

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **1/24/2013** –Approved 2/14/2013

Location: Ayer Town Hall, 1st Floor

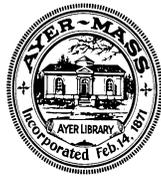
Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Takashi Tada (TT), Jessica Gugino (JG, Clerk), Lee Curtis (LC), Becky DaSilva-Conde (CA, Conservation Administrator)
APAC taped: Yes

7:16 PM – Open Meeting

- **Confirmation of Agenda**
 - GB moved to confirm agenda as posted; TT 2nd.
 - Motion approved unanimously.

- **Accounts Payable**
 - Glen Art: \$43.79, for nameplate.
 - Payment will be deferred until correctly-sized nameplate is made.
 - Lowell Sun: \$181.80, for Mass Broadband NOI legal ad.
 - GB moved to approve payment of \$181.80; TT 2nd.
 - Motion approved unanimously.

- **Public Hearing (cont'd): NOI – Mass Broadband Institute (MBI) (DEP # 100-0352)**
 - ConCom reviewed the draft OOC.
 - The standard template was used, with no site specific conditions in this case.
 - It was noted that the only change in plans was that MBI would redline the new location of the trench (in the roadway) on the submitted drawings.
 - GB asked if the requirement for a topographic plan in condition 29c was applicable.
 - Since no grades will be disturbed, the word ‘topographic’ was stricken from this condition.
 - LC recommended the phrase “continuous line of silt fencing” be deleted from condition 38a as inapplicable.
 - LC noted that condition 38c required no erosion barriers be placed within 25 feet of wetland and that this was an impossible condition in this instance.
 - That line was removed.
 - LC said, based on recent information she had received directly from NHESP, that condition 38l should not state that ryegrass could be used in reseeding for temporary stabilization.
 - NHESP does not allow ryegrass in proximity to endangered species habitat.
 - CA will substitute “annual oats” for ryegrass in this condition.
 - BD said ConCom should amend its standard template now that it knows NHESP imposes this distinction near habitat.
 - LC noted that MBI had only estimated the wetland lines for their NOI.
 - ConCom allowed this given the limited scope of work (4 utility poles as well as a trench to be dug in the road).
 - It is possible, however, that another applicant working in the same area could attempt to use the same estimated line as precedent.

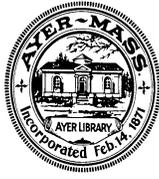


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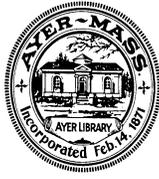
- CA will insert a new condition in the beginning of ConCom's template that makes clear ConCom's acceptance of wetland lines in one application applies only to that application.
- CA will send amended draft of OOC to MBI for review and ConCom will sign at next meeting.
- GB moved to continue the Public Hearing to 2/14/13; TT 2nd.
 - Motion approved unanimously.
- **Discussion: RFP for Flannagan Pond weed treatment 2013**
 - Corrections and edits were made to the draft RFP.
 - The goal is to treat Flannagan Pond at the end of May or in June when conditions are suitable.
 - It was decided to require proposals to plan for control of 90% (up from 85%) of targeted weeds within 60-90 days of initial herbicide treatment.
 - CA will confirm that the Town's insurance requirements for contractors are unchanged.
 - The RFP will be advertised during the last two weeks of February and the first week of March.
 - CA will check with Town Administrator Pontbriand to see if electronic advertising is permissible as it may be more effective.
 - The two previous contractors used for weed treatment (ACT and Lycott) will be notified by CA of the RFP as well.
 - The deadline for proposals to be submitted will be March 15, 2013.
 - ConCom will award the contract at its 4/25/13 meeting at the latest.
 - After that it will need to go to the BOS for their approval.
 - GB moved to approve the draft RFP as amended; TT 2nd.
 - Motion approved unanimously.
- **Discussion: Comprehensive study of weed conditions in Ayer ponds**
 - Per its 1/10/13 meeting with BOS Chairman Fay, ConCom understands its role as that of implementing weed control on Ayer's treatable ponds (Sandy, Pine Meadow, Flannagan, Long, and Balch).
 - To do this, ConCom feels that a professional study, with recommendations, of Ayer's treatable ponds would provide a sensible basis on which to act.
 - (Grove and Plow Shop ponds are too contaminated to treat and there is no interest in weed-reduction that might encourage people to enter these waters.)
 - Developing a more extensive management plan, covering issues beyond weed control, is the task of the Dam and Pond Management Committee (DPMC).
 - JG noted for the record that there is still no written charter for the DPMC.
 - BD said ConCom should reach out to several companies to ascertain ability, interest, and estimated cost for doing a comprehensive study.
 - JG drew attention to the 1/18/13 edition of the Public Spirit that featured a lengthy article on Groton's plans to treat Lost Lake/Knops Pond.



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- The article referred to Groton's past use of Baystate Environmental Consultants for a comprehensive survey of the lake and its watershed.
 - This company has now been acquired by GZA GeoEnvironmental Inc., with offices in Norwood and Portland.
 - GB will check into potential contacts with this company.
- TT said the PDMC is meeting on 1/28/13.
 - Will Stephenson, of Lycott Environmental, is supposed to address the group to also discuss more comprehensive plans.
- TT referred to another possible company, Vanasse, Hangen & Brustlin, Inc (VHB), of Watertown, that also does environmental work.
- It was also noted that LC's company, BSC Group, could be another option. (LC had had to leave and was not available to comment.)
- CA will draft a letter soliciting interest and qualifications to do this work and circulate to ConCom.
 - At least five companies will be approached (ACT, Lycott, GZA, BSC Group, and VHP).
- Once a general estimate is known, ConCom will ask to be placed on the BOS agenda to discuss whether the BOS will seek to fund this survey.
- On a separate but related matter, CA will contact Rob Wheaton at Lycott to again ask them to submit a follow-up report on their 2012 treatment of Flannagan Pond.
 - This report has yet to be received.
 - ConCom's 10/11/12 minutes indicate BD sent an email to Mr. Wheaton asking for written confirmation of their treatment having met the 85% threshold.
- **Meeting Minutes Approval**
 - GB moved to approve the minutes for 1/10/13 as marked; JG 2nd.
 - Motion approved 3-0 (TT abstained).
 - GB suggested ConCom also secure an electronic copy of this meeting.
- **CA Updates**
 - Littleton Lyne Apartments, Route 2A
 - CA received an email from DPW Superintendent Mark Wetzel re the recent failure of the septic system at this site.
 - The apartment complex will be looking to connect to the Town sewer system, either at Bennetts Crossing or Pingry Hill.
 - Mr. Wetzel said he suggested they use directional drilling to pass under Bennetts Brook and connect that way.
 - CA told Mr. Wetzel that ConCom will require a full NOI and an alternatives analysis be submitted.
 - Mr. Wetzel, who has also spoken to BOS about this, has passed this on and told the condominium complex that they will need to hire an engineer and come up with plans.
 - In the meantime, BD said the complex will need to pump out the distribution box every day or so as a means of temporarily dealing with the situation.



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- Autumn Ridge
 - BD drove through Autumn Ridge on 1/12/13, after rain and melting, and did not see any evidence of puddling.
 - CA will pass this information on to Mr. Cadigan.
 - CA will request a copy of the stormwater maintenance logs for the catchbasins.
 - CA will also request a timeframe for the developer's plans to remedy the turtle nesting area, which was included in the Enforcement Order issued in spring 2012.
 - BD asked CA to convey to the developer that two seasons have now passed in which such work is permissible according to NHESP.
 - ConCom needs a timeframe for compliance.
 - Failing that, the next step will be to turn this over to NHESP and the State for enforcement.
- Request for moving 3rd floor offices
 - CA said a memo has been received from Town Administrator Pontbriand saying that the matter is under review.
 - With woefully tragic cynicism, ConCom members did not express optimism that the request would be granted.
- MACC Conference
 - The spring conference will be held on Saturday, March 2 at Holy Cross College in Worcester.
 - CA plans to attend.
- Sandy Pond Road
 - CA received a call from a resident.
 - When DPW repaved this road several years ago, the resident said they did not continue the curbing as before.
 - This resident complained of subsequent sheetflow and gulying on their property, as well as concern over the quality of runoff into the pond.
 - The resident said another neighbor is plowing snow directly into the pond.
 - The resident also mentioned a nearby boat ramp on another property that was apparently constructed on a Sunday so that nobody official would notice.
 - The resident also asked if there was a speed limit for boating on the pond.
 - BD suggested TT raise this as an issue for the DPMC.
- **Member Updates**
 - JG attended the 1/17/13 Public Records training session and handed out a copy of her notes from the workshop.
 - Attention was given to the State's guidelines for recouping costs from records requests (20-cents per page photocopy; 50-cents per page electronic printout; actual cost for larger-size copies)
 - GB's draft of ConCom's submission to the Annual Report was reviewed and approved.
- **9:38PM – Adjourn Meeting**
 - GB moved to adjourn; TT 2nd.
 - Motion approved unanimously.