

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for 9/11/2014 – Approved 9/25/2014

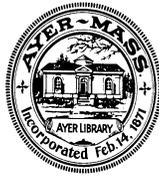
Location: Ayer Town Hall, 1st Floor

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

APAC taped: Yes

7:01 PM – Open Meeting

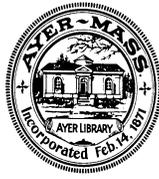
- **Confirmation of Agenda**
 - The only change was that all of the scheduled Public Hearings for tonight's meeting are to be continued.
 - GB moved to confirm agenda as noted; JG 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – Nashua Street Extension, Calvin Moore (DEP #100-0363)**
 - GB moved to continue the Public Hearing to 9/25/14; JG 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 97 Holly Ridge Road (Lot 29), Pingry Hill, Crabtree Development (DEP #100-0375)**
 - The developer has not yet addressed all of the lapses discussed at ConCom's 8/14/14 meeting.
 - GB moved to continue the Public Hearing to 9/25/14; JG 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 113 Holly Ridge Road (Lot 30), Pingry Hill, Crabtree Development (DEP #100-0376)**
 - GB moved to continue the Public Hearing to 9/25/14; JG 2nd.
 - Motion approved unanimously.
- **Meeting Minutes Approval**
 - GB moved to accept the minutes for 8/28/14 as written; TT 2nd.
 - Motion approved unanimously.
- **Committee Updates**
 - Community Preservation Committee (CPC)
 - JG said CPC held a Public Hearing on 9/10 for funding of a Habitat for Humanity duplex on Central Avenue.
 - The \$100,000 funding request will go before Fall Town Meeting on 10/27 for final vote.
 - The Public Hearing also scheduled on 9/10 for consideration of an Open Space purchase of Kohler Place was cancelled.



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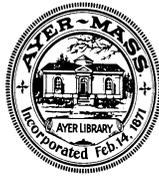
- The sellers accepted a higher offer than the Town's from a private buyer.
- Stormwater Committee
 - LC said this committee would be holding its next meeting on 10/1/14.
- **CA Updates**
 - Chapter 61
 - CA said the BOS would be meeting on 9/16 and would be reviewing the letter prepared by Town Counsel regarding the Ch. 61 status of Riley Jayne Farm (114 Pleasant Street) and the Town's right of first refusal.
 - After review, the BOS will vote on whether to send the letter.
 - Vitasoy
 - DPW Superintendent Mark Wetzel sent Vitasoy a formal memo detailing DPW concerns.
 - This also included mention of ConCom's concern over containment in the event of a tank spill.
 - The Board of Health (BOH) held a Public Hearing over this project and has drafted a letter giving their approval.
 - CA will meet with the BOH Administrator to see if ConCom concerns were addressed at this Hearing.
 - BD will also review the project plans.
 - MBTA site walk
 - CA is still waiting to hear back from Mike Turgeon as to whether a 10/4 ConCom site walk will work out.
 - Comprehensive study of Ayer ponds
 - CA received a detailed update from Bob Hartzel of Geosyntec.
 - All of the water samples have been taken from each pond and lab results are pending.
 - Some preliminary findings were highlighted:
 - **Balch Pond**
 - Mr. Hartzel observed an apparent oil sheen on this pond.
 - A nearby resident told him that the sheen had been there when he moved in 9 months earlier.
 - CA wondered if this was connected to a notification letter from MassDEP that CA received in the spring (see ConCom meeting 6/12/14).
 - The letter indicated that Cains had reported contamination of water on their site by cadmium.
 - At the time, Cains had determined that the contamination was from the migration of material from off-site.
 - CA will send Mr. Hartzel a copy of the DEP letter to Cains.
 - CA asked Mr. Hartzel to notify DEP of the current situation and update ConCom afterwards.
 - **Grove Pond**



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- Mr. Hartzel observed a beginning growth of water chestnut on the eastern side of Grove Pond, closest to Barnum Road.
 - He suggested the Town organize a volunteer group to handpull the plants before next year's re-seeding.
 - It was suggested this might be a topic for the Pond & Dam Committee to take up.
- BD asked whether water chestnut is a floating plant or whether it is rooted.
 - If rooted, the risk of disturbing the contaminated sediments in Grove Pond needs to be discussed further before any action is taken.
- Mr. Hartzel said the water chestnut seemed to be contained to just one side of the pond at this point.
 - He also thought that the presence of invasive fanwort may be helping keep the water chestnut contained.
- **Long Pond**
 - In positive news, Mr. Hartzel noted the high quality of Long Pond.
 - He described it as one of the best ponds he has seen in the Commonwealth in terms of species, biodiversity, and habitat.
- **Next Steps**
 - Geosyntec will be analyzing the lab results from the water quality samplings.
 - Mr. Hartzel will report back to CA on his talk with MassDEP regarding the oil sheen on Balch.
 - BD asked that Geosyntec provide a written schedule of upcoming work.
- Beaver Solutions
 - CA has been delayed in finishing the emergency certification for the BOH permit but will have it finalized next week.
- CA inspections of new-OOC sites
 - CA has inspected the erosion controls at 25 Coolidge Road and Chief Pedrazzi has now begun the work detailed in his OOC.
 - At 17 Bligh Street, work has also commenced following CA's inspection of erosion controls.
- Loon Hill Road fence request
 - CA received a phone call from a Pond Hill Estates resident whose property abuts land under a Conservation Restriction (CR).
 - The resident, who has two small children, has observed bear and coyotes in his yard and would therefore like to fence in his yard.
 - His fence installer contacted CA to see if they needed to come before ConCom because of proximity to the CR.
 - CA will double-check, but despite the CR, this area is not within the buffer zone to wetlands and is therefore not jurisdictional to ConCom.
- Zoning Board of Appeals (ZBA)



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- The ZBA will be holding a hearing for a variance for work planned at the site of the old car wash on Fitchburg Road, across from Hannafords.
- CA will check to see if there is a pocket of wetlands in the vicinity, or whether observed vegetation is related instead to a detention basin.
- Arthur Mills pesticide spraying
 - Arthur Mills (formerly Horizon Mills) called CA to inquire about doing pesticide spraying on and near the tracks to a railroad spur which they want to start using.
 - The railroad spur is near wetlands.
 - CA also referred them to the BOH since the area is in the Zone 2 aquifer.
- Elizabeth Estates
 - CA will be meeting with developer Bob Prescott about the mess that has accumulated adjacent to a new duplex he is constructing.
 - Sediments have piled up to the silt fencing and covered the haybales.
 - Mr. Prescott said the area would be cleaned out by hand shovel and haybales replaced.
 - He promised CA this work would be done in advance of her site visit tomorrow (9/12).
- DPW
 - Superintendent Wetzel said the work on the Victor Drive culvert has now been put out to bid.
 - Mr. Wetzel will be coming before ConCom for permits to upgrade the sewer pump station at Stony Brook.
- 9/25 Agenda
 - A new NOI has been submitted for 5 Ledge way, now under new ownership.
 - Attorney Robert Collins and developer Dave Moulton will appear to discuss the Enforcement Order issued over the summer for unauthorized work at Stratton Hill.
 - The Public Hearings continued earlier this meeting will be taken up on 9/25.
- **Discussion: Citizen complaint**
 - BD addressed resident Michael Anuta's written complaint that, at ConCom's previous meeting (8/28), time was not taken to address "Citizen Concerns" as listed on the agenda.
 - BD said that ConCom's agenda lists Citizen Concerns as a kind of placeholder for items that come to CA after the agenda has been posted and that merit discussion.
 - This item is not meant to allow a general, open-ended conversation on items not on the agenda, or not intended for a future agenda.
 - Mr. Anuta indicated that he appreciated the information.
- **7:35 PM – Adjourn Meeting**
 - GB moved to adjourn; TT 2nd.
 - Motion approved unanimously.