

Town of Ayer Conservation Commission

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

Minutes for **12/03/09** – **Approved 12/17/09**

Location: Ayer Town Hall, 2nd 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

7:05 PM – Open Meeting

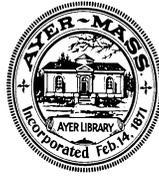
- **Public Meeting: Request for COC – 12 Robbins Road (DEP #100-0073)**
 - Francis and Marie-France Day, 12 Robbins Road, presented a request for partial Certificate of Compliance (COC).
 - The partial COC request is for the Order of Conditions (OOC) issued for the subdivision infrastructure.
 - A previous COC specific to their house lot was issued in 1999 (DEP #100-0126).
 - GB moved to approve request and issue partial COC for 12 Robbins Road; JG 2nd.
 - Motion approved unanimously.
 - CA informed the Days that they can pick up the signed COC form on Friday and have it notarized by Town Clerk.

- **Public Meeting: Request for COC – Wright Road Infrastructure (Stratton Hill)**
 - Received a request for COC from Fox Meadow Realty Co., for sewer infrastructure and roadway resurfacing along Wright Road, as part of Stratton Hill subdivision.
 - JG reminded the Commission that the project engineer, Drew Garvin of R. Wilson Associates, stated that the final paving would not be completed this year.
 - CA will notify Mr. Garvin that the Commission will take up the request for COC again in 2010 after completion of the road work.

- **Accounts Payable**
 - Tata & Howard: \$1,942.10 – for review of stormwater infrastructure plans, Ridgeview Heights Subdivision (Phase II).
 - GB moved to approve payment of invoice from Tata & Howard; JG 2nd.
 - Motion approved unanimously.

- **Meeting Minutes Approval**
 - 11/19/09: minor corrections on pages 2 and 4.
 - GB moved to approve 11/19/09 minutes, as amended; JG 2nd.
 - Motion approved unanimously.

- **Announcement**
 - Commission received a signed copy of the Stipulation of Dismissal in the lawsuit brought against the Town by Thomas & Heidi Cowley.



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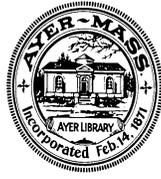
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- **Update: CPA Land Purchase – Tooker Property (Map 21, Lot 46)**
 - CA: Kopelman & Paige provided a copy of the recorded Quitclaim Deed, for conservation purposes, of the former Tooker property (Middlesex Registry, Book 53799, Page 411).
 - DB: The Community Preservation Committee (CPC) has learned that a Conservation Restriction (CR) is required to be placed on all open space lands acquired using Community Preservation Act (CPA) funds.
 - CR must be held by a suitable entity (eg. land trust) not affiliated with the Town.
 - CA: no update on retrieval of items stored in the shed by Mr. Sparks.

- **Discussion: Hunting on Town Conservation Land**
 - Town Police received a call from resident about hunters entering/exiting the trailhead at Pine Meadow Conservation Area.
 - Issue was forwarded to Town Counsel for input.
 - Town Counsel stated that hunting is not allowed on Town property unless specifically authorized.
 - It is unknown if an official hunting policy has been established in the past.
 - GB suggested allowing deer hunting through the end of the season, while formulating rules/regulations and holding public hearings on the issue.
 - In the interest of public safety, BD suggested posting No Hunting signs at the trailhead and providing notice in the *Public Spirit*, until an official hunting policy is in place.
 - JG acknowledged mutual interests between hunters and conservationists.
 - Commission will hold public meetings in near future to discuss hunting policy.
 - JG will post No Hunting sign at the trailhead.
 - BD will write letter to the editor.

- **CA Updates**
 - Received copy of the recorded CR for Orion Park.
 - 71 Sandy Pond Road
 - Board of Health is sending a third violation notice to Mark Velarde regarding unpermitted chickens in his yard.
 - The letter specifies the fines for such a violation.
 - Pond View Culvert repairs
 - Dave Hicks is not doing any work, ostensibly due to high water levels.
 - BD and DB talked about the possibility of using Beaver Control funds in conjunction with DPW, if Mr. Hicks leaves the culvert in disrepair.
 - BD asked CA to send another letter to Mr. Hicks.

- **Member Updates**
 - TT: Significant reductions in DEP staffing have begun, as part of budget cuts and reorganization of the Executive Office of Energy and Environmental Affairs (EEA).



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- TT: FMC Corp., 9 Bishop Road
 - TT will forward email from Mike Shannon, FMC Corp.
 - As-Built drawings have been sent to CA.
 - Commission should plan a springtime site walk to inspect wetland restoration and final site grading.
 - BD: Fire Chief Pedrazzi notified DPW of beaver debris restricting flow at Balch Dam.
 - The boards have been removed, but pond levels do not appear to be dropping.
 - JG: Met a DPW backhoe operator at Long Pond Dam.
 - The operator was removing debris from above the dam and dumping it below.
 - It is unclear if the property below the dam belongs to the Town – it may be private land of the Cowley family.
 - The operator said DPW does not have equipment to haul out the debris.
 - JG: 2010 Meeting Schedule
 - JG moved to post the meeting schedule for 2010 calendar year; GB 2nd.
 - Motion approved unanimously.
 - GB: Notary Public – Town Public
 - Anne Callahan, Town Clerk, has indicated she will retire before her term expires.
 - This could affect ability to notarize forms in a timely manner.
 - DB asked about possibility of CA becoming a Notary.
 - CA will look into it.
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- **8:30 – Adjourn Meeting**
 - GB moved to adjourn; JG 2nd.
 - Motion approved unanimously.