

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **4/10/2014** – Approved 4/24/2014

Location: Ayer Town Hall, 1st Floor

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

Not present: Lee Curtis (LC)

APAC taped: Yes

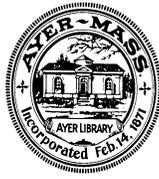
7:17 PM – Open Meeting

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

- **Public Meeting: RDA – Philip Gray, 7 Wachusett Avenue East**
 - Mr. Gray was in attendance and described the project.
 - The Grays are planning to expand an existing enclosed porch on the side of the house.
 - The porch will be extended 7 ft. to the side.
 - Three sonotubes will be used, and dirt or sand left over will be spread underneath the extension.
 - CA has visited the site and finds no problems with the plan.
 - The closest corner of the house is slightly over 50-ft. from Sandy Pond.
 - The porch extension is to the side and won't involve work closer to the pond.
 - The yard is flat or slightly tilted back toward the house.
 - At the edge of the yard, the property slopes steeply down 10-12 ft. to the beach.
 - A boat house is at beach level, with a deck at yard-level constructed on top of the boat house.
 - BD accepted a motion from GB to issue a Negative Determination of Applicability, with the condition that CA be notified for a post-construction inspection; TT 2nd.
 - Motion approved unanimously.
 - CA noted that the Gray's hold a Ch. 91 license from the previous owners of the property.
 - Mr. Gray plans on laying wood treads and some rebar for a staircase dropping down from the yard along the side of the boathouse to the beach.
 - Rip-rap used in the past has not worked at preventing erosion.
 - CA confirmed that the Ch. 91 license was worded to include "maintenance of the stairwell."
 - BD asked Mr. Gray to allow CA to inspect this work when complete as well.
 - Mr. Gray will, however, have to consult with the Building Inspector about the stair.
 - ConCom signed the DOA.

- **Public Hearing: NOI – 17 Bligh Street, Randolph Realty, LLC (DEP #100-0370)**
 - A site walk was scheduled for Saturday morning, 4/12, at 8 a.m.
 - GB moved to continue the Public Hearing to 4/24/14; TT 2nd.
 - Motion approved unanimously.

- **Public Hearing: ANRAD – 37 Groton-Harvard Road, Karen Balchunas**
 - CA received a formal letter in writing from Steven Erickson withdrawing the ANRAD.



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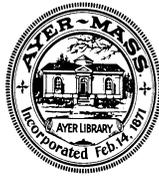
- GB moved to close the Public Hearing; TT 2nd.
 - Motion approved unanimously.

- **Public Hearing: NOI – Pingry Hill Subdivision, Phase V, Crabtree Development (DEP# 100-0369)**
 - Rick Roper, of Crabtree Development, was present.
 - Mr. Roper asked if ConCom could speed up the process in any way so that he could have landscaping complete on new lots for the following winter.
 - Mr. Roper was reminded that late snow cover has been responsible for the delay in scheduling a site walk.
 - ConCom has not unnecessarily held up anything related to this site.
 - CA said the third-party review, from Tata & Howard, had come in just the day before.
 - A site walk was scheduled for Saturday, 4/12, at 9:30 a.m.
 - GB moved to continue the Public Hearing to 4/24/14; TT 2nd.
 - Motion approved unanimously.

- **Discussion (cont'd.): Comprehensive Ponds Study Update**
 - BD appeared before CPC's 4/2 Public Hearing on ConCom's application for \$20,000 in CPC funding toward the cost of the Geosyntec proposal.
 - CPC voted to support and advance the application to Spring Town Meeting for a final decision by Town voters.
 - The comprehensive study will therefore have two Articles on the Warrant for Spring Town Meeting, one for the CPC funding, and a second for the BOS request to transfer money from open cash for this purpose.

- **Meeting Minutes Approval**
 - GB moved to approve the minutes for 3/27/14 as written; TT 2nd.
 - Motion approved 3-0 (BD abstained).

- **CA Updates**
 - Pingry Hill
 - As noted above, CA received the third-party review of Phase V from Tata & Howard, and forwarded the response on to ConCom members.
 - This will be discussed further on 4/24, after the site walk has been performed.
 - CA also received notice that Mass DEP will be holding a Notice of Enforcement Conference in Worcester at 10 a.m. on 4/17 to decide on State fines for DEP's Enforcement Order on Pingry Hill from last summer.
 - 5 Ledge way
 - CA received a formal letter from Maryann Dipinto, of Mass DEP, regarding the appeal from abutters questioning ConCom's issuance of an OOC to the Turners.
 - Ms. Dipinto plans an onsite meeting for Tuesday, 4/15 at 2 p.m.
 - CA put in a request for a date change since she is not in on Tuesdays.
 - Riley Jayne Farm ANRAD
 - CA distributed copies of another ANRAD application for ConCom's 4/24 meeting.
 - The area in question extends from the end of Pleasant Street, with over 8630 sq. ft. of BVW on the parcel.



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- Given the size of the parcel, BD asked CA to consider who could be turned to for a third-party review.
- Whitcomb Road swimming pool
 - CA was contacted by a resident who abuts Grove Pond on Whitcomb Road.
 - The resident is interested in determining whether it is possible to put an above-ground oval swimming pool in the backyard.
 - CA reports the yard is steep and in close proximity to the pond and BVW.
 - Moving the pool location closer to the house would involve substantial cutting into the slope, but without that cutting in, the pool could be as close as 20 ft. to the pond.
 - Since ConCom will be nearby on Saturday morning for its site walk on Bligh Street, members will swing by afterward to check out the situation.
 - CA will alert the resident to ConCom's site visit.
- **Member Updates**
 - TT observed that 3 nesting boxes have been recently erected on Pine Meadow Pond Conservation Land, one right in the middle of the pond.
 - Since this is Town land, whoever did this should have asked for permission.
 - While it is not a bad thing, TT is concerned that more boxes may be put in.
 - BD advised a wait and see approach for the time being.
- **8:05 PM – Adjourn Meeting**
 - GB moved to adjourn; TT 2nd.
 - Motion approved unanimously.