

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **5/9/2013** – Approved 5/23/2013

Location: Ayer Town Hall, 1st Floor

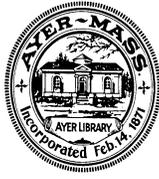
Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Takashi Tada (TT),
Jessica Gugino (JG, Clerk)

Not present: Lee Curtis (LC), Becky DaSilva-Conde (CA, Conservation Administrator)

APAC taped: Yes

7:10 PM – Open Meeting

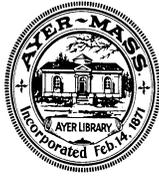
- **Confirmation of Agenda**
 - GB moved to confirm the agenda as posted; JG 2nd.
 - Motion approved unanimously.
- **Announcements**
 - Aquatic Control Technology (ACT) will be performing its first weed treatment of Flannagan Pond on 5/16.
 - ACT will post signs notifying residents of water use restrictions.
 - This includes not using water for irrigation for 90 days after chemical treatment.
 - CA has posted notice of treatment to ConCom's website and the Town Hall kiosk and bulletin board.
 - One to two booster treatments are anticipated.
 - JG said that questions had been raised as to the rise in water level of Flannagan and Sandy ponds.
 - This was because the DPW cleared the beaver dam at the Long Pond Dam the previous week, lowering that pond level 8 – 10 inches.
 - CA has received confirmation from Fire Chief Pedrazzi that both boards have now been removed from the East Main Street dam (aka Balch) to facilitate lower water levels prior to weed treatment.
- **Accounts Payable**
 - Staples: \$19.09, for ConCom's portion of a case of paper.
 - GB moved to approve payment of \$19.09; JG 2nd.
 - Motion approved unanimously.
- **PUBLIC HEARINGS (CONT'D.): NOIs – PINGRY HILL, CRABTREE DEVELOPMENT, LLC.**
 - Steve Mullaney, of SJ Mullaney Engineering, and Lori Scanlan, Project Manager for Powell Construction, were present.
 - Mr. Mullaney asked that the OOCs be amended to have Box 2, rather than Box 1, checked in Item C. 19 on page 7 of 12 of the WPA form.
 - As single-family house constructions, they are exempt from Massachusetts Stormwater Standards.
 - Signing of the OOCs for previously-approved NOIs will be delayed until this change is made.
 - **Public Hearing (cont'd.): NOI – 8 Hemlock Drive, Lot 59 (DEP #100-0359)**
 - Mr. Mullaney and Ms. Scanlan confirmed that missing or displaced wetland flags have been replaced as of 5/1.



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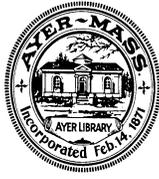
- JG said that CA will be performing a site walk on 5/10 to confirm this.
- Mr. Mullaney said that other areas in the development will also need to be flagged or reflagged in the future.
- JG said CA also still wants to see accumulated sediment in a wetland area on this lot dug out by hand in spots where it still remains.
 - Ms. Scanlan asked JG to have CA contact her ahead of time so that she can join CA on site walk.
- Mr. Mullaney distributed copies of the amended plan for this lot.
 - The driveway has been moved from a side to a front entrance to reduce ground disturbance.
 - The reduced house dimensions will be 28 ft. x 46 ft.
 - This reduces earthwork around the house, which will now be at grade.
 - This also eliminates the need for a retaining wall.
 - The plan now shows the placement of boulders to demarcate the limit of the back yard.
 - The plan also shows water and sewer lines being brought in on the easement between lots 59 and 58.
 - Mr. Mullaney said this easement is 30 ft. wide, which is wide enough to bring in separate water and sewer connections for each house.
 - Mr. Mullaney said Mr. Roper has not yet heard back from DPW approving this change but expects it will be approved.
 - The Planning Board and DPW approved a similar arrangement of common utility service for lots Y, Z and A3.
 - ConCom was unaware of this because these lots were outside of ConCom jurisdiction.
- GB moved to continue the Public Hearing for 100-0359 to 5/23; JG 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 116 Hickory Way, Lot 82 (DEP # 100-0360)**
 - Ms. Scanlan said the large soil pile seen at 4/13 site walk is greatly reduced in size.
 - Mr. Mullaney said that permanent demarcation of the yard has not been marked on the plan for this lot since it will be included as a Special Condition in the OOC.
 - GB moved to continue the Public Hearing for 100-0360 to 5/23; JG 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 23 Hemlock Drive, Lot 61 (DEP #100-0354)**
 - JG said CA notes that this lot will include 2 Special Conditions: for reduced house dimensions and for permanent demarcation of the yard from wetlands.
 - Mr. Mullaney asked that CA reference the supplemental plan dated 4/23/13 (Plan 2D61).
 - Mr. Mullaney said that a demarcation line of boulders is depicted on the plan.
 - GB moved to continue the Public Hearing for 100-0354, pending issuance of the draft OOC, to 5/23; JG 2nd.
 - Motion approved unanimously.



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- **Public Hearing (cont'd.): NOI – 26 Hemlock Drive, Lot 58 (DEP #100-0358)**
 - GB moved to continue the Public Hearing for 100-0358, pending issuance of the draft OOC, to 5/23; JG 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 37 Hemlock Drive, Lot 62 (DEP #100-0355)**
 - GB moved to continue the Public Hearing for 100-0355, pending issuance of the draft OOC, to 5/23; JG 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 53 Hemlock Drive, Lot 63 (DEP #100-0356)**
 - Mr. Mullaney distributed a new plot plan for this lot, sheet 1-1, Plan 2-A-107.
 - GB moved to continue the Public Hearing for 100-0356, pending issuance of the draft OOC, to 5/23; JG 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 67 Hemlock Drive, Lot 64 (DEP #100-0357)**
 - GB moved to continue the Public Hearing for 100-0357, pending issuance of the draft OOC, to 5/23; JG 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 74 Hemlock Drive, Lot 55 (DEP #100-0353)**
 - GB moved to continue the Public Hearing for 100-0353, pending issuance of the draft OOC, to 5/23; JG 2nd.
 - Motion approved unanimously.
- **Meeting Minutes Approval**
 - GB moved to accept the minutes for 4/11/13 as amended; JG 2nd.
 - Motion approved unanimously.
 - GB moved to accept the minutes for 4/25/13 as amended; TT 2nd.
 - Motion approved unanimously.
- **Discussion: Monitoring Nonacoicus Brook pre- and post- Plow Show Pond Remediation**
 - BD read Mass DEP's comment letter on the Army's Work Plan for Plow Show Pond.
 - With renewed emphasis, BD reiterated his view, stated at previous meetings, that it was a real disappointment to see a remediation plan that would destroy the relative health and wildlife of the whole pond in order to clean up only a very small area of contaminated sediments.
 - In addition, BD expressed new concern that the process for refilling Plow Show Pond, at the end of the so-called remediation, will likely lead to the redistribution of contaminated sediments from the un-cleaned areas throughout the rest of the pond.
 - As water re-infiltrates Pond Show Pond, these disturbed and contaminated sediments will likely distribute downstream into Nonacoicus Brook as well.
 - In thinking about areas from which to create a photographic record of the impact of this remediation on Nonacoicus Brook, two areas where access was available via public roads were discussed.



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- Before making further plans to monitor the brook, BD will reach out to Robert Simeone, BRAC Environmental Coordinator, and Rachel Leary, of Sovereign Consulting, to see if there are plans to come before ConCom with an NOI or response to ConCom's comment letter of 4.29/13.
 - The NOI was mentioned in the Army's Work Plan draft but the 'nagging locals' on ConCom have yet to hear directly from the Army.
- **Discussion (cont'd.): RFQ for comprehensive study of Ayer ponds**
 - The RFQ was edited into near-final form, missing only the dates for submission deadlines.
 - JG will edit the document, then forward it on to Town Administrator Robert Pontbriand for final approval.
 - TT requested that the Dam & Pond Management Committee be given a copy when the document is finalized.
- **Discussion (cont'd): Autumn Ridge development status update.**
 - This discussion was postponed since no one from Autumn Ridge was in attendance.
- **Member Updates**
 - JG said CA has performed a site walk with Mr. Hillier, of 31 Central Avenue.
 - Mr. Hillier asked CA about covering over the intermittent stream with a culvert and performing wetland replication elsewhere in Town.
 - Mr. Hillier does not own property elsewhere in Town.
 - CA told Mr. Hillier such wetland filling was usually reserved for situations such as driveway crossings.
 - CA has strongly suggested Mr. Hillier contact a wetland specialist or an engineer familiar with the Wetland Protection Act.
 - To expand parking on the lot, Mr. Hillier will need to file a Notice of Intent.
 - JG said CPC did not meet in May due to the lack of a quorum and being locked out of Town Hall.
 - GB said the Historical Commission is looking into developing a self-guided tour of Ayer that would employ the scanning technology of smart phones.
- **9:35 PM – Adjourn Meeting**
 - GB moved to adjourn; TT 2nd.
 - Motion approved unanimously.
- **Documents referenced in this meeting**
 - Amended plot plan for Pingry Hill, Lot 59.
 - Supplemental plot plan for Pingry Hill, dated 4/23/13 (Plan 2D61), Lot 61.
 - Amended plot plan for Pingry hill, Lot (sheet 1-1, Plan 2-A-107), Lot 63.
 - Mass DEP comment letter regarding Plow Shop Pond remediation.