



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA01432 * 978-772-8218 * 978-772-3017(fax)
Minutes for **08/23/07** – **Approved**

Location: Town Hall

Members present: Bill Daniels (BD, Chair), David Bodurtha (DB, Vice-chair), George Bacon (GB), Takashi Tada (TT, Clerk), Susan Tordella-Williams (ST)

Associate Members present: Denis Luken (DL)

APAC taped: Yes

Start time: 7:10 pm

- **General business**
 - Reminder (ST): Town-wide trash cleanup day, September 29, from 9 AM – 12 PM.
- **Continued Public Hearing – Notice of Intent (NOI) re: Ayer DPW, Grove Pond Drinking Water Wells Replacement**
 - Jeff Murawski of Tata & Howard, representing Ayer DPW.
 - A site walk was held 08/11/07, during which the Commission recommended additional revisions to the original pump test design.
 - Mr. Murawski presented the revised plan drawing and referred to the revisions as outlined in his 08/17/07 letter to the Commission. BD read the letter into the record.
 - BD will contact Nashoba Publishing to coordinate public notification of the pump tests.
 - 3 pump tests are required:
 - 4-hour test, separately for each new well (2)
 - 24-hour test, both wells simultaneously
 - DPW to put the contract out for bids 09/05/07.
 - Pump tests likely to occur in November.
 - ST moved to continue hearing to 09/13/07; GB seconded.
 - Motion approved unanimously.
 - BD to correct the numbering of the conditions in draft Order of Conditions (OOC).
 - Mr. Murawski to provide copies of the revised plan drawing.
- **Continued Public Hearing – NOI re: 71 Sandy Pond Road (DEP # 100-309)**
 - Applicant is Mark Velardi.
 - DB informed Mr. Velardi that the draft OOC has not been prepared.
 - Mr. Velardi has not yet consulted with town building inspector.
 - DB moved to continue hearing to 09/13/07; GB seconded.
 - Motion approved unanimously.
 - DB to prepare draft OOC for review.
- **Update on Pond Weed Control**
 - BD mentioned that Aquatic Control Technology (ACT) performed monitoring at Flannagan and Sandy Ponds and applied second treatment in Pine Meadow Pond, last week.
- **Continued Public Hearing – NOI re: Stratton Hill Subdivision, Wright Road**
 - GB prepared draft OOC for sewer main project.



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- Robert Collins, attorney for applicant, suggested two conditions in correspondence to GB.
- No additional comments from Commissioners.
- GB moved to accept OOC as amended by Mr. Moulton; ST seconded.
 - Motion approved unanimously.
- OOC signed by Commissioners.
- GB moved to close hearing; DB seconded.
 - Motion approved unanimously.
- **Update on Chapter 91, Public Waterfront Act (Dock Licensing)**
 - A public informational meeting was held 08/22/07 at Groton Middle School. Presenters included Liz Sorensen, Director of the Areas of Critical Environmental Concern (ACEC) program of the Division of Conservation and Recreation (DCR); and Andrea Lanhauser of Department of Environmental Protection (DEP).
 - Meeting recap:
 - Chapter 91, enacted in 1866, establishes and protects public access to waterways (lakes, ponds greater than 10 acres, rivers, and other navigable waterways).
 - The establishment in 2002 of Squannasit-Petawag ACEC, which includes portions of Ayer, kicked in a deadline of 12/12/07 for state licensing of all waterfront “structures” on the great ponds within the ACEC (includes Sandy and Long Ponds).
 - All dock owners should submit application for DEP dock license by 12/11/07.
 - DEP license is good for 15 years.
 - Conservation Commission’s role:
 - Dock owners should file Request for Determination of Applicability (RDA) under the Wetlands Protection Act (WPA) with Commission prior to, or concurrently with, the DEP license application.
 - RDA filing is does not carry a fee.
 - The alternative scenario is to prepare a Resource Management Plan (RMP) for the ponds, submit RMP to the state for approval, and then have Board of Selectmen (BOS) appoint a Harbormaster for the town.
 - Harbormaster could issue annual permits for seasonal waterfront structures.
- **Public Hearing – Abbreviated Notice of Resource Area Delineation (ANRAD) re: Nashoba Valley Medical Center (NVMC)**
 - Bevlyn Beland of GPR, representing NVMC.
 - ANRAD is for delineation of three (3) wetland areas in the field behind the hospital.
 - Site walk to be held Saturday, 09/08/07, at 8:30 AM to inspect the wetland delineation.
 - Public comment:
 - Bob Donnell, an abutter to the hospital field, expressed concern about excessive drainage from the hospital causing localized flooding on his property.
 - Commission Chairman BD invited Mr. Donnell to attend the site walk and point out the drainage issues in the field.
 - GB moved to continue hearing to 09/13/07; DB seconded.
 - Motion approved unanimously.



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- **Conservation Administrator – Office Space**
 - Chris Ryan, Ayer Planning Director, sent a memo to BOS asking for endorsement of the office reorganization plan submitted by Shaun Suhoski, Town Administrator.
 - Copies of the plan sketches (Phase 1 & Phase 2) were distributed.
 - GB moved to endorse and recommend the plan to BOS; ST seconded.
 - Motion approved unanimously.
 - BD to draft a letter for submittal to BOS.

- **Conservation Administrator – Candidate Interview**
 - Commission met with candidate Becky DaSilva-Conde of Chelmsford.
 - GB: A background check is not required.
 - DB: Commission hopes to select a candidate on 09/13/07.

- **Member Issues**
 - DL: None.
 - GB: Presented the proposal by CPIC to form a Land Conservation Working Group.
 - Does the Commission support this initiative?
 - TT moved to endorse the proposal; ST seconded.
 - Motion approved unanimously.
 - ST: Possible wetland violation on Oak Ridge Drive.
 - Homeowner built a private beach on the pond (obvious violation).
 - BD to send violation notice letter to homeowner.
 - TT: Would like the Commission to formulate a position on the downtown train station/parking improvements, with respect to protection of wetland resource areas.
 - Commission should voice support for the plan accepted at town meeting and endorsed by BOS.
 - Commission should strongly encourage planners/decision makers to consider protection of wetland resources as a key component of the planning/decision making process.
 - TT to draft a statement for Commission review.
 - DB: None.
 - GB: The hiring process, going forward, is as follows:
 - BD to arrange meeting next week with the other qualified applicant.
 - Chris Ryan will check references of Commission's preferred candidate.

- ST moved to adjourn, DB seconded.
 - Motion approved unanimously

Adjourn