



Town of Ayer Conservation Commission

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

Minutes for **09/24/09** – **Approved 10/08/09**

Location: Ayer Town Hall, 1st Floor

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

APAC taped: Yes

7:10 PM – Open

- **Discussion: Enforcement Order – The Willows, Willow Rd. (DEP # 100-0288)**
 - Matt Goodfriend of Habitech Inc., and Jesse Johnson of David E. Ross Inc., discussed the Enforcement Order issued for recurring erosion/siltation problems at the site.
 - DB explained the reasons for his issuance of the Order:
 - Soil from the development washes down to Willow Road after every storm event. The latest event occurred on 08/28/09.
 - The affected roadway did not appear to be cleaned up in a timely manner.
 - Mr. Goodfriend stated that the area was cleaned up within 24 hours. A sweeper is kept onsite.
 - Mr. Goodfriend requested the Commission provide him with a phone number that he could contact to notify of corrective actions following storm events.
 - There is always someone at the site (Monday through Friday).
 - BD said the real issue is that the runoff problems appear to be systemic.
 - BD provided his contact information to Mr. Goodfriend.
 - Mr. Goodfriend said the historic alteration of the site contributes to difficulties in controlling runoff.
 - Mr. Goodfriend also said the drainage infrastructure has not been completed – the curbing, topcoat, and sidewalks are not yet in place.
 - This contributes to the current situation, but the drainage will improve once everything is installed (by the end of this season).
 - BD suggested installing check dams right away, to help control runoff.
 - BD also requested a follow-up report from the developers in November.
 - Mr. Johnson pointed out the two open lots near the top of the hill as a major source of the siltation. The area has not been seeded because the homes will be built this fall.
 - Mr. Johnson said they would install check dams in this area, i.e. a series of arced settling basins surrounded by hay bales.
 - These basins will be installed next week.
 - BD asked what they would do if siltation problems persist after the drainage infrastructure is complete.
 - Mr. Johnson said he would study the soils data and determine what other measures could be employed to eliminate the problem, if it persists.
 - They will report back to the Commission on 11/19/09.
 - GB moved to ratify the Enforcement Order; JG 2nd.
 - Motion approved unanimously.



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- **Public Hearing (cont'd): NOI – Phase II, Ridgeview Heights/Pingry Hill (DEP #100-0330)**
 - Steve Mullaney, SJ Mullaney Engineering
 - Commission reviewed the draft Order of Conditions (OOC)/Special Conditions with Mr. Mullaney, making amendments on the fly.
 - GB moved to issue the OOC with Special Conditions, as amended; JG 2nd.
 - Motion approved unanimously.
 - JG moved to close the public hearing for DEP #100-0330; GB 2nd.
 - Motion approved unanimously.

- **Public Hearing (cont'd): NOI – MBCR Culvert Replacement (DEP #100-0331)**
 - BD reviewed the site walk held on 9/19/09 at Milepost 33.36 of the Massachusetts Bay Commuter Rail (MBCR) line, near the Willow Road crossing.
 - Work was completed, and the site was cleaned up satisfactorily.
 - There were no problems with water management at the site.
 - TCA received email notification from MBCR of an inspection to be held 10/5/09.
 - GB moved to close the public hearing for DEP #100-0331; JG 2nd.
 - Motion approved unanimously.
 - Note: The previous culvert replacement site was also inspected.
 - Aside from the large concrete pipes stored next to the rail, the site looks fine.

- **Discussion: COC Request – Central Avenue Pumping Station (DEP #100-0314)**
 - TCA received letter from Hoyle, Tanner & Associates, dated 8/27/09, requesting a Certificate of Compliance (COC) on behalf of Ayer DPW for the Central Avenue pumping station rehabilitation project.
 - TCA inspected the site in July – no issues to report.
 - GB moved to issue a COC for DEP #100-0314; JG 2nd.
 - Motion approved unanimously.

- **Meeting Minutes Approval**
 - 8/27/09: minor corrections, pages 1 & 2.
 - GB moved to approve 8/27/09 minutes, as amended; JG 2nd.
 - Motion approved unanimously.
 - 9/10/09: minor correction, page 4.
 - GB moved to approve 8/27/09 minutes, as amended; JG 2nd.
 - Motion approved unanimously.

- **Update: Grove Pond Wells Pumping Test**
 - Tata & Howard notified Commission that the pumping test ended today, instead of yesterday as planned.
 - DEP required one additional day of pumping to allow the aquifer to stabilize.

- **Update: Stratton Hill Subdivision**
 - Dave Moulton filed a new NOI on 9/22/09.



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- Mr. Moulton's representative, R. Wilson & Associates, sent a letter requesting a hearing date beyond the required 21 days.
- The public hearing will be on 10/22/09.

- **Discussion: Pond View Estates – Condominium Association**
 - Commission will conduct a Site Walk on Saturday, 9/26/09, at 8:30 AM (meet at the dock on Long Pond) to view the residents' concerns firsthand and discuss possible solutions.
 - DB said he had reviewed the Housing Association documents.
 - It appears the Condo Association is part of (i.e. a subset of) the larger Homeowners Association.
 - DB stated that his review of the Pond View file shows the original OOC issued for the project expired 5/21/06.
 - The Amended OOC expired 7/27/08.
 - Hicks Inc. no longer has a valid permit to do work on the site.
 - BD will ask DEP Circuit Rider for advice on how to proceed.

- **Site Walks**
 - Routhier Tire Facility
 - Saturday, 10/03/09, at 8:30 AM.
 - TCA will review the Enforcement Order and coordinate with Routhier and DEP.
 - Autumn Ridge Subdivision
 - The dirt pile remains near the entrance.
 - 9 Bishop Road (FMC Corp.)
 - TT will contact Mike Shannon, FMC Corp., for an update.
 - Sandy Pond 3
 - Did they meet the requirements set forth by Natural Heritage?
 - Twin Valley Homes
 - They have an open OOC. Commissioners may visit the site at any appropriate time.

- **Member Updates**
 - JG: Long Pond Dam was cleared once during summer by DPW, but the accumulation of debris is an ongoing issue.
 - Tom Cowley expressed concern to JG about the debris being deposited on his side of the dam.
 - JG suggested to Mr. Cowley that he discuss the issue with Dan Nason, DPW Superintendent.
 - JG: Memo from Town Administrator about Open Meeting Law training sessions.
 - Trainings scheduled on 11/04 and 11/18.
 - Contact Janet Lewis if interested in attending.
 - GB: Volunteer intern
 - Suggested research focus: stewardship of land under Conservation Restriction.



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- GB will contact the potential volunteer, as well as Steve Smith of the Greenway Committee.
- GB: MACC has announced its Fall Conferences.
- GB: Status of Sandy Pond 3 CR
 - BD will contact Amanda Veinotte, Natural Heritage Program, for an update.
 - TCA will review the OOC.
- BD: Land Purchase, Oak Ridge Drive
 - The Community Preservation Committee (CPC) voted yesterday to support the purchase of the Tooker property on Oak Ridge Drive, for conservation.
 - CPC will submit a warrant article for Fall Town Meeting.
 - Commission needs to hold public hearings in advance of Fall Town Meeting.
 - Other ways to publicize include a newspaper article and/or letter to editor, message on APAC, announcement on Town Crier (Mary Spinner).
- **9:50 PM – Adjourn**
 - JG moved to adjourn, GB 2nd.
 - Motion approved unanimously.