



## **Town of Ayer Conservation Commission**

Town Hall \* One Main Street \* Ayer, MA01432 \* 978-772-8249 \* 978-772-8208 (fax)

Minutes for **06/25/09** – **Approved 07/09/09**

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

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

### **7:00 PM – Open Meeting**

- **Accounts Payable**
  - MACC Membership Dues for FY10.
    - Total for 5 members plus 1 staff (CA) is \$243.00
    - DB moved to approve payment of MACC membership dues; JG 2<sup>nd</sup>.
      - Motion approved unanimously.
  
- **Public Meeting: RDA – 5 Hedgeway (off Wright Road)**
  - Susan Tordella-Williams presented a Request for Determination of Applicability (RDA) for a chicken coop and yard, fence, and up to 15 chickens.
  - The animals and structures will be located in their backyard, which abuts Sandy Pond.
  - The coop measures 5x8 feet and the two chicken yards measure 15x27 feet combined.
  - Distance from the nearest point (coop) to pond is approximately 18 feet.
  - Board of Health has approved the application, including the waste management plan.
  - The sketch plan does not indicate topography. Applicant stated that the land in the designated chicken area slopes away from the pond.
    - CA will stop by tomorrow to verify the topography. Otherwise, additional measures to prevent runoff of animal waste into the pond may be needed.
    - CA will also confirm completion of work on the house addition.
  - GB moved to continue meeting to 7/9/09; DB 2<sup>nd</sup>.
    - Motion approved unanimously.
  
- **Public Hearing: NOI – 1 Orchid Lane (DEP #100-0329)**
  - Peter & Elizabeth Edwards, 1 Orchid Lane, presented a Notice of Intent (NOI) to build a handicap-accessible pathway to their existing permanent dock on Long Pond.
  - They have submitted an application to DEP for a Ch. 91 dock license for the dock, bank stabilization work, and stone wall maintenance.
  - The dock is made of galvanized steel pylons and wood, and consists of three sections (dock, bridge, and pontoon – see Fig. 4).
    - Total area of the dock, bridge, and pontoon is approximately 340 square feet.
  - Construction of the pathway will require some filling and grading to achieve the recommended slope for wheelchair accessibility.
  - The steep bank has been damaged by storms and is eroding. Applicants propose to shift some of the large stones on the property to help stabilize the bank.
    - All work will be done by hand.
  - The existing wooden stairs leading down to the dock will be phased out after the pathway is completed.



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- The house and dock are located within rare species habitat. Applicants have been notified by NHESP that they will be required to submit a MESA Project Review Checklist.
- The site is also within the Petapawag Area of Critical Environmental Concern (ACEC).
  - No comments have been provided by the ACEC program.
- Commission scheduled a Site Walk on Monday, 6/29/09, at 6:30 PM.
- GB moved to continue hearing to 7/9/09; JG 2<sup>nd</sup>.
  - Motion approved unanimously.
  
- **Public Meeting: RDA – 105 Oak Ridge Drive**
  - Thomas Biolsi, 105 Oak Ridge Drive, presented a RDA for construction of a deck on the backside of the house on Flannagan Pond.
  - The proposed deck will be approximately 85 feet from the pond.
  - Six post holes will be dug by hand, or power auger if needed, and the soil will be spread in the gardens in front of the house.
    - Commission asked Mr. Biolsi to add his soil management notes to the plan.
    - No erosion controls will be required if the soil is handled as proposed.
  - The backyard is vegetated and somewhat terraced as it heads down to the pond.
  - GB moved to issue a Negative Determination; JG 2<sup>nd</sup>.
    - Motion approved unanimously.
  - Mr. Biolsi will provide a check to CA for cost of legal notice.
  
- **Meeting Minutes Approval**
  - 06/11/09: minor revision on page 2.
    - GB moved to approve 06/11/09 meeting minutes, as amended; JG 2<sup>nd</sup>.
      - Motion approved unanimously.
  
- **Discussion: Pond View Estates (Hicks Trust)**
  - CA received a copy of the Open Space plan from attorney Paul Alphen. The plan includes the Conservation Restriction (CR) boundary and will be recorded at the registry of deeds.
  - CA also received a copy of the CR document that has been sent to the Secretary of Environmental Affairs for final signature.
  - DB asked about public access to the CR land surrounding the walking trail.
    - It is not clear whether the public access is restricted to the trail only.
    - The plan indicates that the CR boundary will have signage placed at various points.
  - DB asked about obtaining copies of the future homeowners association's articles of association and other documents such as stormwater maintenance plan.
  - Items that would be required in advance of a Certificate of Completion (COC) include:
    - Statement from project engineer.
    - Maintenance of erosion controls.
    - Maintenance of wetland flagging.
  - The OOC was issued July 2005.
    - When was it extended?



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- **Updates**
  - Balch Dam
    - CA: boards are still out – Fire Chief says he will put them back in soon.
  - Spectacle Pond Weed Treatment
    - Received a copy of notification letter from Lycott Environmental, Inc. stating they had conducted weed treatment (herbicide application) on 6/24/09 at Spectacle Pond, per their contract with Town of Littleton.
  - Ridgeview Heights (Pingry Hill)
    - CA: Crabtree Development has requested a COC for the single house at the corner of Snake Hill Road and Littleton Road (Route 110).
    - DB expressed concern about the condition of Old Snake Hill Road.
    - CA will ask Rick Roper to inspect the road and report back to the Commission, possibly to schedule a site walk.
  
- **Executive Session pursuant to MGL Ch. 39, Sec. 23B, Exemption #6**
  - 9:25 – GB moved to adjourn the meeting for the purpose of entering into Executive Session.
    - Motion approved unanimously by roll call vote.
  - 10:05 – GB moved to adjourn Executive Session and reopen the meeting; JG 2<sup>nd</sup>.
    - Motion approved unanimously by roll call vote.
  
- **10:05 PM – Adjourn Meeting**
  - JG moved to adjourn, TT 2<sup>nd</sup>.
    - Motion approved unanimously.