

## **Town of Ayer Conservation Commission**

Town Hall \* One Main Street \* Ayer, MA 01432 \* 978-772-8249 \* 978-772-8208 (fax)  
Minutes for **8/22/2013** – Approved 9/12/2013

Location: Ayer Town Hall, 1st Floor, Small Meeting Room

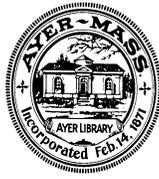
Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Takashi Tada (TT), Lee Curtis (LC), Jessica Gugino (JG, Clerk)

Not present: Becky DaSilva-Conde (CA, Conservation Administrator)

APAC taped: No

### **7:16 PM – Open Meeting**

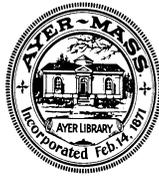
- **Confirmation of Agenda**
  - Discussion of a proposed drainline extension for Pingry Hill was added.
  - GB moved to confirm the agenda as amended; TT 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Discussion: Pingry Hill Subdivision, new plan for drainline extension, DEP #100-0341**
  - Steve Mullaney, of SJ Mullaney Engineering, and Rick Roper, of Crabtree Development, were present.
  - Mr. Mullaney distributed copies of the new drainline extension.
  - As discussed at ConCom's 8/8/13 meeting, contractors for the subdivision ran into problems when they attempted to tie-in to the stormwater drainage system at the bottom of Hemlock Drive through two State catchbasins on Rte. 2A.
    - Mass Dept. of Transportation (DOT) discovered that the State's catchbasins were clogged.
    - The State was unable to clean them out.
    - The State then discovered they did not have the easements to do this work and it would take many months to get them.
  - As a result, attorneys for Mr. Roper negotiated a new easement with Littleton Lyne Apartments (LLA) across Rte. 2A, and will make the drainage connections there.
    - Mass DOT has indicated they will do the re-paving on Rte. 2a once the tie-in has been completed.
  - Mr. Mullaney also said the State's new protocol (as of 2012) is that if crossing a state highway, a parallel line must be put in so as not to comingle with the State's highway drainage.
  - Mr. Mullaney said the new plan (Plan 2-A-110) entails running the drainage line, on the LLA side, between the parking lot and a paved driveway.
    - There will be one cut-and-cover driveway crossing.
    - The first 87-ft. of pipe (out of a total of 360 ft.) will be within the buffer zone.
    - The location of the pipe will be positioned so that it does not conflict with LLA's proposed future connection on the Pingry Hill side.
    - Mr. Mullaney said the new drain line is further removed from the wetlands than the one originally proposed and approved.
    - Mr. Mullaney said the work is planned for this fall.
  - GB moved to approve a field change to the OOC for 100-0341; TT 2<sup>nd</sup>.



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- Motion approved unanimously.
- In addition, Mr. Roper has now engaged the services of Desheng Wang, a hydrologist and wetland scientist, as requested by ConCom and Mass DEP in the recent Enforcement Orders.
  - Mr. Roper admitted he has already learned a great deal from Mr. Wang.
  
- **Announcements**
  - Freedom’s Way Heritage Association will sponsor “A Walk Through Time” at 2 p.m., 10/20/13, in Concord.
    - The walk entails a guided tour of the Sleepy Hollow Cemetery.
  
- **Meeting Minutes**
  - GB moved to approve the minutes for 8/8/13 as barely amended; LC 2<sup>nd</sup>.
    - Motion approved unanimously.
  
- **Accounts Payable**
  - The Sun Newspaper: \$57.28, for the legal ad for Patrick Hughes’s RDA.
    - GB moved to approve payment of \$57.28; LC 2<sup>nd</sup>.
      - Motion approved unanimously.
  
- **CA Updates**
  - JG presented the updates for CA.
  - Flannagan Pond weed treatment
    - ACT performed an additional second booster treatment on 8/20/13.
  - Beaver dam management plan
    - CA has communicated with Mike Callahan, of Beaver Solutions, about ConCom’s interest in performing a Saturday site walk to inspect 8 beaver dams in Ayer.
    - Mr. Callahan offered a number of possible dates and would charge \$250 for the day’s visit.
    - After discussion, ConCom members agreed to the \$250 fee and will plan to perform the site walk on the morning of 9/7/13.
  - Floodplain request
    - CA received a request from the Federal Credit Union (FCU) requesting that the bank located at 72 Park Street have its status changed to indicate it has been removed from being located within floodplain Zone A.
      - FCU asked for ConCom to sign off on this change.
      - CA said FCU is requesting the removal so that it no longer has to pay floodplain insurance fees.
    - BD said ConCom has no jurisdiction over floodplain zoning.
    - DPW Superintendent Mark Wetzel happened to be passing by and stopped in.
      - BD suggested DPW has jurisdiction and would be the one to properly consider this request.



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- Mr. Wetzel accepted the paperwork and said he would look into it.
- DPW
  - While present, Mr. Wetzel said he would be coming in soon to address ConCom over work to be proposed on the Victor Drive culvert.
  - Also referring to work at Spectacle Pond, Mr. Wetzel said that CA had asked that the wetlands here be surveyed and reflagged.
    - BD confirmed that this is ConCom's policy.
- Autumn Ridge
  - CA has requested that Calvin Goldsmith, of Goldsmith, Prest & Ringwall, attend ConCom's 9/12 meeting.
  - CA has learned that the project is now wrapping up and that only 2 or 3 units are left to sell.
  - CA also just learned that Building Inspector Gabe Vallente has been issuing Occupancy Permits for newly-completed units.
    - In April, ConCom requested that these permits be withheld due to outstanding conservation violation / enforcement issues requiring remediation.
- **Member Updates**
  - TT said that an 8/29 site walk, led by the Army, will tour the remediation work being done at Plow Shop Pond.
  - JG said that CPC was unable to hold its regular August meeting due to lack of a quorum.
    - CPC had planned to meet with Town Administrator Robert Pontbriand at that time to discuss the crossing easement for Kohler Place, a possibility for Open Space acquisition.
    - JG noted that the BOS meeting agenda for 8/22 (meeting concurrently) included an item asking for BOS authorization to negotiate a Purchase-and-Sale Agreement for Kohler Place.
    - JG said that CPC's position was that this was premature given CPC has not been able to review Town Counsel's opinion as to the status of the crossing easement.
      - CPC has not yet held a Public Hearing nor taken any votes as to whether it will support a purchase.
    - Since ConCom, after its adjournment, would be attending the BOS meeting to discuss a comprehensive survey of Ayer ponds, JG suggested this might be an opportunity for ConCom also to ask questions about the status of the crossing easement at Kohler Place.
- **8:35 PM – Adjourn Meeting**
  - GB moved to adjourn; JG 2<sup>nd</sup>.
    - Motion approved unanimously.