

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **12/20/2012** – Approved 1/10/2013

Location: Ayer Town Hall, 1st Floor

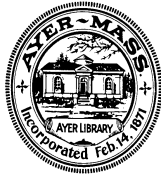
Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Jessica Gugino (JG, Clerk), Lee Curtis (LC)

APAC taped: Yes

Not present: Takashi Tada (TT), Becky DaSilva-Conde (CA, Conservation Administrator)

7:10 PM – Open Meeting

- **Confirmation of Agenda**
 - GB moved to confirm agenda as posted; LC 2nd.
 - Motion approved unanimously.
- **Meeting Minutes Approval**
 - GB moved to accept the minutes for 12/6/12 as written; LC 2nd.
 - Motion approved unanimously.
- **Public Hearing: NOI – Mass Broadband Institute (MBI)**
 - Present were Cornell Robinson, Project Manager; Mike Turgeon, wetland scientist from Jacobs Engineering; and Mike Nolan.
 - Mr. Turgeon presented their proof of mailing to abutters along with two checks:
 - \$169.68, fee for public notice for the 11/8/12 RDA hearing
 - \$181.80, fee for public notice for 12/20/12 NOI hearing
 - Mr. Robinson summarized the *MassBroadband 123 Project*.
 - By constructing 1200 community anchor institutions, this project establishes the basic infrastructure to extend broadband/high-speed Internet access to communities in western and north central Massachusetts.
 - The second floor of the DPW on Brook Street will be used as the last anchor point of connectivity before the system connects to Boston.
 - MBI will install 4 new utility poles and a 60-ft. underground trench in order to run a second line into the DPW to provide ‘necessary redundancy’.
 - The poles will be erected to the side of an existing gravel road/right-of-way that runs across wetlands between West Main Street and Brook Street.
 - Two of the new poles are located within the 200-ft. riverfront (Nonacoicus Brook).
 - All of the new poles are within the 100-ft. buffer zone.
 - LC expressed concern that the floodplain in the area wasn’t fully documented but did not think it would be a problem for the one pole that is assumed to be in it.
 - Mr. Nolan said they will be using an auger truck to install the poles.
 - They will be driving the truck in from the West Main Street side and from the Brook Street side but will not be driving it over the culvert for the brook.
 - Two to three days of work are anticipated.



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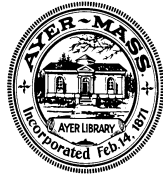
- Resident Sara White, of West Main Street, asked why the system was using fiber-optic cable rather than wireless.
 - Mr. Robinson explained that MBI was building a ‘future-proof’ network.
 - For the basic infrastructure, fiber optic allows for significantly more future growth than the limited bandwidth available from wireless.
- Plans for a site walk were set for Saturday, 1/5/13 at 9 a.m., meeting on West. Main Street across from Union Street.
 - Mr. Nolan the area has already been staked to show where the new poles will be located.
- Mr. Turgeon said MBI has received a signed permit for the erection of the poles from the BOS and will provide ConCom with a copy at their next Hearing.
- GB moved to continue the Public Hearing to 1/10/13; LC 2nd.
 - Motion approved unanimously.

- **Accounts Payable**
 - Lowell Sun: \$169.68, for the public notice for MBI 11/8/12 RDA hearing.
 - GB moved to approve payment of \$169.68; LC 2nd.
 - Motion approved unanimously.

- **Public Meeting: Enforcement Order – Brent Routhier, 168 Littleton Road**
 - Mr. Routhier did not show up for this meeting.

- **CA Updates (via JG)**
 - JG passed around letter sent by CA and others in 3rd floor office area.
 - With the reduction in office use by the Office of Economic Development (OED), CA and the Administrative Assistant for the Planning Board have asked that their offices be moved into this larger area.
 - Their current offices can then be used for the part-time hours for OED.
 - BD said this was fine assuming there would be no cost to the move.

- **Discussion: Agenda for joint meeting with the BOS and the Dam and Pond Management Committee (DPMC)**
 - According to CA, ConCom is still waiting for a reply from BOS as to whether they will attend the ConCom meeting of 1/10/13 to discuss issues related to long term pond weed management.
 - ConCom members expressed concern that the time for issuing an RFP for 2013 treatment, if planned, is fast approaching.
 - Issues for discussion include:
 - The importance of formulating a 5-year or 10-year management plan.
 - ComCom suggests an overview study of all the treatable ponds should be done to lay out a groundplan.
 - The question again arose as to what the BOS charter for the DPMC was.
 - It was realized that this has yet to be articulated, or at least communicated to relevant parties.



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- ComCom members recalled that in their meeting with the DPMC in spring 2012, the DPMC seemed unclear as to whether its role was advisory or active.
- The question as to who controls the funds for pond weed treatment was also discussed.
 - Given the current funds for weed treatment come from Article 38 (Spring Town Meeting 2011), which was in turn later funded by CPC, it was noted that this article was written specifically and solely for the treatment of Flannagan Pond.
 - ConCom does not know if this funding can be applied to a broader study of all of the treatable ponds, though it suspects it cannot.
- It was felt that the BOS needs to clarify its goals and intent in formulating the DPMC and specify its responsibilities and powers, as well as those of ConCom, in relation to pond weed management going forward.

- **Member Updates**
 - GB said the mandatory public records training will take place on 1/17/13 at 10 a.m.
 - LC said the Registry of Deeds has changed its policy and now requires printed names in addition to signatures on OOCs and COCs.

- **8:10 PM – Adjourn Meeting**
 - GB moved to adjourn; LC 2nd.
 - Motion approved unanimously.