

Town of Ayer Conservation Commission

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

Minutes for **01/14/10** – **Approved 02/11/10**

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), Becky DaSilva-Conde (CA, Conservation Administrator)

APAC taped: Yes

7:10 PM – Open Meeting

- **Meeting Minutes Approval**

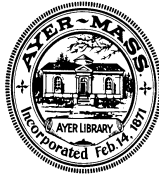
- 12/17/09: minor corrections on Page 2.
 - JG moved to approve 12/17/09 minutes, as amended; GB 2nd.
 - BD abstained from voting – was not present on 12/17/09.
 - Motion approved 4-0.

- **Discussion: Violation Notice, 152 Central Avenue**

- John Canney, 152 Central Avenue
- BD read the Violation Notice issued to Mr. Canney for tree cutting and storage of building materials next to Flannagan Pond (within buffer zone).
- Mr. Canney explained that a few trees were stripped/topped and will be left in place.
 - He also wants to put up bat houses and plant several trees, including conifers for Christmas trees and a variety of fruit trees.
- BD advised Mr. Canney that erosion controls might be required during tree planting.
- DB also warned him about the potential of beaver damage to trees.
- BD requested Mr. Canney to remove the building materials (cement blocks) from the buffer zone, and to contact CA to have a look at the site prior to doing any work.
- Mr. Canney agreed to remove the blocks and contact CA in advance of tree planting.

- **Discussion: Hunting on Town Land – Pine Meadow Conservation Area**

- Research conducted by DB indicates the land was deeded in the 1970's by the Pine Meadow Trust to the Town of Ayer, acting through the Conservation Commission.
 - The deed makes reference to M.G.L.(A) Ch. 40, Sec. 8c., which assigns jurisdiction to the Conservation Commission.
- BD explained the Commission is awaiting confirmation that the BOS is in agreement with the Commission having care and control of the land.
 - After BOS weighs in, Commission will schedule public hearing(s) regarding the establishment of land use policy on conservation land.
- Per Town Counsel, hunting is generally not allowed on Town property. However, the Town (i.e. the Commission) can establish a policy whereby hunting is permitted on conservation land.
 - No such policy exists currently, as far as we know.
- Residents in the audience suggested restrictions on other uses (eg. walking) during hunting season.
- BD suggested seeking input from Massachusetts Municipal Association.

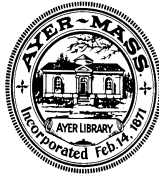


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- DB will speak to Gun Club members and other private landowners regarding hunting policy on lands adjacent to the conservation area.
- **Discussion: Violation Notice – 71 Sandy Pond Road**
 - Mark Velarde, 71 Sandy Pond Road
 - DB explained the Violation Notice for unauthorized activities within wetland buffer zone.
 - There is a large storage container, plus other materials, next to the wetland.
 - There are vehicles stored on the lot, possibly being refueled in buffer zone.
 - Water level in the wetland appears to be rising.
 - Mr. Velarde explained that he has not been able to construct his permitted project (large shed) due to lack of funds.
 - He plans to request an extension to his Order of Conditions (OOC), and he thanked CA for helping with this request.
 - He also ran afoul of the Board of Health regarding unauthorized chickens.
 - He said rising water level is due to excessive runoff from various sources including Cannongate Apartments, the new construction on Snake Hill Road, and Sandy Pond Road.
 - Also, there may be a blocked culvert under Sand Pond Rd.
 - Refueling of vehicles does occur in the paved area of his lot, but he uses absorbent booms and is careful. He does not want spills on his property.
 - BD suggested arranging a springtime visit by CA and Dan Nason of DPW, in order to review the wetland resource area and possibly indentify the source(s) of high water.
- **Discussion: Violation Notice – Fence on CPF (Pepsi Co.) Parcel, Sandy Pond Road**
 - Received an email response from Don Smallwood, of Epic Enterprises.
 - The parcel at Sandy Pond Road/Snake Hill Road is owned by Epic Enterprises, not CPF.
 - Mr. Smallwood wrote that Epic installed the fence to protect their wellhead, and they plan to expand the fence.
 - BD suggested requesting site plans from Epic, and arranging a springtime site visit.
 - DB will respond to Mr. Smallwood's email.
- **Public Meeting: Tooker Property**
 - DB provided the abutters list and a copy of the letter mailed to abutters of the former Tooker property, which was purchased by the Town in 2009 for conservation and recreation.
 - The letters were sent out 1/6/10.
- **Discussion: Representative on Community Preservation Committee (CPC)**
 - DB, the Commission's current representative on CPC, notified the Town of his desire to step away from the CPC role.
 - CPC usually meets on the first Wednesday of each month.
 - DB moved to nominate JG as the Commission's new CPC representative; GB 2nd.
 - JG enthusiastically accepted.

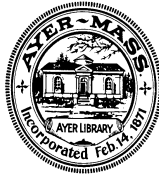


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- DB indicated he will serve on CPC for two more months with the goal of preparing past meeting minutes for approval.
- Motion approved unanimously.
- **CA Updates**
 - Information Kiosk: CA is updating the materials available to the public in office kiosk.
 - Updates include RDA, NOI, COC, and 2010 meeting schedule with filing deadlines.
 - CA is also working to complete a “tool kit” for residents/applicants.
 - Other information that could/should be made available?
 - Maps of wetlands, trails, conservation land, etc.
 - CA would also like to enhance the information available on the Town website.
 - TT volunteered to create GIS maps with pertinent data layers.
 - Site Visits
 - Eagles Nest: the first house appears to be done, the second house is being framed.
 - Dave Canney had to clear more trees than expected due to utility work and the poor (sandy) soils.
 - Pond View Estates: the culvert work has been completed and the developer (Hicks) appears to have vacated the site. Louise, the office volunteer, took some photos of the culvert area.
 - Commission will inspect work in the spring.
 - Pheasant Run: Canney Bros. have completed the project and will be requesting a COC.
 - Autumn Ridge: New owner/contractor
 - CA will get the new ownership information from GPR or Steve Smith.
 - Willow Road: detention basin
 - DB mentioned the new detention basin along Willow Road.
 - Next meeting agenda
 - Includes an RDA for Ch. 91 dock license (DEP-approved late filing).
 - Ideas for Louise, the office volunteer
 - Data entry for permit tracking.
 - Mailing for residents abutting the ponds.
- **Announcements**
 - Nashua River Watershed Association (NRWA) will hold a “Watershed Summit” on 01/30/10.
 - For more information, contact Mark Archambeault (978-448-0299).
- **Member Updates**
 - JG has a digital camera available for use by CA.
 - JG: Pond Weed Control RFP
 - It is time to begin preparing the RFP.
 - JG asked about road salt application by DPW.



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- DB said the DPW has been using Ice-Ban (de-icing product) in some areas, but they are still using salt and/or sand in most cases.
 - GB happily volunteered to prepare the Commission's Annual Report for inclusion in the Town's Annual Report (reports due next month).
 - Commission voted unanimously to authorize GB to prepare the report.
 - BD suggested including a tally of filings over the past year.
 - DB mentioned he uncovered a more recent wetlands bylaw that is more fully developed than the single-page 1984 version.
 - DB suggested posting the newer bylaw on the Town website.
 - DB will email the bylaw to the group.
 - DB: Orchid Lane (former Badger House)
 - DB learned that the Peter and Elizabeth Edwards are part of the Pond View Homeowners Association.
 - DB: Disposition of property located at 76 Central Avenue.
 - There has been some discussion among residents and Town officials about the future of the property n/f of the Hudlins.
 - The parcels are located behind the VOA Assisted Living facility.
 - BD said he liked the idea of beginning each meeting with the Pledge of Allegiance.
- **9:40 – Adjourn Meeting**
 - GB moved to adjourn; JG 2nd.
 - Motion approved unanimously.