

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **2/14/2013** – Approved 2/28/2013

Location: Ayer Town Hall, 1st Floor

Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Takashi Tada (TT), Jessica Gugino (JG, Clerk), Lee Curtis (LC), Becky DaSilva-Conde (CA, Conservation Administrator)
APAC taped: Yes

Not present:

7:10 PM – Open Meeting

- **Confirmation of Agenda**

- LC asked that discussion of an RFP for a comprehensive study of weed treatment on Ayer ponds be moved to the end of the agenda.
 - LC will have to recuse herself from that discussion because the company she works for may be a bidder on that contract.
- GB moved to amend the agenda as discussed; TT 2nd.
 - Motion approved unanimously.

- **Accounts Payable**

- Staples: \$211.48, for general office supplies.
 - GB moved to approve payment of \$211.48; TT 2nd.
 - Motion approved unanimously.

- **Meeting Minutes Approval**

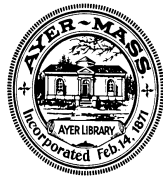
- GB moved to approve the minutes for 1/24/13 as written; TT 2nd.
 - Motion approved unanimously.

- **Public Hearing (cont'd): Order of Conditions (OOC) – Mass Broadband Institute (MBI) (DEP # 100-0352)**

- In reviewing the draft OOC, Mike Turgeon expressed concern that many of the conditions listed did not pertain to the MBI project.
 - CA said she assured him that ConCom knows this and that the conditions he was concerned about were standard on the Commission's OOC boilerplate.
 - BD said it isn't in ConCom's best interest to remove standard conditions since unforeseen conditions might arise that make them applicable.
- GB moved to approve the OOC for DEP #100-0352; LC 2nd.
 - Motion approved 4-0 (TT abstained).
- GB moved to close the Public Hearing for DEP #100-0352; LC 2nd.
 - Motion approved 4-0 (TT abstained).

- **Public Meeting: Enforcement Order (EO), 186 Littleton Road**

- CA received a call from Brent Routhier saying he would be out of town for tonight's meeting.
- CA expressed concern that it has been 2 months since the EO was issued and Mr. Routhier has not yet been available to meet with ConCom.



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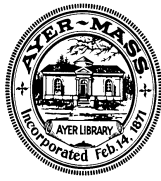
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- Mr. Routhier was issued an EO in December for unauthorized excavation, clearing, and stockpiling of soil within close proximity to Bennetts Brook.
- CA suggested ConCom move forward and ratify the EO.
- GB moved to ratify the EO; TT 2nd.
 - Motion approved unanimously.

- **Discussion: Flannagan Pond: 2012 Final Report for Management of Aquatic Vegetation**
 - CA finally received Lycott Environmental's report on its 2012 weed treatment on Flannagan Pond.
 - CA has asked Lycott for an electronic version of the report, which contains numerous color photos and graphs, for distribution to ConCom members and other interested parties.
 - On reviewing the report, it was noted that there was no statement as to whether the 85% threshold for targeted weed die-off (fanwort and variable leaf milfoil) was or was not attained.
 - The 85% threshold was mandated in the RFP.
 - Review of the before and after photos in the report seemed to indicate the 85% threshold was not met.
 - CA noted that the way the report was worded left much to interpretation.
 - BD asked CA to contact Lycott and ask them to revise the report by stating clearly whether they did or did not attain the 85% threshold.

- **Discussion: RFP for Flannagan Pond weed treatment 2013.**
 - In light of the vagueness of the Lycott 2012 report, edits were made to the 2013 RFP.
 - LC said that, no matter what treatment is undertaken, invasives will return and suggested that some qualifications be added to the RFP to express goals that were both specific and feasible.
 - BD said use of the word 'treatment' should be replaced with 'eradication'.
 - The RFP was also edited to set a 90% threshold for eradication of target weeds "through the year of treatment."
 - BD noted that problems such as this underscore why ConCom needs to have a professional study of the ponds in order to give the Town a better idea of long-term management needs and costs.
 - Because of the Town-mandated Open Meeting Law training set up for 3/28/13, from 6-8 p.m., when ConCom would normally meet, it was decided that ConCom will schedule a special meeting, on 3/21/13, for the purpose of reviewing proposals sent in for the RFP.
 - ConCom will make its final decision on awarding the contract on 4/11/13 after which it will forward the contract on to the BOS for its approval.
 - CA will let members of the BOS and the Dam & Pond Management Committee know that this will be on ConCom's 4/11/13 agenda in case any members would like to attend.

- **CA Updates**
 - 31 Central Avenue



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- CA has observed a bobcat and evidence of clearing next to a stream at this address.
 - Haybales have been placed but were not trenched.
 - This was formerly a laundry facility; CA is investigating into current ownership.
- BD wondered if this was possibly the work of the railroad, which did similar unpermitted work in this vicinity several years ago in order to keep the stream open.
 - CA said it looked more like preparing the area for parking and possible paving.
- ConCom FY 2014 Budget
 - CA heard from Town Accountant Lisa Gabree that FinCom has approved an additional \$700 to ConCom's budget, for conference and ink cartridge expenses.
- **Member Updates**
 - JG updated ConCom on the Community Preservation Committee (CPC) and its consideration of an Open Space purchase of the undeveloped Kohler Place.
 - New Chair Janet Providakes communicated ConCom's concerns over the crossing easement to Ed Cornelier, representing the Sandy Pond Investment Trust.
 - JG told CPC that ConCom would likely be unwilling to consider sponsoring the purchase until the easement crossing was explicitly resolved.
 - TT updated ConCom on the Dam & Pond Management Committee (DPMC).
 - DPMC met with Will Stephenson, of Lycott, on 2/4 to hear his thoughts on a comprehensive study of the ponds.
 - The study that DPMC is considering would be broader in scope than the weed treatment study ConCom is pursuing.
 - The DPMC study would expand to include stormwater issues, beaver control, recreation and more.
 - ConCom's weed treatment study would likely contribute to DPMC's broader plan.
 - TT was congratulated for his appointment as the new Conservation Agent for the Town of Shirley.
 - **Discussion: RFP for comprehensive study of weed treatment on Ayer ponds.**
 - LC recused herself from this discussion but CA said that she was still working on a letter proposal.
 - This item will be returned to at ConCom's 2/28 meeting.
 - **9:10 PM – Adjourn Meeting**
 - GB moved to adjourn; TT 2nd.
 - Motion approved unanimously.