

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **6/13/2013** – Approved 6/27/2013

Location: Ayer Town Hall, 1st Floor

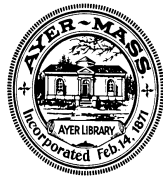
Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Takashi Tada (TT), Lee Curtis (LC), Becky DaSilva-Conde (CA, Conservation Administrator), Jessica Gugino (JG, Clerk)

APAC taped: Yes

7:15 PM – Open Meeting

- **Confirmation of the Agenda**
 - PACE cancelled their 8 p.m. discussion with ConCom of Devens remediation work.
 - GB moved to confirm the agenda as amended; TT 2nd.
 - Motion approved unanimously.

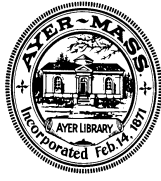
- **Public Hearing: NOI -- #6-8 Groton-Harvard Road, Liberty Condominium Trust (DEP # 100-0362)**
 - Thomas Gibbons, of Liberty Condominium Trust, and Jesse Johnson, of David E. Ross Associates, were present.
 - A check for payment of the Public Hearing ad and receipts from abutter's notices were given to CA.
 - Mr. Gibbons said the Trust purchased 7 of the 10 condo units in the two buildings in 2010.
 - Mr. Gibbons previously appeared before ConCom to informally discuss this on 8/23/2012.
 - The Trust has renovated and improved their units and now seeks to expand parking.
 - The only available area to do this is an established lawn by unit 8 and adjacent to a wetland resource area at the northeastern property line.
 - Mr. Johnson said that 2621 sq. ft. would be disturbed for this project, all within the 100 ft. buffer zone.
 - 2090 sq. ft. is the proposed footprint for the expanded parking area.
 - The planned impervious surface will direct stormwater flow to a short grass buffer strip, then an infiltration trench, beyond which will be a slight overflow berm.
 - The closest point of disturbance to the wetland resource is 25 ft., for the infiltration trench that will treat, store, and attenuate runoff.
 - The 4-1/2-ft. deep trench will include layers of pea stone, washed stone, and sand.
 - Stone drip trenches surround the perimeter of each building.
 - Because of the cost and restrictions due to the lot size, Mr. Johnson said that all stormwater standards have been met with the exception of standard 4 (water quality).
 - If ConCom approves this work, the Trust will then seek a variance from the Zoning Board, approval from the DPW for a curbcut, and a waiver of a site plan review from the Planning Board.
 - A site walk was scheduled for Saturday, 6/15, at 8:30 a.m.
 - BD asked for two marks to be spray-painted to indicate where a curbcut would take place.
 - GB moved to continue the Public Hearing to 6/27/13; LC 2nd.
 - Motion approved unanimously.



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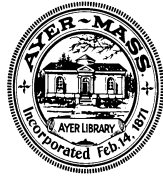
- **Discussion: Steve Smith, Ayer Greenway Committee (AGC)**
 - Richard Strazdas, a resident of Westford and volunteer map-maker, was also present.
 - Mr. Smith displayed a draft of the AGC's updated new brochure.
 - The brochure contains a description of the AGC's mission and current projects on one side, and as a new feature, a trail map of the Pine Meadow Conservation Area, done by Mr. Strazdas, on the other side.
 - Using GPS Tracks, in addition to aerial photos, Mr. Strazdas said the trail map is accurate to within 10 ft.
 - Laminated 2 ft. by 3 ft. versions of the map will be displayed at the Groton-Harvard Road kiosk as well as at the Oak Ridge Drive entry sign.
 - Mr. Smith also showed a mock-up for the kiosk design which includes the map, Ayer's Trail Head logo, the AGC brochure, and the Pine Meadow land-use regulations arduously formulated and adopted by ConCom in May 2010.
 - Mr. Smith asked ConCom for the greenlight on the brochure, map, and kiosk design.
 - Copies of the brochure, if printed, will be made available at the kiosk, the Oak Ridge sign, the library, the ConCom office, and the first floor Town Hall kiosk.
 - LC suggested an electronic PDF version on the Town website, for download onto mobile devices, would be a good idea.
 - Mr. Smith will have a digital copy of the map sent to CA by Monday.
 - Mr. Smith will submit an actual cost proposal for a 500 copy printing of the brochure to ConCom for discussion of funding at its 6/27 meeting by next Monday.
 - CA will check with Town Accountant Lisa Gabree to see if there are any leftover funds from the kiosk that might be available for this purpose.
 - The kiosk design was approved by ConCom and Mr. Smith said it would be installed on Saturday afternoon, 6/15.
- **Discussion: MRPC's Ayer Trail Inventory Map**
 - Sheri Bean, of the Montachusett Regional Planning Commission, sent ConCom a final draft of MRPC's Ayer Trail Map for review and comment by 6/19.
 - The map shows public trails in red and relevant points of interest in yellow.
 - On reviewing the MRPC draft map, the following ConCom comments will be sent to MRPC:
 - Reference to a parking area at Stratton Hill for the Long Pond Dam trail should be deleted as no such parking area currently exists.
 - A parking area symbol should be added along Oak Ridge Drive at the entrance to the Pine Meadow Conservation Land.
 - Room exists for 3 or 4 cars along the road.
 - A parking symbol should be added to Shepley's Hill Trail along Antietam Street in Devens.
 - CA will check with Parks & Recreation Supervisor Jeff Thomas to see if the reference to a Pirone Park trail should be deleted.
 - CA does not think this trail exists yet.
 - CA will forward a digital copy of the Pine Meadow Conservation Map to MRPC once received from Mr. Smith.
- **Accounts Payable**
 - The Lowell Sun: \$68.02, from the revolving fund for payment of the Public Hearing notice for Liberty Condominium Trust.



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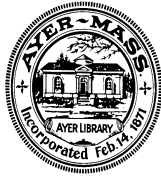
- GB moved to approve payment of \$68.02; TT 2nd.
 - Motion approved unanimously.
- The Lowell Sun: \$218.16, to be paid out of the Town of Ayer's 2011 Article 38 funding (Spring Town Meeting), for advertising the RFQ for the comprehensive study of Ayer ponds.
 - GB moved to approve payment of \$218.16; JG 2nd.
 - Motion approved unanimously.
- **Meeting Minutes Approval**
 - GB moved to accept the minutes for 5/23/2013 as written; TT 2nd.
 - Motion approved unanimously.
- **CA Updates**
 - 2013 Flannagan Pond weed treatment
 - CA will hear from Dominic Meringolo tomorrow as to whether the first booster treatment will take place.
 - This treatment might be delayed due to the extremely high water level from rain and the DPW's recent clean-out of beaver debris at the Long Pond Dam.
 - BD said ConCom should look into installing a permanent marker to measure water levels, either at the culvert between Sandy Pond and Flannagan Pond, or at Balch Dam.
 - Littleton Lyne Apartments (LLA)
 - This was discussed at ConCom's 5/9 meeting.
 - The apartment complex was not able to tie into the Town sewer at Pingry Hill.
 - LLA apparently lacked the funds to complete the agreement that needed to be reached with Crabtree Development (Pingry Hill) as well as to pay for the work.
 - Powell Construction went ahead and laid down its sub-base of paving for Hemlock Drive as planned for Pingry Hill.
 - CA also learned from the Board of Health that, although nothing was ever done, Mass DEP had mandated that LLA connect to the Town Sewer ten years ago.
 - This calls into question LLA's 5/9 request for emergency consideration in asking for a field change so they could undertake the sewer connection under Crabtree Development's OOC.
 - BD asked CA to contact DEP about this in order to find out whether ConCom should issue a Violation Notice for failure to connect.
 - Pirone Park
 - Jeff Thomas has asked CA about reusing concrete slabs – first used to direct parking – to prevent erosion by digging them in.
 - BD said one issue to consider was that the DPW would otherwise continue filling in potholes with soil every year.
 - A second issue to consider, however, was whether the Town really wanted to encourage public access to Grove Pond.
 - CA has told Mr. Thomas multiple times about ConCom's concerns re liability with the exposure of residents to the contaminated waters of Grove Pond.
 - CA also told Mr. Thomas that he still needs to find out who owns the little island offshore, and that he should then go before the Board of Selectmen.
 - As to re-use of the concrete slabs, BD said Mr. Thomas should contact the Public Access Board to see if they'll pay for that effort, and then come before ConCom with a detailed plan of how this work would be done.



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- Autumn Ridge
 - CA is waiting for more information from Calvin Goldsmith, of Goldsmith, Prest & Ringwall, about the condition of the turtle nesting habitat.
 - The nesting area is filled with woody shrubs.
 - Misty-Anne Marold, of NHESP, plans to do a site visit once Mr. Goldsmith has determined if the nesting habitat was ever constructed in the first place.
 - CA is awaiting a date for this site visit.
- DPW Superintendent Mark Wetzel on DPW projects
 - Beaver dam survey
 - Mr. Wetzel is awaiting the report from Mike Callahan, of Beaver Solutions LLC.
 - The report will contain recommendations as well as prioritization of various areas in Town.
 - Beaver activity in the Rosewood Avenue area will be a high priority because of the Town sewer in that area.
 - CA told Mr. Wetzel that lowering the water in this area to access the sewer is not feasible, and that ConCom had recommended to the previous DPW Superintendent Dan Nason that the sewer line be re-routed entirely.
 - Groton-School Road Pump Station
 - Mr. Wetzel has reduced the scale of this project.
 - CA asked the DPW for a new full-scale plan and to have their consultant write a change-of-work letter.
 - An amendment to the OOC is not needed since the scope of work has been reduced.
 - Low-pressure sewer lines
 - In response to ConCom's query, Mr. Wetzel said that there are no alarms along the main line for low-pressure sewers.
 - The alarms are only located at individual houses.
 - Spectacle Pond NOI
 - Mr. Wetzel is working on an NOI for the DPW to construct a new water main to connect three existing wells.
 - Because of restrictions due to turtle habitat, Mr. Wetzel plans to do this work in November.
 - CA has asked for an updated plan and told Mr. Wetzel that new wetland flagging will be needed.
 - BD said ConCom should also ask for logbook copies.
 - Balch Pond Dam / East Main Street Spillway
 - As to recent work performed by the DPW in this area without ConCom review, Mr. Wetzel said the DPW has been getting pressure from the BOS to beautify this area.
 - The Dam & Pond Management Committee has also suggested erecting a fence in the area to keep people away from the dam.
 - The State Department of Transportation has now officially said in a letter that the Town owns the dam, and that the dike is either the Town's or Cain's.
 - The DOT does not own, nor is responsible, for any of it.
 - Mr. Wetzel said the greater risk of failure is with the dike, where there is a build-up of material on the Cain's side.



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- Mr. Wetzel talked about putting new boards into the dam as a quick fix.
 - CA said this will require an NOI, not an RDA.
 - Mr. Wetzel will have to explain how he plans to hold water back while doing the work, as well as how accumulated sediment will be removed.
- Violation Notices / Fees
 - CA asked Town Administrator Robert Pontbriand if the BOS was going to put in an implementation process for the imposition of fines, as approved at Spring Town Meeting 2013.
 - Mr. Pontbriand said that nothing is official until the State Attorney General signs off on it.
 - At that time, if approved, the BOS will then put this on their agenda for discussion.
 - CA said she also plans to draft a new violation letter as a template to address unpermitted tree-cutting by residents near wetland resource areas.
- 186 Littleton Road, Brent Routhier
 - CA questioned Mr. Routhier about the placement of a large container in an area CA previously told him not to use.
 - The question was raised as to whether, in addition to storing tools, fuel might also be being stored on site.
 - CA said a concrete slab for a new trailer has also been poured, which Mr. Routhier said Building Inspector Gabe Vallente approved.
 - Mr. Routhier asked CA for a ConCom site visit to observe what is going on and have everybody 'on the same page'.
 - BD said ConCom will perform a site visit on Saturday, 6/15, following the Liberty Condominiums site walk.
- **Member Updates**
 - JG updated ConCom on what is happening with CPC with regard to Kohler Place.
 - Mr. Pontbriand plans to have input from Town Counsel as to the crossing easement for CPC's July meeting.
 - Mr. Pontbriand also said the BOS has a strong interest in acquiring this parcel.
 - JG told Mr. Pontbriand about ConCom's concerns, and gave him an indication of the likely expenses both to review the site for purchase (Phase I, maybe Phase II environmental reviews) and, if acquired, to make it useful and accessible to the Town (extending a crossing over the easement, creating parking, trails).
 - Mr. Pontbriand also told JG at that time that the Town may be considering acquiring a parcel on West Main Street and, if so, would want ConCom to visit the property and offer an evaluation / recommendation.
- **Discussion: Update on RFQ for comprehensive study of Ayer ponds**
 - CA has had at least 13 inquiries and sent out 5 copies of the RFQ thus far.
 - ConCom will review the proposals at its 6/27 meeting, which is the submission deadline.
- **9:27 PM – Adjourn Meeting**
 - GB moved to adjourn; LC 2nd.
 - Motion approved unanimously.