



Town of Ayer Conservation Commission

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

Minutes for **08/13/09** – **Approved 08/27/09**

Location: Ayer Town Hall, 1st Floor

Members present: Dave Bodurtha (DB, Vice-Chair), George Bacon (GB), Takashi Tada (TT, Clerk), Jessica Gugino (JG), Alison McKay (TCA, Temporary Conservation Administrator)

Not present: Bill Daniels (BD, Chair), Becky DaSilva-Conde (CA, Conservation Administrator)

APAC taped: Yes

7:05 PM – Open Meeting

- **Public Meeting: RDA – Ch. 91 Dock License, 5 Standish Avenue**
 - JoAnn Quigley, 5 Standish Avenue, presented a Request for Determination of Applicability (RDA) for use and maintenance of an existing temporary dock, beach nourishment area, stone wall, and a proposed float on Sandy Pond.
 - Existing wooden dock has an area of 216 square feet; the proposed float will be 64 sq. ft.
 - GB moved to issue a Negative Determination, with Special Conditions governing the types of materials acceptable for future use; JG 2nd.
 - Motion approved unanimously.
 - Ms. Quigley provided a check for the legal notice.

- **Public Meeting: RDA – Ch. 91 Dock License, Sandy Pond Road (Map 22, Parcel 28)**
 - Ed Cornellier presented an RDA for an existing temporary dock, beach nourishment area, retaining wall with a concrete slab step, and floating beads on Sandy Pond. The RDA also includes a second temporary dock (proposed).
 - The parcel is located across from 97 Sandy Pond Road.
 - The existing dock is made of pressure-treated wood and measures 192 sq. ft. The proposed dock measures 96 sq. ft.
 - GB moved to issue a Negative Determination, with Special Conditions governing the types of materials acceptable for future use; JG 2nd.
 - Motion approved unanimously.
 - Mr. Cornellier provided a check for the legal notice.

- **Public Meeting: RDA – Ch. 91 Dock License, end of Wright Road (Map 22, Parcel 7)**
 - Ed Cornellier presented and RDA for a proposed temporary dock and beach nourishment of the natural shoreline of Sandy Pond.
 - The proposed dock will be constructed of aluminum or other suitable material, and will measure 160 sq. ft.
 - GB moved to issue a Negative Determination, with Special Conditions governing the types of materials acceptable for future use; JG 2nd.
 - Motion approved unanimously.
 - Mr. Cornellier provided a check for the legal notice.

- **Public Meeting: RDA – Proposed Shed, Sandy Pond Road (Map 22, Parcel 28)**
 - Ed Cornellier presented an RDA for a 10x12 foot prefab storage shed on the parcel located across from 97 Sandy Pond Road.



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- The sketch plan shows six concrete footings (10 inch), to be installed using sonotubes. It is possible that the actual shed will have nine footings (8 inch).
 - The shed will be located approximately 30 feet from Sandy Pond.
 - Commission asked about soil management and erosion controls.
 - The shed contractor will handle the soils accordingly.
 - The pond is protected from erosion by the site topography.
 - GB moved to issue a Negative Determination, with Special Conditions for soil management and erosion control; JG 2nd.
 - Motion approved unanimously.
 - Mr. Cornellier will notify TCA when the soil management plan is finalized with the contractor, and will provide updated drawings.
 - Mr. Cornellier provided a check for the legal notice.
- **Public Meeting: RDA – Proposed Additions, 28 Maple Street**
 - Perry Goldstein, 28 Maple Street, and Bartlett Harvey, contractor.
 - The planned additions include a new kitchen, screened porch, basement, and deck.
 - The corner of the porch is barely within the 100-foot wetland buffer zone.
 - Hay bales and silt fence will be installed for erosion control.
 - A dewatering basin will be installed per Commission specifications.
 - The site is outside of the 100-year flood plain.
 - GB moved to issue Negative Determination, with Special Conditions for erosion control and dewatering; JG 2nd.
 - Motion approved unanimously.
 - RDA signature page was not available to be signed.
 - **Discussion: Zoning Board of Appeals – Non-conforming Lot, 28 Maple Street**
 - ZBA sent a letter asking if Commission had any issues with the proposed project at 28 Maple Street, as described above.
 - No issues to report.
 - **Discussion: Tree Removal – 7B Sunflower Court (Pond View Estates)**
 - Karen Feranti, 7B Sunflower Court, sought permission to remove a problematic tree.
 - The tree trunk is bifurcated, and one half of the tree leans precariously toward their building. Branches scrape the roof during windy conditions.
 - The base of the tree is located within the Conservation Restriction.
 - The Ayer Tree Warden, Mark Dixon, inspected the tree and wrote a letter recommending removal due to imminent safety hazard.
 - The developer (Hicks) has not been responsive to Ms. Feranti's concerns.
 - Natural Heritage Program agreed that the leaning portion of the tree should be removed, but the remainder to be left in place within the CR.
 - GB moved to issue a letter to Ms. Feranti authorizing removal of the leaning portion of the tree, with copy to Hicks and the Tree Warden.
 - Ms. Feranti indicated that the first official meeting of the Homeowners Association is to occur the first week in September.



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- **Public Hearing (cont'd): NOI – Phase II, Ridgeview Heights (DEP #100-0330)**
 - Steve Mullaney, SJ Mullaney Engineering, discussed the site walk held 8/1/09 and reviewed the site plans and other information, including:
 - Riverfront analysis (copies provided).
 - Construction phasing plan.
 - Non-jurisdictional status of isolated wetland (potential vernal pool).
 - Commission is waiting for a response from Tata & Howard (Town's engineering consultants) to the request for stormwater review cost estimate.
 - GB moved to continue hearing to 8/27/09; TT 2nd.
 - Motion approved unanimously.

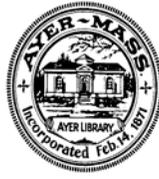
- **Accounts Payable**
 - Lowell Sun: \$472.35 for the following legal notices:
 - Weed Control RFP
 - Ridgeview Heights NOI
 - RDA's – Cornellier, Quigley, Goldstein
 - GB moved to approve payment to Lowell Sun; JG 2nd.
 - Motion approved unanimously.

- **FY09 Budget**
 - Lisa Gabree, Town Accountant, requested departmental review of FY09 budget items (spreadsheet).
 - Commission budget items include Beaver Control and Pond Weed Control.
 - DB will contact BD for input.

- **Meeting Minutes Approval**
 - 7/9/09: no changes
 - GB moved to approve 7/9/09 minutes, as written; JG 2nd.
 - Motion approved unanimously.
 - 7/23/09: no changes
 - GB moved to approve 7/23/09 minutes, as written; JG 2nd.
 - Motion approved unanimously.

- **Announcements**
 - Greenway Committee canoe trip on Nashua River is on Saturday, 8/15/09.
 - DEP sent a letter and registration form for its WIRE wetlands permit data service.
 - Zoning Map: DB presented a copy of the revised zoning map (draft) being considered for acceptance by the Planning Board.

- **Office Email**
 - Email attachments cannot be opened.
 - TCA will notify Shaun Suhoski and Evan Torlin about the problem.



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- **Ch. 91 Processing**
 - JG will come to the office on Friday to expedite processing of Ch. 91 paperwork.
- **Land Purchase with Community Preservation Act Funds**
 - Public Hearing is scheduled during the 8/26/09 meeting of CPA Committee.
- **Fall Site Visits**
 - GB listed several sites that should be considered for site visits before the winter:
 - Stratton Hill – JG will provide Dave Moulton’s phone number to TCA.
 - The Willows – Need to look at lingering siltation issues at the site.
 - 82 Groton School Road – Check on progress of Brent Routhier’s wetlands restoration.
 - Routhier Tire Facility – Coordinate a site visit with DEP.
 - 1 Wagon Road – Review house construction and roadway improvements.
 - New England Way – Has Roger Kinniard begun construction?
 - Ayer Moving & Storage – Have the boulders been replaced?
 - 9 Bishop Road – Status of soil remediation and wetlands restoration?
 - Sandy Pond 3
 - 52 Nashua Street (Twin Valley Homes)
- **9:45 PM – Adjourn Meeting**
 - GB moved to adjourn, JG 2nd.
 - Motion approved unanimously.