



## **Town of Ayer Conservation Commission**

Town Hall \* One Main Street \* Ayer, MA01432 \* 978-772-8218 \* 978-772-3017(fax)

Minutes for **03/12/09** – **Approved 04/09/09**

Location: Ayer Town Hall, 1<sup>st</sup> Floor

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

APAC taped: Yes

### **7:00 PM**

- **Public Meeting: RDA – Temporary Dock License (Ch. 91), 6 Wachusett Avenue East**
  - Carolyn McCreary presented an RDA with sketch plans of temporary wooden dock, wooden retaining wall, beach area, and boat rack, on Sandy Pond.
  - The dock measures 3x40 feet.
  - BD reminded Ms. McCreary not to use pressure-treated wood for future dock repairs.
  - Ms. McCreary had previously provided a check to CA for legal notice.
  - GB moved to issue a negative determination; JG 2<sup>nd</sup>.
    - Motion approved unanimously.
  - Ms. McCreary thanked CA for her assistance.
  
- **Public Meeting: RDA – Temporary Dock License (Ch. 91), 5 Hedgeway Street**
  - Bob Williams presented an RDA for a temporary recreational float.
  - The float measures 10x10 feet, the frame is made of pressure-treated wood, with composite decking and rubber floats.
    - The cinder block and chain anchor stays in the water.
  - BD suggested Mr. Williams revise the plan to show the granite wall and sandy strip.
    - CA reminded Mr. Williams to notify Andrea Langhauser, DEP, of the revisions.
  - Mr. Williams provided a check to CA for legal notice.
  - GB moved to issue a negative determination; JG 2<sup>nd</sup>.
    - Motion approved unanimously.
  - Mr. Williams indicated he would submit a COC request for the completed home renovation.
    - CA will email the COC form to Mr. Williams.
  
- **Public Meeting: RDA – Temporary Dock License (Ch. 91), 7 Mountain View Ave.**
  - Patricia & Howard Hall presented their RDA for temporary dock, beach, and retaining wall on Sandy Pond.
  - The dock measures 20x4 feet, is made of untreated wood, and rests on removable cement blocks.
  - Sketch plan shows original house plus newer additions within the 100-foot buffer zone.
  - CA received their check for legal notice.
  - GB moved to issue a negative determination; DB 2<sup>nd</sup>.
    - Motion approved unanimously (4-0, with JG abstaining as an abutter).
  
- **Public Hearing (cont'd): NOI – Eagles Nest Estates, Central Ave.**
  - DEP File Nos. 100-0324 & 100-0325
  - Dave Canney of Canney Bros. Construction LLC
  - Commission scheduled a site visit Saturday, 03/21/09 at 9:00 AM.



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- Mr. Canney said he had received full approval from Planning Board.
- BD reminded Mr. Canney to have the proposed house corners staked.
- DB moved to continue hearing to 03/26/09; GB 2<sup>nd</sup>.
  - Motion approved unanimously.
  
- **Public Meeting: RDA – Ch. 91 Temporary Dock License, 8 Mountain View Ave.**
  - Jessica Gugino presented her RDA for proposed temporary dock and float, loose stone wall, and beach area on Sandy Pond.
  - The proposed aluminum deck is 4x12 feet; the proposed float measures 8x8 feet.
  - The existing house includes a wooden deck within 100 feet of the pond.
  - Ms. Gugino provided a check to CA for cost of legal notice.
  - DB moved to issue a negative determination; GB 2<sup>nd</sup>.
    - Motion approved unanimously.
  
- **Meeting Minutes Approval**
  - 02/12/09: edit page 2 – the new stormwater regulations are still in “draft” form.
    - JG moved to approve 02/12/09 minutes, with corrections; GB 2<sup>nd</sup>.
    - Motion approved unanimously.
  - 02/26/09: no changes.
    - JG moved to approve 02/26/09 minutes, as written; GB 2<sup>nd</sup>.
    - Motion approved unanimously.
  
- **Accounts Payable**
  - Lowell Sun: \$73.10 total – legal notices for NOI hearings, Eagles Nest Estates.
    - Dave Canney provided check to CA.
    - GB moved to authorize payment of \$73.10 to Lowell Sun; JG 2<sup>nd</sup>.
    - Motion approved unanimously.
  - Lowell Sun: \$244.80 total – legal notices for multiple RDA & NOI hearings.
    - \$125.80 for RDA notices: Krieser, Hardin, Lynds, Henderson
      - CA received payment from all applicants.
    - \$119.00 for NOI notices: Ridgeview Heights, Lots T-1 & U-1
      - CA received payment from applicant.
    - GB moved to authorize payment of \$244.8 to Lowell Sun; JG 2<sup>nd</sup>.
    - Motion approved unanimously.
  - DB: \$95.00 – MACC Conference registration fee
    - GB moved to approve \$95.00 reimbursement for DB; JG 2<sup>nd</sup>.
    - Motion approved unanimously.
  - BD: \$95.00 – MACC Conference registration fee
    - DB moved to approve \$95.00 reimbursement for BD; JG 2<sup>nd</sup>.
    - Motion approved unanimously.
  - TT: \$95.00 – MACC Conference registration fee
    - JG moved to approve \$95.00 reimbursement for BD; GB 2<sup>nd</sup>.
    - Motion approved unanimously.



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- **Discussion: OOC Extension**
  - Letter from Steven Mullaney on behalf of Crabtree Development, requesting extensions for the following OOCs issued for Ridgeview Heights (a.k.a. Pingry Hill):
    - 100-0297, 100-0298, 100-0299 & 100-0300
  - DB stated he would like to see the lots in question before considering the extensions.
  - BD suggested discussing a site walk schedule at the 04/09/09 meeting.
  
- **Discussion: Orion Park Conservation Restriction (CR)**
  - CA said the original CR documents were lost during notarization.
  - CA contacted attorney Steve Graham to get another signed copy.
  - Commissioners signed the Municipal Certification and Approval forms.
  - There is no detailed map of the CR in the file.
  
- **Discussion: Pondview CR**
  - CA: There is no map of the CR, and the condo association is not receiving any help from the developer, Robert M. Hicks.
    - Hicks is responsible for the condo association until the development is completed.
  - BD: The turtle nesting area is also incomplete (needs infusion of sandy soil).
  - DB: The stormwater basins are not being maintained.
  - CA will contact Amanda Veinotte at NHESP for the CR plan information (title, date, etc.), then request plan from Hicks.
  - Commissioners wondered if the Orion Park trail connects with Pondview Trail.
  
- **Discussion: Warrant Article for Pond Weed Control**
  - Commissioners discussed bringing the issue of continued weed control before Annual Town Meeting, consistent with the pond management plan, yet cognizant of the fiscal crisis.
  - Commission supports continuation of weed management strategy outlined by Aquatic Control Technology (ACT) for Sandy Pond and Pine Meadow Pond.
    - Sandy Pond has public access and the town beach.
    - Pine Meadow Pond has public access and is on town conservation land.
    - ACT recommends \$2,000 for spot treatment around Sandy Pond beach and \$5,000 for treatment of widespread milfoil and waterlily at Pine Meadow Pond.
  - As a matter of budget prioritization, Commission is unable to support treatment of Flannagan Pond in the coming fiscal year.
    - Flannagan Pond is not publicly accessible and the growth of invasive weeds has been significantly reduced by herbicide treatment in recent years.
    - ACT estimates \$8,500-\$10,000 for spot treatment in eastern basin of Flannagan Pond.
  - GB moved to bring forth a warrant article for town meeting to fund weed treatment at Sandy Pond and Pine Meadow Pond (\$7,000), with recommendation to approve; DB 2<sup>nd</sup>.
    - Motion approved unanimously.
  - GB moved to bring forth a warrant article for town meeting to fund weed treatment at Flannagan Pond (\$10,000), with recommendation not to approve; JG 2<sup>nd</sup>.
    - Motion approved unanimously.
  - BD will draft the warrant articles for submittal to Shaun Suhoski by 04/02/09.



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- **Updates**

- Stormwater: CA will meet with Dan Nason, DPW, tomorrow to discuss stormwater bylaw implementation.
- MACC networking event is scheduled April 21 in Lowell.
- Lower Long Pond: CA will follow up with DCR re: request for copy of letter to Cowleys.
  - BD will request information from the Cowleys and suggest a site walk on 4/18/09.

- **Next Meeting: 3/26/09**

- Icehouse Dam: CA will forward Shirley's OOC and letter from NHESP to Commissioners.
- Twin Valley Homes (Fletcher property): two NOI applications.

- **Member Issues/Updates**

- JG: Algal bloom at Cannongate condominiums
  - CA to refer the issue to BOH for follow up inspection.
- JG: Erosion controls on Snake Hill Road (Ridgeview/Pingry Hill) and Wright Road (Stratton Hill) are in need of maintenance.
- TT: New aerial photographs are available for eastern Massachusetts.
  - Photos from USDA, ca. April 2008, are available on MassGIS website.
- TT: Potential endangered plants at proposed Eagles Nest subdivision.
  - Pink lady slippers are not listed in Massachusetts.
- DB: Suggested compiling guidelines for passive recreational use of conservation lands, to be posted at trailheads.
- DB: Does the town have a digital camera available for employee use?
  - DB thought Chris Ryan used to have one; otherwise DB might have an old one to donate to CA.
- DB: Permit tracking software
  - CA's computer is too old to use the new tracking software.
- BD: MACC conference was very productive.
  - Gathered information on alternative erosion controls, peer review, etc.
- CA: Received the trail inventory report from MRPC.
- CA: Routhier tire recycling facility
  - Received a call from wetlands consultant Mike Turgeon.
  - Mike said he sent a status report to DEP last year; CA requested a copy.
  - CA will arrange a site visit in conjunction with DEP.

- **Adjourn (10:35 PM)**

- GB moved to adjourn; JG 2<sup>nd</sup>.
  - Motion approved unanimously.