



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA01432 * 978-772-8218 * 978-772-3017(fax)
Minutes for **08/14/08** – **Approved 08/28/08**

Location: Town Hall, 1st Floor

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

Not present: Denis Luken

APAC taped: Yes

Start (7:00 PM)

- **Meeting Minutes Approval**
 - GB moved to approve 07/24/08 meeting minutes, with minor corrections; JG 2nd.
 - Motion approved unanimously.

- **Public Meeting: Conservation Restriction (CR) – Sandy Pond Estates**
 - Brian Vaughn, attorney, and Dave Murray, developer.
 - The CR has been negotiated with Massachusetts Natural Heritage & Endangered Species Program (NHESP), a part of MassWildlife.
 - Mr. Vaughn provided copies of the subdivision plan.
 - Plan shows older ‘no cut zone’ plus additional CR land.
 - Plan also shows existing utility easement between Lots 7 & 8.
 - Mr. Murray explained that he is installing chain link fence along the roadway, in lieu of a full concrete berm, to meet the turtle barrier requirements of the CR.
 - Will provide copies of As-Built Plans to the Commission upon completion of fence.
 - Fence must be approved by NHESP before the CR can be considered ‘final’.
 - Several residents in attendance asked about the purpose and logic behind the fence.
 - Mr. Murray stated that the fence is required by NHESP to protect the rare species (Blanding’s turtle) found in the area.
 - Commissioners explained that the fence is intended to minimize injury/death of turtles from vehicles on the road.
 - BD recommended that the residents contact NHESP directly with their questions and concerns.
 - Residents also asked about trail access, trail maintenance and signage.
 - Once the CR is finalized and accepted by Ayer BOS, maintenance and signage will become responsibility of the Commission.
 - TT explained that the Ayer Greenway Committee is a volunteer group that was formed to assist the Commission in these areas. Residents concerned about trail issues should consider participation in the Greenway Committee.
 - The next step for Mr. Murray is to complete the fence to NHESP’s satisfaction, after which Commission will conduct final site walk.

- **Public Hearing (cont’d): Amended OOC for Ayer DPW - Grove Pond Wells (DEP #100-1310)**
 - CA prepared Amended Form 3 with Special Conditions.
 - JG moved to approve amended OOC; GB 2nd.
 - Motion approved unanimously.
 - GB moved to close hearing; JG 2nd.



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- Motion approved unanimously.
- **Payables**
 - Lowell Sun legal notices:
 - \$40.80 for DPW Grove Pond Wells; DPW to transfer funds.
 - \$92.40 for CPA Article 23 (Greenway Committee trail kiosks); funds to be transferred from CPA account.
 - DB moved to approve payment of Lowell Sun bills; GB 2nd.
 - Motion approved unanimously.
 - CPA Article 23 invoice:
 - Commission reviewed and signed the accounting data provided by Lisa Gabree.
 - \$5,493.11 has been spent so far. The approved budget is \$7,200.00
 - DB moved to notify Lisa Gabree of their concurrence with the data; JG 2nd.
 - Motion approved unanimously.
- **Discussion: Town Accountant Spreadsheet for Town Boards**
 - Commission reviewed accounting data from Lisa Gabree re: various accounts.
 - Pond weed control and beaver control are the two accounts highlighted for Commission review.
 - Both accounts remain open.
- **Discussion: Pond Information Packet**
 - CA mailed the information packets last week Friday to residents on Sandy & Long Ponds.
 - A total of 48 envelopes were mailed.
 - BD suggested a public meeting in October to address any questions from recipients re: dock licenses.
 - Residents could then coordinate amongst themselves to share the cost of filing for RDA (temporary dock) or NOI (permanent dock) by having their applications considered at the same public hearing.
- **Discussion: Ayer Stormwater Bylaw**
 - Mike Madigan, DPW Superintendent, has submitted his resignation to BOS. Therefore the Stormwater Committee is on hold for now.
 - Bylaw is being review by the Attorney General.
- **CA Updates**
 - Schedule: CA will be off next week.
 - 32 Wright Road (Harry Zane residence): Will conduct a site visit tomorrow.
 - Mr. Zane wants to expand and landscape his driveway, which requires work within buffer zone.
 - Mr. Zane also wants to create an informational video re: filing a NOI.
 - Elizabeth Estates: Will conduct follow-up visit tomorrow.



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- 9 Bishop Road (FMC Corp. remediation): Water levels are too high to perform work.
- Army Corps of Engineers: Are conducting a survey of Commissions re: stream crossing projects.
 - Survey will help Corps of Engineers improve their Programmatic General Permit (PGP) oversight.
 - MBCR culvert replacement is the only stream crossing project in Ayer during last 3 years.
- San-Vel Property: Shaun Suhoski sent Town's official comments on the proposed unloading facility located within Spectacle Pond Zone II aquifer.
 - Town requests additional environmental investigation and review.
- DCR Dam Inspections: Balch Pond Dam was found to pose a "significant safety hazard".
 - CA will contact DPW for more info.
 - Plow Shop Pond dam was also mentioned, but repairs are being undertaken by the dam owners, Moore Lumber Co. The owners have applied for a DCR permit to do the minor repair work.
- Fletcher Property: Will contact Joe Bellino, DEP, re: wetland area in the final lot to be developed.
 - Developer had previously been reluctant to file for work within the wetland buffer zone.
- **Other Issues**
 - JG: There appears to be some work being done in the wetland buffer zone at 6 Wright Road.
 - Commission had issued a Violation Notice and performed a site visit in June 2006.
 - GB: Town of Ayer Volunteer Fair will be held September 13, 2008 in Town Hall.
 - GB: The Nashoba Valley Medical Center project has been scaled back. The new plan is to reuse existing facilities at the hospital, rather than constructing new buildings.
 - BD: Elizabeth Estates site has been beset by erosion control issues, including offsite erosion on Highland Street where the pavement has been cut.
 - BD: Received a call from member of Planning Board re: sand in road at former Fletcher Property.
- GB moved to adjourn; DB 2nd.
 - Motion approved unanimously.

Adjourn (9:15 PM)