

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **6/11/2015** – Approved 6/25/2015

Location: Ayer Town Hall, 1st Floor

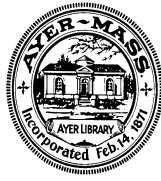
Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Takashi Tada (TT),
Jessica Gugino (JG, Clerk)

Not present: Lee Curtis (LC), Vacancy: CA, Conservation Administrator

APAC taped: Yes

7:02 PM – Open Meeting

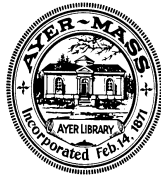
- **Confirmation of Agenda**
 - GB moved to confirm the agenda as posted; TT 2nd.
 - Motion approved unanimously.
- **Approval of Meeting Minutes**
 - GB moved to accept the minutes for 5/28/15, as corrected; TT 2nd.
 - Motion approved unanimously.
- **Announcements**
 - Aquatic Control Technologies will be performing weed treatment on Spectacle Pond soon.
- **Accounts Payable**
 - Sun News: \$139.62 (\$75.18 for legal ad for 31 Willow Road RDA; \$64.44 for legal ad for Woodland Way RDA).
 - GB moved to approve payment of \$139.62; TT 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 5 Fourth Street, Mark Adams & Jennifer Walker, MassDEP # 100-0384**
 - ConCom performed a site walk to review the plan for the construction of a new house at the site of a previous tear-down.
 - Recent revisions to the plan mean that all of the work on the new house is now outside of the buffer zone with the exception of the relocation of a sewer line connection to the Town sewer.
 - The relocated line will connect to an existing manhole approximately 26 ft. from the shore of Grove Pond, along which the Town sewer line runs.
 - BD sent an email on 5/31 to Mr. Adams via Rob Oliva, of Goldsmith, Prest & Ringwall, confirming ConCom's authorization that work can begin on the house without having to wait for the issuance and recording of the OOC.
 - Work on the sewer line won't take place until later in the project, at which time the OOC will have been recorded and inspection of the erosion controls can take place.
 - ConCom's Special Conditions document was edited to fit the limited jurisdictional work now planned.
 - GB moved to issue an OOC and close the Public Hearing, provided that the draft meets with no objections from the applicant; TT 2nd.
 - Motion approved unanimously and the OOC was signed.



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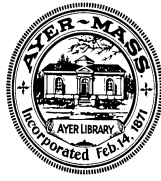
- **Discussion: 32 Deer Run (lot 88), Lillie Wilson, MassDEP # 100-0263**
 - Discussion of OOC compliance issues was postponed to 6/25.
 - BD will mark up a plot plan, email it to Ms. Wilson, and invite her to the 6/25 meeting.
- **Discussion: Planning Board Request for Comments**
 - ConCom has no issues with the planned gas station near the rotary, next to Gervais Ford, as there are no wetlands in the vicinity.
- **Discussion: 5/30/15 Site Walk for Ardent Mills (formerly Horizon Mills)**
 - For the record, BD recapped the results of ConCom's site walk with Joe Kochan, of Ardent Mills.
 - Ardent Mills is interested in brush-cutting a section of land adjacent to where Catania Spagna recently received an OOC (100-0383) for a building and track expansion.
 - Catania Spagna's OOC includes approval of brush-clearing on their property as well.
 - The section Ardent Mills wants to clear opens up their access to nearby train tracks.
 - No removal of stumps will be done.
 - BD told Mr. Kochan this work was acceptable without an RDA or NOI but asked that the clearing be done in 3 phases.
 - He asked that ConCom be notified after the first third is cleared so that an inspection can be made to see if any unforeseen problems have arisen with the brush-clearing.
 - BD also told Mr. Kochan that if spraying needs to be done on the tracks to keep them cleared, it would be much easier for this to be done through the railroad than under the auspices of Ardent Mills.
- **Discussion: Conservation Administrator Vacancy**
 - Michele Grenier's job references were checked by JG.
 - ConCom members were unanimous in agreeing to extend Ms. Grenier a job offer.
 - If Ms. Grenier accepts, ConCom will seek to have her formal appointment by the BOS made at its 6/16 meeting.
 - BD will call Ms. Grenier immediately following the meeting.
- **Discussion: Requests for Certificates of Compliance (COC), Pingry Hill, Crabtree Development.**
 - Steve Mullaney, of S. J. Mullaney Engineering, was present on behalf of Crabtree Development.
 - Mr. Mullaney accompanied ConCom on its 5/30 site walk to review new and outstanding COC requests.
 - 45 Partridge Run, Lot 35, MassDEP # 100-0268
 - Following a phone call between homeowner Nick Mancini and JG on 5/29, permission was given to visit the property and move forward with a COC.
 - GB moved to issue a COC for 45 Partridge Run; TT 2nd.
 - Motion approved unanimously and the COC signed.
 - Erosion controls had already been removed at the back of Mr. Mancini's property.
 - This COC can therefore be released immediately.
 - ConCom also had a preliminary and informal discussion with Mr. Mancini about future work he hopes to do in removing some tree stumps, constructing a fence, and replacing loam across his back yard.



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- BD told Mr. Mancini to submit a plan, when he's ready, that covers all of the work he wants to do, whether or not it's all to be done at the same time, so that he only has to go through the permitting process a single time.
- 272 Old Farm Way, Lot 50A, MassDEP # 100-0349
 - Homeowner Scott Pezza joined ConCom on its site walk.
 - A natural berm has now been constructed by Powell Construction, as per the requirements of the OOC.
 - Mr. Pezza indicated the height of the berm was acceptable to him.
 - Mr. Pezza was also told that he could replace some of the dead rhododendron plants, previously planted by the developer, along the berm.
 - GB moved to issue a COC for 272 Old Farm Way; TT 2nd.
 - Motion approved unanimously.
 - Confirmation of the removal of two lines of haybale/erosion controls at the back needs to take place before the COC can be released.
- 120 Littleton Road, Parcel E (aka Lot N), MassDEP # 100-0271
 - GB moved to issue a COC for 120 Littleton Road; TT 2nd.
 - Motion approved unanimously.
 - Confirmation of the removal of the erosion controls needs to take place before the COC can be released.
- Older COC requests
 - Several properties which were approved for COCs in November 2014 were awaiting confirmation of the removal of the erosion controls before release of the signed COCs.
 - On 5/30, it was found that Powell Construction had not removed the controls on several of these lots, despite having informed Mr. Mullaney that all had been removed.
 - ConCom asked that photo confirmation of the removal of these controls be provided before release of the signed COCs.
- Other Pingry Hill issues
 - JG reviewed the plot plan for 115 Hickory Way with Mr. Mullaney on 5/30.
 - Homeowner Ken Schwefler was advised by the Building Inspector to check with ConCom because of a nearby drainage easement before building a shed.
 - The location of the shed to the left side of the house is away from the drainage easement as well as outside of the buffer zone that crosses a back corner.
 - The work is therefore non-jurisdictional to ConCom.
 - Mr. Mullaney spoke to Attorney Eliopolous and there are no new signed Affidavits to report.
 - Mr. Mullaney said that Crabtree Development will no longer be working with Powell Construction for future new lots.
 - Powell Construction is responsible, however, for finishing work on currently open lots.
 - Meanwhile, Rick Roper, of Crabtree Development, is now interviewing for other contractors to work on upcoming new lots.
 - BD asked Mr. Mullaney to let ConCom know when a new site contractor is on board.
 - ConCom will want the new CA to meet with the new contractor on-site to review issues of particular concern to ConCom.



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- GB also asked Mr. Mullaney to remind Mr. Roper that ConCom requires updated contact information.
- **Discussion: Amended OOC issued to The Willows, MassDEP # 100-0288**
 - The email sent on 5/27/15 by Joe Bellino, of MassDEP, to Desheng Wang, erosion control specialist for The Willows, was reviewed.
 - The Request for an Amended NOI, approved and signed by ConCom on 2/12/15, was appealed by abutters.
 - Mr. Bellino stated that MassDEP cannot approve this Request and has dissolved it.
 - Mr. Bellino instructed the applicant to file a new NOI for the proposed building relocation.
 - This does not affect the original work approved under the OOC for 100-0288, just the Request for an Amended NOI.
 - Any next steps now rest with the applicant.
- **Office Updates**
 - Nashua Street Extension (MassDEP # 100-0363)
 - A copy of the Final Decision and the Final Order of Conditions, issued by MassDEP Commissioner Martin Suuberg, was received by email on 5/29/15.
 - It was noted that this is completely separate from ongoing Ch. 61 issues between the Town and Calvin Moore / Molumco Development.
 - Kohler Place (MassDEP # 100-0340)
 - JG said emails from the Planning Board have been circulating indicating that the property approved for subdivision development as 'Kohler Place' is in the process of being sold to a new owner who plans immediate development using the original plans.
 - JG will remind Ed Cornelier, of the Callahan Family Trust, that Special Condition #22 requires that ConCom be notified in writing with the name and contact information for the new owner, along with a signed Affidavit indicating the new owner is in receipt of the OOC accompanying the development plans.
 - Comprehensive Study of Ayer Ponds
 - JG circulated copies of the draft Watershed Investigation Report prepared by Geosyntec.
 - The draft Aquatic Vegetation Surveys is expected in the next week.
 - JG will invite members of the Pond & Dam Committee to ConCom's 6/25 meeting to review and assess the drafts prior to meeting with Bob Hartzel, of Geosyntec, at ConCom's 7/9 meeting.
- **8:25 PM – Adjourn Meeting**
 - GB moved to adjourn; TT 2nd.
 - Motion approved unanimously.