



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA01432 * 978-772-8218 * 978-772-3017(fax)

Minutes for **01/24/08** – **Approved 2/28/08**

Location: Town Hall (Great Hall)

Members present: Bill Daniels (BD, Chair), David Bodurtha (DB, Vice-chair), Takashi Tada (TT, Clerk), George Bacon (GB), Denis Luken (DL, Associate Member), Becky DaSilva-Conde (CA, Conservation Administrator)

Not present: Susan Tordella-Williams (ST)

APAC taped: No

Start (7:00 PM)

- **Meeting Minutes Approval**

- Draft Meeting Minutes from 01/10/08 were amended to include the suggested target dates for the 82 Groton School Road work schedule.
- GB moved to approve the Minutes from 01/10/08, as amended; DB seconded.
 - Motion approved unanimously.
- GB moved to approve the Minutes from 01/10/08; DB seconded.
 - Motion approved unanimously.

- **Payables**

- CA reported that the billing issues with Lowell Sun have been resolved.

- **Correspondence**

- Town Administrator Shaun Suhoski sent a request to all departments for reports to be included in the Annual Report.
- DEP sent a letter to Steve Mullaney, engineer for Ridgeview Heights development on Snake Hill Road.
 - DEP has denied Mr. Mullaney's request for amendments to the Superseding Order of Conditions, due to the substantive nature of the changes. Changes include wetland impacts that were not included in the original Notice of Intent (NOI).
 - DEP agreed to a partial extension for 1 year, covering only that portion of work along "Street A" (already underway). Extension will expire 12/17/08.
 - CA to contact Phil Nadeau at DEP for further information and clarification. Does Mr. Mullaney need to file a new NOI for the rest of the project?
 - CA to schedule a site walk with Mr. Roper of Ridgeview.

- **Public Hearing (cont'd): NOI for Central Ave. Pumping Station, Ayer DPW**

- CA prepared draft Special Conditions for Commission review/comment.
- CA conducted a site visit with DPW's representative, Paula Boyle.
- The gas generator will be located outside of the main building, in a metal container.
- BD reiterated that the generator be located in a bermed location to contain spills.
- Ms. Boyle provided updated plans to CA.
- A Licensed Site Professional (LSP) will be onsite during removal of the old storage tank.
 - Ms. Boyle will provide copies of the DEP permit.
- CA will have final OOC ready for signature on 02/14/08.
- DB moved to continue hearing to 02/14/08; TT seconded.



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- Motion approved unanimously.

- **Public Hearing (cont'd): NOI for 82 Groton School Road**
 - The Special Conditions should specify the work schedule, as agreed by the Commission on 01/10/08.
 - Conditions should also specify the minimum threshold of success for establishment of wetland vegetation in restored areas, e.g. 50 percent coverage at spring inspection.
 - CA will research the appropriate threshold.
 - DB moved to continue hearing to 02/14/08; TT seconded.
 - Motion approved unanimously.

- **Discussion: Policies/Procedures for Dock License Regulations (Chapter 91)**
 - Andrea Langhauser of DEP notified Commission of receipt of two dock license applications from Ayer residents.
 - CA is working on a letter to be provided to Ayer residents, explaining their responsibilities under Ch. 91 and clarifying the Commission's policies/procedures for implementation and enforcement.
 - Goal is to have letter ready by end of February 2008.

- **Discussion: Pond Weed Control**
 - Verification of year-end invoice and report from Aquatic Control Technology Inc. (ACT).
 - Commission needs to locate a copy of the approved contract.
 - Baseline Report for Ayer Ponds (ACT, 2005):
 - BD: Who should perform the monitoring of the weeds post-treatment?
 - CA will look into options for monitoring.
 - A formal RFP is required if monitoring will cost more than \$5,000.00

- **Discussion: Pondview Estates Conservation Restriction (CR)**
 - DB provided written comments on the CR from Hicks:
 - Proponents need to provide a final map of the CR.
 - Who is the "Grantor" after Hicks leaves?
 - Is there a Homeowners Association?
 - Who is responsible for detention basin maintenance?
 - Who is responsible for turtle habitat inspection and maintenance?
 - Is there sufficient signage and/or monumentation on the parcel?
 - CA will compile comments and pass on to Hicks' attorneys.

- **Discussion: Ayer Stormwater Policy Updates**
 - Commission's role:
 - DPW is responsible for preventing illicit discharges, but many stormwater outlets discharge to resource areas that are under Commission's purview.
 - CA will have authority to investigate and report illicit stormwater discharge violations to DPW.



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- DPW is planning a Public Meeting prior to Annual Town Meeting.
 - Commission may provide comments now, through DB.
 - DPW would like to have Commission and Planning Board support prior to Town Meeting.

- **Other Issues**
 - DL: none.
 - GB: none.
 - TT: Draft Special Conditions for FMC Corp. remediation project, 8 Bishop Rd.
 - Need to include a condition referencing the Contractor's work plan, which must be received 21 days prior to start of work and approved by the Commission.
 - Will also need at least one other public hearing in advance of final approval of the Conditions.
 - Commission should discuss at next meeting, 02/14/08.
 - DB: MACC Conference is 03/01/08.
 - DB: Will contact Littleton ConsCom for information about MBCR culvert replacement project along Bennett's Brook.
 - CA: MACC Conference attendance?
 - Commission supports CA attendance if approved by Chris Ryan.

- GB moved to adjourn; seconded by TT.
 - Approved unanimously.

Adjourn (9:25 PM)