

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **12/4/2014** – Approved 12/18/2014

Location: Ayer Town Hall, 1st Floor

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

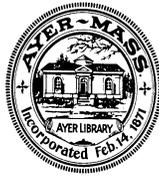
Not present: Lee Curtis (LC)

APAC taped: Yes

7:10 PM – Open Meeting

- **Confirmation of Agenda**
 - Two items were removed from the agenda:
 - Discussion: Pingry Hill violations update
 - Discussion: Overview of MassDep Wetland Regulations revisions by LC
 - GB moved to confirm the agenda as amended; TT 2nd.
 - Motion approved unanimously.

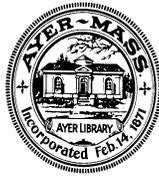
- **Public Hearing: NOI – Borrego Solar Systems, Inc. / New England Power Co., right-of-way off Park Street, MassDEP # 100-0379**
 - Briony Angus, Project Manager from Tighe & Bond, was present along with Steve Long.
 - Borrego Solar Systems proposes to install a solar photovoltaic installation on 4 parcels, totaling 33 acres, owned by New England Power Co. off of Park Street.
 - (Note: the application incorrectly locates this project off Groton School Road, but the road at the project's location is still Park Street.)
 - Portions of the work will take place within the 100-ft. buffer zone to Bordering Vegetated Wetlands (BVW) and the bank to an intermittent stream.
 - A potential vernal pool is also located to the north of the site.
 - Approximately 30,000 sq. ft. of impact within the BZ is planned.
 - Work proposed includes:
 - An existing unpaved access road from Park Street will be graded and overlain with 6 inches of gravel with a width of 14 ft.
 - Once the installation is complete, the need for access to the site will be minimal.
 - Clearing and removal of existing vegetation within a 10 acre area will take place to minimize shade impact for the solar array.
 - Vegetation and trees will be cleared in the immediate location of the solar array, including stump removal via bulldozer.
 - All cut vegetation will be chipped on-site and left in place for ground stabilization.
 - A fescue shade mix will be used to re-vegetate the ground under the array and this will be maintained by mowing, typically 2-3 times a year.
 - An area surrounding the array location, for shade minimization, will also be cleared but tree stumps will be left in place.
 - A low-growing solar mix is proposed to be used in the cleared area surrounding the array, and will mowed 2-3 times a year.
 - The limit of work (LOW) will be demarcated by erosion and sedimentation controls.
 - The solar modules will be erected on racks using a driven post or ground screw foundation system.



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **12/4/2014** – Approved 12/18/2014

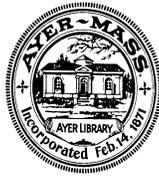
- The bottom of the panels will be 30-inches off the ground, allowing for the growth of ground cover.
- Mr. Long said the screws are 6-8 feet in length, 2-1/2 inches in diameter, and can accommodate up to a 20% grade.
 - A 36-inch wide subsurface conduit will be trenched by excavator.
 - The installation of a chain link fence is proposed around the solar array for site security.
 - The fence will be 6 feet high, topped with 3 strands of barbed wire for an additional foot.
- BD asked that additional information regarding trenching and the handling of soil piles be depicted on the plan for ConCom review.
- BD also concurred with written comments, dated 11/25/14, from DPW Superintendent Mark Wetzel, noting the lack of information on final grading, including the lack of labeling of contour lines.
- The project is located within habitat mapped by the Natural Heritage and Endangered Species Program (NHESP).
 - The NOI has therefore also been submitted to NHESP for streamlined Massachusetts Endangered Species Act (MESA) review.
 - NHESP response is expected by 12/14/14, although Ms. Angus said they knew this would not be the end of the MESA process.
 - Three state-listed rare species have been identified in this area: Blanding's Turtle, Blue-Spotted Salamander, and New England Blazing Star.
- Wetland flagging was done by Tighe & Bond on 9/4/14 and 9/21/14.
- No wetland replication is planned as all of the work is within BZ and none of the proposed work will have a direct impact on wetland resource areas.
- Ms. Angus addressed MassDEP comments, dated 12/1/14, and written responses made by Brian Huntley, of Tighe & Bond, dated 12/4/14 – a copy of both distributed to ConCom members.
 - MassDEP noted that final grading was not depicted on the site plan.
 - Mr. Huntley responded that final grading of the proposed access roadway will mimic the topography of existing conditions.
 - The roadway will be flush with the existing ground surface and no grade changes are anticipated.
 - MassDEP recommended that no changes be made to the size of the drainage basin tributary to the Potential Vernal Pool.
 - Mr. Huntley responded that since the proposed roadway will be flush with existing grade, the contributing drainage area to the north of the project will not be affected.
 - MassDEP questioned the accuracy of conclusions made in the stormwater report if they do not account for changes in the runoff curve number (CN) values due to the gravel road and areas mulched with chipped vegetation.
 - Mr. Huntley responded that the changes in the CN values from existing to proposed conditions are the result of the conversion of woodland to continuous grass cover/meadow.
 - Mr. Huntley said the proposed project would reduce the runoff CN values from existing conditions, with the impact of the gravel access road offset by the change to meadow.
 - Further, chipped mulch is expected to decompose as grass ground cover is re-established.



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for 12/4/2014 – Approved 12/18/2014

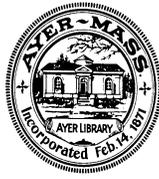
- Comments from residents / abutters in the audience were taken.
 - Rita Cooper, of Pearl Street, expressed concern over the impact on wildlife, scenic vistas, and property values.
 - BD explained that ConCom's jurisdiction is limited only to how a project will affect wetlands.
 - Mr. Long said the array would make minimal noise and the panels, designed to absorb light, will not provide a glare.
 - There are also no plans for future expansion of the array because of the surrounding wetlands.
 - Jerry Wood, of Groton School Road, expressed concern that he had been contacted several months earlier by Mass Electric asking if they could have an easement to run through the mobile home park in which he lives.
 - BD said this may have been an issue at one time but was not part of the submitted application now so was not subject to ConCom review.
 - Ms. Angus said she would have Mr. Long look into this to satisfy Mr. Wood's concern.
 - Mr. Wood also asked about the impact of the electro-magnetic field to be generated on wildlife and also on local radio and television reception.
 - BD said that issues of property values or radio/tv reception did not fall under the jurisdiction of ConCom.
 - Mr. Long said their application would be going before the Zoning Board of Appeals on 1/14/15.
 - The upcoming ZBA hearing would therefore be the proper place to address these particular concerns.
 - BD said ConCom's next step would be to conduct a site visit.
 - ConCom will need to be able to see the ground in order to properly evaluate the wetland flagging.
 - ConCom will also need to have the LOW staked and trees flagged.
 - BD asked Ms. Angus to evaluate if there is snow cover on the ground that would impede a site visit review.
 - At its next meeting, ConCom will then decide whether conditions allow for the scheduling of a site visit at this time.
 - BD also asked Ms. Angus to provide ConCom a written response to Superintendent Wetzel's 11/25 comments.
 - GB moved to continue the Public Hearing to 12/18, for the purpose of determining if a site walk is viable; TT 2nd.
 - Motion approved unanimously.
 - CA will mail Mr. Huntley detail regarding the cost of the legal ad, to be paid by the applicant via ConCom.
- **Public Hearing (cont'd.): NOI – 97 Holly Ridge Road, Lot 29, Pingry Hill, Rick Roper / Crabtree Development, MassDEP # 100-0375**
 - GB moved to continue the Public Hearing to 12/18/14; TT 2nd.
 - Motion approved unanimously.
 - **Accounts Payable**



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **12/4/2014** – Approved 12/18/2014

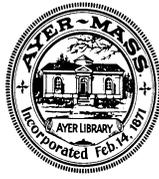
- L.D. Products: \$80.99, for office supplies (e.g. toner).
 - GB moved to approve payment of \$80.99; TT 2nd.
 - Motion approved unanimously.
- Beaver Solutions: \$2296.25, for installation of beaver deceiver at Rock Meadow Pond.
 - Invoice # 01102164.
 - ConCom members discussed whether the optional annual maintenance agreement fee (\$316.25), included in the invoice amount, should be accepted.
 - TT and JG supported retaining this for now, at least, in order to confirm the proper functioning of the deceiver.
 - BD asked that ConCom receive a written report, including photos, to document annual maintenance.
 - GB moved to approve payment of \$2296.25; TT 2nd.
 - Motion approved unanimously.
- Beaver Solutions: \$2096.25, for installation of beaver deceiver at Long Pond Dam, including annual maintenance agreement.
 - Invoice # 01102163.
 - GB moved to approve payment of \$2096.25; TT 2nd.
 - Motion approved unanimously.
- Geosyntec Consultants: \$17,895.98, for work on comprehensive pond survey.
 - Invoice # 19141226, project # BW0265, dated 10/13/2014.
 - ConCom had previously asked for a detailed breakdown of work completed before authorizing payment.
 - The revised invoice reflects the completion of 21.55% of the project at this point:
 - 62.7% of monitoring
 - 4.54% of pollutant loading analysis
 - 20.20% of aquatic vegetation management plan
 - 12.72% of Grove Pond risk evaluation
 - GB moved to approve payment of \$17,895.98 to Geosyntec; TT 2nd.
 - Motion approved unanimously.
- Geosyntec Consultants: \$7131.00, for continuing work on comprehensive pond survey.
 - Invoice # 19141281, project # BW0265, dated 11/20/14.
 - The invoice reflects completion of 30.34% of the project to date.
 - 62.85% of monitoring
 - 5.48% of pollutant loading analysis
 - 24.41% of aquatic vegetation management plan
 - 92.21% of Grove Pond risk evaluation
 - GB moved to approve payment of \$7131.00; TT 2nd.
 - Motion approved unanimously.
- **CA Updates**
 - Parks & Recreation Department
 - A tentative site visit on 12/13 with Parks & Rec Supervisor Jeff Thomas was cancelled because of scheduling conflicts for Mr. Thomas.
 - ConCom will wait until the end of March 2015 to reschedule, after snow has cleared from the ground.
 - Family Dollar



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **12/4/2014** – Approved 12/18/2014

- Family Dollar will be submitting an NOI packet by 12/18 so that it can be on ConCom's agenda for 1/8/2015.
 - Because of the holidays, ConCom will need to submit the legal ad by 12/19/14 to advertise for the 1/8 meeting.
- MassDEP
 - ConComs no longer need to submit copies of COCs and OOC extensions to MassDEP.
 - Section Chief Phil Nadeau is retiring as of 1/2/15.
- The Willows
 - A reminder that ConCom is scheduled for a site visit on 12/6 at 8 a.m.
- Pingry Hill
 - CA has completed the paperwork for the 12 submitted requests for Certificates of Compliance (COC).
 - CA informed Steve Mullaney that the COC's will be released after ConCom has confirmed the removal of erosion controls on each of these lots.
- Grove Pond
 - CA reminded ConCom it should discuss at its 12/18 meeting if it wishes to provide comments to Geosyntec's draft of the Grove Pond Risk Evaluation.
- Projects underway
 - The corner lot on Patriot Way has been staked and work begun.
 - 5 Ledge Way has had its erosion controls inspected by CA.
 - Asbestos removal must be completed before construction can begin.
 - Cains has had its erosion controls inspected and work has begun.
 - Robert Pedrazzi's home project is finishing up.
- 2015 meeting dates
 - ConCom approved of CA's 2015 schedule of meeting dates.
 - CA will submit these dates to Carly Antonellis, Assistant to the Town Administrator, for posting and scheduling of the meeting room.
- **Discussion: Conservation Administrator job posting and vacancy preparation**
 - CA's last day will be 12/12/14 and ConCom expressed its sincere appreciation for the fine work she has done over the last 7 years.
 - JG will fill in for some of the office work, and will meet with CA on that Friday to obtain a key to the office from Town Administrator Robert Pontbriand.
 - BD is preparing a job description for internal posting - which is required for 5 days before an outside ad is released.
 - BD will try to meet with CA on 12/10, along with JG, to go over details of things ConCom will need to cover until CA's vacancy is filled.
 - GB and JG raised issues for ConCom to bring to the attention of the BOS now, while things are 'fluid'.
 - GB suggested now was a good time for ConCom to raise the issue of moving CA's office location on the third floor, given the currently unused office space for the former Planning/Zoning Board Administrator.
 - JG suggested ConCom meet with the BOS to discuss the possibility of adding more hours to the CA position, currently 15 hours/week.
 - This position could be raised to 19 hours/week without having to add benefits.



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **12/4/2014** – Approved 12/18/2014

- CA strongly urged ConCom to ask for more hours, given the large workload for this position.
 - For a creative solution, CA suggested ConCom could push for clerical support as well.
 - BD will talk to Town Administrator Pontbriand the following week to see how best to address these issues with the BOS.
-
- **9:50 PM – Adjourn Meeting**
 - GB moved to adjourn; TT 2nd.
 - Motion approved unanimously.