow residents to file for Chapter 91 licensing for new docks and floats.
- Mr. Daniels said he spoke to Mr. Hartzel about the RMP angle.
 - Mr. Hartzel said that all parts of the proposed study would form the basis for an RMP.
 - BAS noted that the RMPs for Great Ponds within ACECs are of a higher standard.
 - BAS advised that the scope of the proposed study be reviewed in advance by the State's Department of Conservation and Recreation (DCR) before Geosyntec began its work.
 - This would ensure that the money spent on the study be utilized to get everything that the Town needs from it for such an RMP application.
- Ms. Nehring asked if, dealing with Great Ponds in two ACECs, this would make the Town more eligible for grant resources.
 - BAS said that while there is no specific funding for ACECs, having such a study done for ACEC areas would likely give implementation grant applications a higher priority.
- Ms. Nehring noted that Ayer's pond systems eventually flow into the Nashua River, and that the Nashua River Watershed Association (NRWA) might also be a future resource for water monitoring projects, training, and equipment.
- The question of whether Ayer's dams would be included in the study was raised.
 - Mr. Rzasa said that the Pond & Dam Committee had looked at dams early on but that the DPW would be taking the lead on anything to do with working on the dams.
 - The Geosyntec study would probably touch on the dams only to the extent that they were part of its stormwater impact assessment and development of best management practices.
- CPC vote
 - BAS moved to support and advance ConCom's \$20,000 funding request to Spring Town Meeting; BES 2nd.
 - Motion approved unanimously.



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- **8:25 PM – Adjourn Meeting**
 - JG moved to adjourn; BES 2nd.
 - Motion approved unanimously.