



## **Town of Ayer Conservation Commission**

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

Minutes for **06/12/08** – **Approved 06/26/08**

Location: Town Hall, 1<sup>st</sup> Floor

Members present: Bill Daniels (BD, Chair), David Bodurtha (DB, Vice-chair), Takashi Tada (TT, Clerk), George Bacon (GB), Jessica Gugino (JG), Denis Luken (DL)

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

APAC taped: Yes

### **Start (7:00 PM)**

#### **• Meeting Minutes Approval**

- DB moved to approve 05/22/08 meeting minutes, with minor edits; JG 2<sup>nd</sup>.
  - Motion approved unanimously.
- DB moved to approve 06/05/08 special meeting minutes, as written; JG 2<sup>nd</sup>.
  - Motion approved unanimously.

#### **• Public Meeting: Violation Notice – 65 Sandy Pond Road**

- Florine Collette, 65 Sandy Pond Road, explained the driveway enhancement work that was performed on her property, near the Cannongate drainage ditch wetland. Ms. Collette showed photos of the work area.
  - Work occurred 15-20 feet from the wetland, but was within the existing yard and driveway footprint.
  - No soil excavation or tree clearing occurred.
- BD explained that it is the Commission's policy to issue Violation Notices for activities believed to occur in violation of the Wetlands Protection Act. In this case, no further action is warranted.
- Commission thanked Ms. Collette for presenting her case before the board.

#### **• Public Hearing: OOC Extension – 144 Sandy Pond Road (DEP File # 100-0285)**

- Phyllis Castor, 144 Sandy Pond Road, presented the latest plans for addition to the existing house.
  - The current design is smaller than the originally permitted plan.
  - Work has not yet started, but is likely to begin this summer.
- BD reminded Ms. Castor that the OOC Extension needs to be recorded with the deed.
- BD also asked Ms. Castor to notify CA when the erosion controls are installed.
- GB moved to approve the request for OOC extension; DB 2<sup>nd</sup>.
  - Motion approved unanimously.

#### **• Public Hearing: RDA – B & M Railroad Weed Spraying**

- Keith Morris of B & M Railroad (not present) sent letter to Commission requesting a site walk to inspect areas along the B & M section of track near Willow Road that are slated for herbicide application this year.
- GB and JG indicated they would be interested in conducting the site walk early next week.
- CA will schedule the visit with Mr. Morris.
- GB moved to continue hearing to 06/26/08, pending completion of site walk; TT 2<sup>nd</sup>.
  - Motion approved unanimously.



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- **Enforcement Order: 4 New England Way (DEP File # 100-0306)**
  - Roger Kinniard sent letter to Commission, dated 06/04/08, indicating the following:
    - The OOC for New England Way was recorded at the Registry of Deeds.
    - The site has been completely vacated by the tenant.
    - Hay bales/silt fence have been installed at Mr. Kinniard's Easy Street site.
    - DEP signs have been re-posted at the Easy Street site.
  - BD indicated that a silt fence has been installed at New England Way, but without hay bales.
- **Public Hearing: Certificate of Compliance – 8 Mountain View Avenue (DEP File # 100-0304)**
  - Jessica Gugino, 8 Mountain View Ave., summarized her home renovation project.
  - After completion of the construction, the end of the road was regraded and trenched to control runoff.
  - DB moved to approve the request for COC; GB 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Public Hearing (cont'd): Request for Extension of OOC – Ridgeview Heights**
  - Commission discussed the two additional lots that were not listed in the original request from Mr. Mullaney.
    - Agreed that Mr. Mullaney should submit another formal request for these two lots.
  - JG moved to continue hearing to 06/26/08; GB 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Payables**
  - Ayer Greenway Committee: Invoice for materials from Moore's in amount of \$282.08
    - For trail signs and informational kiosk.
    - AGC Chairman Patrick Hughes verified the invoice amount and said the trailhead signs have been placed along Groton-Harvard Road.
    - GB moved to approve payment of invoice; DB 2<sup>nd</sup>.
      - Motion approved unanimously.
  - Lowell Sun: Invoice for legal ads in amount of \$93.50
    - Ads for 2 Wright Way and 9 Bishop Road.
    - CA has not yet rec'd payment from FMC Corp. (Bishop Road) for the legal ads.
    - Commission will take this up again on 06/26/08.
  - MACC Membership Dues: \$269.00
    - The MACC roster has been updated to include JG and DL.
    - GB moved to approve payment of MACC memberships; JG 2<sup>nd</sup>.
      - Motion approved unanimously.
- **Announcements/Other Issues**
  - BOS sent a request to all Town boards to update the appointments roster.
    - DB expressed interest in reappointment after his term expires 06/30/08.
    - GB moved to endorse DB for appointment to another 3-year term; JG 2<sup>nd</sup>.
      - Motion approved unanimously.



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- DB will ask CA to provide updated Commission roster to BOS.
- Memo from Mike Madigan, DPW, re: Fence enclosure of detention pond at Patriot Estates.
  - For public safety, Mr. Madigan strongly recommends enclosing the detention pond with a conventional fence at least 4 feet tall, rather than a vegetative barrier.
- Commission was copied on letter from DPW to Calvin Moore, re: John Riley Road.
  - DPW observed stormwater drainage deficiencies on John Riley Road.
- DEP will hold a conference on the new stormwater regulations, 06/18/08 in Springfield.
- Commission received a NOI application for a proposed sewer connection at 12 Willow Road.
  - The sewer line would be installed within wetland buffer zone and riverfront area.
  - Public hearing will occur 06/26/08.
- Icehouse Partners are planning their annual inspection of the Icehouse Dam on the Nashua River.
  - Do they need to file an RDA or NOI?
  - BD suggested contacting Shirley ConsCom to see what they require.
- Pondview CR
  - Received letter from attorneys for Pondview subdivision.
  - Will discuss 06/26/08.
  - BD will pull copies of the Commission's comment letter and Pondview's incomplete response letter.
- Pond Weed Monitoring
  - BD will verify that the funds (\$5,000) are still available.
  - CA will revisit the original Scope of Work for the ACT weed control contract, for insight into pond survey methodology.
  - Deadline for contract is 06/30/08.
- Informational letter for residents who live near the ponds
  - CA emailed final documents to DB for solicitation of printing cost quotes.
- DB moved to adjourn; GB 2<sup>nd</sup>.
  - Motion approved unanimously.

**Adjourn (10:00 PM)**