

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **10/11/12** – Approved 10/25/12

Location: Ayer Town Hall, 2nd Floor

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

APAC taped: Yes

Not present: Takashi Tada (TT)

7:07 PM – Open Meeting

- **Confirmation of Agenda**

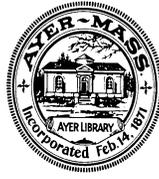
- CA said there was a possibility that Planning Board member Jeremy Callahan might appear around 8 to update ConCom about zoning changes to be voted on at Fall Town Meeting (10/22/12).
- GB moved to confirm agenda; JG 2nd.
 - Motion approved unanimously

- **Meeting Minutes Approval**

- GB moved to approve the minutes for 9/27/12 as written; JG 2nd.
 - Motion approved unanimously.

- **Public Meeting: RDA – 72 Snake Hill Road chicken coop**

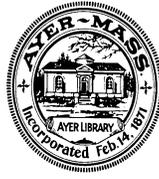
- Homeowners Peter Hartkopf and Huyen Nguyen were present.
- Mr. Hartkopf submitted a new drawing with the RDA, showing dimensions of the proposed coop and distances from the wrought iron fence and wetland.
 - Mr. Hartkopf plans to use a prefabricated coop, and will create a 6 – 12-inch berm between it and the fence.
 - Mr. Hartkopf asked if it would be possible to place the berm on the other side of the fence.
 - BD said no, if the berm failed, the additional 5 ft. between it and the fence would be needed to protect the wetlands beyond.
 - Mr. Hartkopf asked if using a brick berm rather than a soil berm was permissible.
 - BD said no, that a soil berm will grass over, but a brick block berm, unless mortared, will let water pass through it, cancelling out any filtering effect.
- CA confirmed that a check for \$57.20 to cover the cost of the legal ad has been received.
- BD asked Mr. Hartkopf to let CA know when the berm is complete so that it can be inspected.
- GB moved to issue a Negative Determination of Applicability; JG 2nd.
 - Motion approved unanimously.
- CA will send the original of the Determination to Mr. Hartkopf and a copy to the Board of Health for the pending BOH permit.



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- **Accounts Payable**
 - Lycott Environmental: \$28,200, for 2012 weed treatment on Flannagan Pond.
 - CA received an email from Town Accountant Lisa Gabree asking ConCom to sign the still-outstanding invoice to indicate approval that the work was performed.
 - Ms. Gabree will then send the invoice to the Town Administrator and Board of Selectmen for their authorization and processing.
 - The Town Administrator was sent the invoice back in June but apparently had not been able to find it.
 - BD noted that the Town has not received any letter from Lycott evaluating the treatment and stating clearly that the 85% threshold for treatment, as specified in the RFP, was met.
 - BD sent an email to Rob Wheaton, of Lycott, asking for a letter from Lycott to that effect for ConCom's file.
 - Discussion focused on disorganization at the Town level over who has authority to sign invoices to release these funds.
 - In this case, ConCom has neither control nor access to the BOS-approved UDAG funds designated to pay for this round of weed treatment.
 - CA said that it wasn't fair to Lycott to delay payment because of Town disorganization.
 - GB moved to sign the invoice for Ms. Gabree to proceed in seeking BOS approval for payment; JG 2nd.
 - Motion approved unanimously.
 - Discussion continued on the issue of the need to clarify responsibility and authority with regard to pond weed treatment.
 - BD asked CA to contact BOS about holding a special joint meeting with BOS, ConCom and the Pond and Dam Committee.
- **CA Updates**
 - Keith Henderson, on Sandy Pond
 - CA did a site visit to evaluate Mr. Henderson's request for permission to cut down several trees for safety purposes.
 - The ground is relatively level, the trees to be cut are over 50 ft. from the pond, and CA gave him the okay to proceed.
 - Nashua Street Extension
 - CA reviewed a proposal before the Planning Board for a new subdivision to be developed by Calvin Moore.
 - Wetland areas have been delineated and all but 2 of the planned houses fall within buffer zone.
 - CA communicated to the Planning Board that the applicant will have to submit an NOI to ConCom for permitting as well.



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- DPW/Mark Wetzel
 - CA will be going on a site visit with DPW Superintendent Mark Wetzel on 10/12 to give feedback on changes to planned upgrades along the sewer easement by Grove Pond.
 - CA will need Mr. Wetzel to clearly spell out the changes so that ConCom can determine whether an informal amendment versus a formal amendment needs to be filed.
 - BD said new work needs to be clearly superimposed over old plans to properly make this determination.
 - BD asked that Mr. Wetzel be reminded of the flood plain that exists there as well.
 - CA said Mr. Wetzel has also spoken briefly of installing a beaver deceiver near Rosewood Avenue along with possible volunteer brush cutting in the area as well.
 - Mr. Wetzel thinks the area in question is on a Town easement but BD and CA think this is on private property.
 - CA told Mr. Wetzel that ConCom can't give an okay on the brush cutting until CA sees what's there.
 - BD said all of this work would require an NOI regardless.
- **Member Updates**
 - JG reminded ConCom that it was time to ready the approval for winter removal of the boards at Balch Dam after November 1st.
 - GB is now the proud possessor of the Trail kiosk and the trail signs meant for Sandy Pond III.
 - This will be a spring project of the Greenway Committee, once content material for the kiosk has been finalized.
- **8:03 PM – Adjourn Meeting**
 - GB moved to adjourn; JG 2nd.
 - Motion approved unanimously.