

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **11/21/2013** – Approved 12/19/2013

Location: Ayer Town Hall, 1st Floor

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

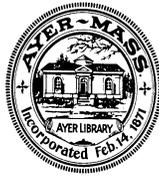
APAC taped: Yes

7:23 PM – Open Meeting

- **Confirmation of Agenda**
 - The Public Meeting for Requests for Amendments and Certificates of Compliance (COC), Easy Street subdivision, was postponed to the next ConCom meeting.
 - GB moved to continue the Public Hearing for EPIC Enterprises to 12/5; TT 2nd.
 - Motion approved unanimously.
 - [Note: this was subsequently reopened and continued to 12/19 later in the meeting.]
 - GB moved to confirm the agenda as amended; TT 2nd.
 - Motion approved unanimously.

- **Public Hearing (cont'd.): NOI – Spectacle Pond Wells, Ayer DPW, DEP # 100-0366**
 - ConCom performed a site walk with DPW Superintendent Mark Wetzel on 11/16.
 - Plans to cut the adjacent hillside / esker down to protect the water supply and wells were found on-site to be acceptable.
 - Mr. Wetzel indicated at that time that the construction for the final installation phase of infrastructure might be done in stages.
 - GB moved to approve and issue an OOC for 100-0366; TT 2nd.
 - Motion approved unanimously 4-0 (LC not present).
 - CA will use the same OOC template, minus site-specific conditions, as was used for the recently issued DPW OOC for the Victor Drive culvert replacement.
 - GB moved to close the Public Hearing for 100-0366; TT 2nd.
 - Motion approved unanimously.

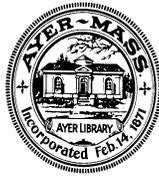
- **Public Hearing (cont'd.): NOI – 5 Ledgeaway, Debra Turner, DEP # 100-0367**
 - J. P. Connelly, of Goldsmith, Prest & Ringwall (GPR), represented the Turner NOI.
 - Abutter Barbara Mack asked and received permission to separately record the hearing for absent abutters.
 - ConCom performed a site walk on 11/16 with Bruce Ringwall, of GPR, who passed his notes on to Mr. Connelly.
 - Based on a GPR meeting with the Ayer Zoning Board of Appeals (ZBA) on 11/13, the plans for the proposed tear-down and rebuild have already been revised.
 - The ZBA will not hold a final vote on the plans until its 12/11 meeting at the earliest.
 - With the understanding that ConCom would not vote on the NOI until after the ZBA had concluded its business with the proposal, and until ConCom had final revised plans before it, Mr. Connelly proceeded to update the Commission on the current status of the plans.
 - The primary changes thus far are a reduction in the size of the planned house, with a corresponding reduction in footprint from 2100 sf to 1986 sf;
 - The west wall, half of the north wall, and flooring from the old house will be retained;
 - The new house has been repositioned to adjust to the current footprint;



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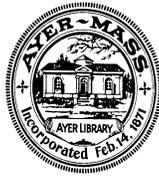
- The bulkhead has been removed;
- The driveway will now be paved;
- The shed will be razed;
- The entire construction site will be fenced in and, except for the construction gate, will be enclosed by straw wattles for erosion control;
- An additional 50 ft. of straw wattle will be stored on site for emergency use.
 - In the event of heavy downpours, wattling would be extended across the construction gate as well;
- The construction gate will be closed and locked every night;
- The construction plans will include a general disclaimer specifying that the contractor will perform street sweeping in the event any material is tracked off-site onto Ledge way.
- Using a revised plan, which ConCom does not yet have a copy of, Mr. Connelly detailed the planned construction sequence:
 - Cut down and immediate removal of trees, stumps, and shrubs – no stockpiling on site;
 - Tear down and immediate removal of $\frac{3}{4}$ of existing house as well as all of shed;
 - Jacking up of salvaged portion of two walls and flooring;
 - Excavation underneath remainder of house;
 - Excess material not needed for backfilling will be immediately removed from the site;
 - Pouring and setting of foundation;
 - Backfilling of material pulled back for framing of foundation;
 - Excavation of stumps and roots;
 - Installation of utilities (underground electrical, water, sewer, above-ground telephone);
 - House construction;
 - Driveway construction;
 - A minor amount of re-grading work will be done on the street side of the house to prevent water from flowing toward the building.
- Other details:
 - A dry well will be located at the south/southeast corner of the property.
 - Mr. Connelly noted the possibility an additional one may be necessary as well.
 - The new plans will show a sump pump in the basement.
 - Gutters will be used to control runoff from the roof, extending to the dry well.
 - A dewatering basin has been added to the plan, located at the top of the slope closest to Sandy Pond.
 - Mr. Connelly said that, given the space limitations on the lot, no construction trailer would be used.
 - What would be located at the top of the site, outside of the buffer zone, are:
 - A dumpster and concrete wash-out;
 - A small van for protection of equipment and tools from the elements;
 - Any equipment containing fuel, such as excavators;
 - A stockpile of temporary building materials, covered over by tarps.
- ConCom question and comments:
 - BD asked Mr. Connelly if the method of tree-cutting had been identified.
 - Mr. Connelly said no and BD said that ConCom would require details as to methodology for this.
 - BD confirmed that no material for a lawn will be brought in.
 - Mr. Connelly said the new owners plan to retain the yard as a pine grove.



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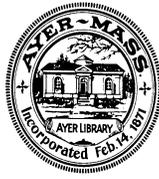
- Mr. Connelly said that bark mulch will be brought in to stabilize the site after construction.
 - BD asked that this detail be added to the plans.
- BD asked about the depth of the planned basement.
 - Mr. Connelly said it would be 8-1/2 ft. from the top of the footing to the bottom.
- During the excavation process, Mr. Connelly said it would be necessary to move around the jacked up portion of the remainder of the house for access underneath.
 - BD asked that, if some sort of ramp is used to enable excavation, it be precisely noted and located on the plan.
- Mr. Connelly also said they plan on digging two test pits to test for soil and ledge before excavation commences.
 - BD said temporary erosion measures would be required for this.
 - The new home owner / contractor, Greg Turner, will be doing the test pits.
 - BD asked that ConCom be given a copy of the results, including details as to how the dewatering basin may be affected.
 - Mr. Connelly noted that there is already a 3-1/2 – 4 ft. hole in the crawlspace under the current house, and that it does not appear to be holding water.
- BD said that the existing telephone pole would need to be relocated, and wires raised, at the beginning of the construction sequence so that equipment can pass underneath and a neighbor's connections are not interfered with.
- BD questioned whether the site had enough storage room for the excavated soils around the foundation.
 - While soils underneath the house would be removed permanently, additional soil around the planned foundation would need to be temporarily pulled back until the foundation has been poured and set.
 - BD asked for detailed calculations as to what would really be done with these soils as they probably could not safely be stored on site and may need to be removed and later brought back for back-filling.
- BD asked for calculations on runoff from the roof and driveway but Mr. Connelly did not have them.
 - Given the already existing runoff issues on Ledgeway, BD suggested construction of a rain garden, or something similar, on the lot could help to mitigate and slow-down the increased runoff from a larger house and paved driveway.
 - BD said ConCom will want to know exactly where the drywell will be located, its size and volumetric capacity, overflow contingencies, and the model number if a drywell has already been chosen.
 - All of these details need to be shown on the plan.
- Based on the site walk, Mr. Connelly said that GPR has pulled back the boundary and wetland delineation to the edge of the bank.
 - CA and LC were comfortable with this adjustment.
- Given that the deed was written in 1907 and that shorelines may have migrated, and water levels fluctuated, since then, Mr. Connelly said GPR was confident in its assessment of the lot size at 11,699 sf.



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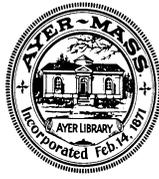
- BD asked if there was a dock permit for this lot, based on the State’s Chapter 91 requirement.
 - Mr. Connelly was doubtful about this, and CA as well.
 - CA will check ConCom’s files to confirm this.
 - BD asked that it be made clear to the homeowner that, on its site walk, ConCom observed the poor condition of the existing retaining wall.
 - If any work is to be done on this in the future, a new NOI will need to be submitted, especially if there is no existing dock permit for this property.
- CA expressed concern about stormwater runoff from the site onto Ledgeway itself.
- GB asked that trees that are not to be cut down, but are inside of the wattle line, be protected during construction.
- Depending on the outcome of the permitting process with ZBA, ConCom and the Building Inspector, Mr. Connelly said the owner hopes to begin construction in the spring.
- JG asked what the plans were for parking for construction workers, given that Ledgeway is a private road.
 - Mr. Connelly did not know.
- BD asked Ms. Mack if she had any questions for Mr. Connelly at this time.
 - Ms. Mack said she did not, but thanked the Commission for passing on to Mr. Connelly a copy of her 11/18 letter to ConCom with additional information and notes of concern from abutters.
- GB moved to continue the Public Hearing to 12/19; TT 2nd.
 - Motion approved unanimously.
- **Discussion: FY2015 Budget**
 - Because ConCom’s budget is level-funded, with no significant changes, it is not necessary for ConCom to meet directly with FinCom.
 - A memo will suffice.
- **CA Updates**
 - DPW
 - DPW will be doing a water main repair on East Main Street.
 - As this work will all be located within existing paving, only an RDA will be required.
 - Pingry Hill, Crabtree Development
 - CA plans to write a formal letter developer Rick Roper, of Crabtree.
 - On talking with Powell Construction Project Manager Lori Scanlan, CA learned that Ms. Scanlan has not been given copies of any of the OOCs for lots being worked on.
 - This explains why she has not been submitting weekly construction reports to CA, as specified in the OOCs.
 - CA is also concerned that construction entrances are not being put in for every lot.
 - Ms. Scanlan told her that Powell does the clearing and foundation work.
 - Other contractors, however, are ignoring the construction entrances that Powell uses.
 - BD asked CA to have consultant Deshang Wang ascertain who, on this site, is responsible for doing what on the construction site.



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- There should be a cohesive plan in place and BD expressed disappointment in Mr. Roper on its being lacking.
- 2014 ConCom meeting dates
 - Some adjustments were made to CA's draft of meeting dates.
 - As usual, meeting dates in November and December were moved to the first and third Thursdays of the month to accommodate the holidays.
 - The final schedule is:
 - January 16 and 30
 - February 13 and 27
 - March 13 and 27
 - April 10 and 24
 - May 8 and 22
 - June 12 and 26
 - July 10 and 24
 - August 14 and 28
 - September 11 and 25
 - October 9 and 23
 - November 6 and 20
 - December 4 and 18
- 12/5/ ConCom Agenda
 - Both CA and LC will be unable to attend this meeting.
 - The agenda looks light, only including the Easy Street COC requests (assuming the revised as-builts come in), and the EPIC Enterprises NOI.
 - There are no new filings.
 - Jesse Johnson, of David E. Ross Associates, who represents EPIC, was present for an upcoming COC request.
 - Given her expertise, Mr. Johnson said he would prefer to hold the continued Public Hearing for EPIC when LC could be present.
 - BD therefore reopened the Public Hearing for EPIC Enterprises.
 - GB moved to continue the Public Hearing to 12/19; TT 2nd.
 - Motion approved unanimously.
 - As a result, ConCom cancelled its 12/5 meeting and will next meet on 12/19.
- **Public Meeting: Request for Partial COC, 82 Groton School Road, DEP # 100-0313**
 - Jesse Johnson represented the current owner, Brian Lucier.
 - A partial COC is requested to facilitate plans to market the house for sale.
 - A full COC cannot be issued until confirmation of a successful second growing season, next spring.
 - Trees have been planted as required by the OOC, however BD noted, on driving by, that no new shrubs were planted, nor are they indicated on the plan.
 - On reviewing the plans revised and dated 9/5/07, and approved by ConCom, the wording on the OOC was unclear as to whether shrubs were absolutely required.
 - The wording in question referred to “planting and mulching of a shrub layer if necessary.”
 - In light of this, GB moved to issue a partial COC; TT 2nd.
 - Motion approved unanimously.



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- **Member Updates**
 - Following a last-minute invitation, JG and GB attended the 11/18 Dam & Pond Management Committee (DPMC) meeting to further discuss the comprehensive pond survey.
 - TT will contact DPMC to see if a different meeting night for the group might be possible, given the limitations of TT's new job for making Monday night meetings.
 - LC attended her first Stormwater Committee meeting on 11/20 and will submit a report by email at a later date.

- **Accounts Payable**
 - The Sun: \$123.51 – \$59.07 for the EPIC Enterprises legal ad; \$64.44 for the 45 Partridge Run legal ad.
 - GB moved to approve payment of \$123.51; TT 2nd.
 - Motion approved unanimously.

- **Meeting Minutes Approval**
 - GB moved to accept the meeting minutes for 11/7/13 as written; TT 2nd.
 - Motion approved unanimously.

- **9:30 PM – Adjourn Meeting**
 - GB moved to adjourn; TT 2nd.
 - Motion approved unanimously.