

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **4/24/2014** – Approved 5/8/2014

Location: Ayer Town Hall, 1st Floor

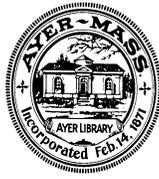
Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Lee Curtis (LC), Jessica Gugino (JG, Clerk)

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

APAC taped: Yes

7:07 PM – Open Meeting

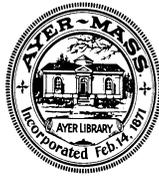
- **Confirmation of the Agenda**
 - GB moved to confirm the agenda as posted; LC 2nd.
 - Motion approved unanimously.
- **Meeting Minutes Approval**
 - GB moved to approve the meeting minutes for 4/10/14 as written; JG 2nd.
 - Motion approved 3-0 (LC abstained).
- **Discussion: Beaver management implementation**
 - JG reported that CA had received resident complaints about the rising water level of Long Pond because of the beaver damming under the Long Pond bridge.
 - JG had also contacted CA about this.
 - CA contacted the DPW for clean-out and was told that this would be done by Friday, 4/25.
 - JG raised the issue of moving forward with installing a beaver deceiver at this site as well as at ‘Rock Meadow Pond’ (abutting Town land, Autumn Ridge and the Gun Club).
 - LC is currently working with Mike Callahan, of Beaver Solutions, and will talk with him about his availability.
 - To do beaver deceiver work at Rock Meadow will require an NOI from ConCom.
 - If the DPW moves forward with installing a deceiver at the dam near Rosewood Avenue, the DPW will also have to prepare an NOI.
 - BD said it would be best to hold Public Hearings for both NOIs together if possible.
 - BD said to shoot for May 22, if possible, and go from there.
- **Public Hearing: ANRAD – 114 Pleasant Street, Riley Jane Farm, LLC (DEP #100-0372)**
 - C. J. Moore was present to request a site visit for ConCom to walk the site with a botanist.
 - Given the size of the parcel, BD asked if it was too big to walk in a day.
 - Mr. Moore said it was possible to walk the site in a half hour.
 - A site visit was scheduled for 9 a.m. on Saturday, May 10, meeting at the end of Pleasant Street.
 - BD said ConCom will see what it can see and if a third-party review is deemed necessary, ConCom will proceed from there.
 - Mr. Moore handed proof of abutter notification to JG for passing on to CA.
 - Abutter Ann Loven, of 110 Pleasant Street, was in the audience and said she had not received the abutter notification.
 - Mr. Moore said they had used the list of abutters certified by the Town Assessor’s office.
 - Ms. Loven asked if she could be present at the site walk.
 - BD said that, because of liability issues, members of the general public are no longer allowed.



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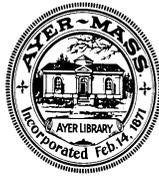
- Ms. Loven expressed a complaint that she should have been notified before surveyors entered onto her property.
 - Mr. Moore agreed and apologized for the intrusion.
- BD made sure Ms. Loven understood that the next meeting at which this ANRAD would be discussed, on May 22, would be open to the public, but there would be no further notifications issued.
 - GB added that if the Moore's go ahead with an NOI application, that will require a separate Public Hearing with separate abutter notifications.
- GB moved to continue the Public Hearing to 5/22; LC 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – Nashua Street Extension (DEP #100-0363)**
 - Calvin Moore, being present for the ANRAD hearing, asked for a continuance of this Public Hearing as well.
 - GB moved to continue the Public Hearing for 100-0363 to 5/8/14; LC 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – 17 Bligh Street, Randolph Realty, LLC (DEP #100-0370)**
 - Peter Bemis, representing Randolph Realty, was present and distributed copies of revised plans.
 - The change to the plans adds in a new driveway, its location outside the buffer zone, and another treatment area.
 - Mr. Bemis anticipated no problems with the conditions in ConCom's boilerplate OOC.
 - GB moved to approve and issue an OOC; JG 2nd.
 - Motion approved unanimously.
 - GB moved to continue the Public Hearing to 5/8, when ConCom will sign the OOC; LC 2nd.
 - Motion approved unanimously.
- **Public Hearing (cont'd.): NOI – Pingry Hill Subdivision, Phase V, Crabtree Development (DEP #100-0369)**
 - Steve Mullaney, of S.J. Mullaney Engineering, was present.
 - A site walk was conducted by ConCom on 4/12/14.
 - Mr. Mullaney distributed copies of recent correspondence with Jack O'Connell, of Tata & Howard, which ConCom had engaged to perform a third-party review of Phase V stormwater calculations.
 - Based on Mr. Mullaney's response of 4/9 to Tata & Howard's report, Mr. O'Connell recommended approval of the NOI for Phase V, in a letter dated 4/10/14.
 - JG passed on CA's request that a Special Condition be included in the OOC that requires the continued presence of an "erosion control specialist" through the duration of the project.
 - Mr. Mullaney agreed and will email CA with some suggested language for this condition.
 - GB moved to approve and issue an OOC for 100-0369, with the Special Condition requiring an erosion control specialist; LC 2nd.
 - Motion approved unanimously.
 - GB moved to continue the Public Hearing to 5/8; LC 2nd.
 - Motion approved unanimously.
 - Lots 58 and 59
 - While still present, Mr. Mullaney brought up a separate issue discussed briefly at the 4/12 site walk.



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- At that time, developer Rick Roper requested that ConCom release restrictions on work for Phase III lots 58 and 59.
 - Restrictions had been put in place as a result of the previous summer's Enforcement Order.
- ConCom members saw no problem with this request.
- BD asked JG to pass on to CA that she should email this permission in writing to Mr. Roper.
- GB moved to notify Crabtree Development that ConCom releases them to renew construction activities on lots 58 and 59; LC 2nd.
 - Motion approved unanimously.
- Water tank
 - BD asked Mr. Mullaney for details regarding the status of the proposed water tank for Pingry Hill.
 - BD noted that rumors have inaccurately circulated suggesting ConCom has been holding up this work.
 - Mr. Mullaney confirmed that this rumor is untrue.
 - Mr. Mullaney said the water tank is part of Phase IV and that they will be submitting an NOI for this work at some point in the future, probably not until 2015.
- **Discussion: Comprehensive Pond Study update**
 - With Spring Town Meeting coming up on May 12, and ConCom's understanding that the next meeting of the Pond & Dam Committee would not fall until after that date, BD suggested inviting members of the Pond & Dam Committee to attend ConCom's 5/8 meeting.
 - Together, ConCom and Pond & Dam members can coordinate and prepare a presentation for Spring Town Meeting in support of the comprehensive pond study.
- **Committee Updates**
 - JG reported that CPC is still waiting to receive Town Counsel's letter addressing the crossing easement for Kohler Place.
 - LC reported that the Stormwater Committee met the previous week and set utility fees for Board of Selectmen approval prior to scheduling public outreach.
 - GB reported on upcoming activities of the Greenway Committee, including a walk to a vernal pool on Saturday, 4/26, and a trail maintenance day the following Saturday, 5/3.
- **CA Updates (relayed via JG)**
 - 22 Pine Ridge Drive
 - CA visited the site and confirmed that trash debris at the back of the lot is on Town conservation land.
 - The new homeowners have requested that the Town clean up this debris.
 - CA said the DPW will be handling this in the near future.
 - 5 Ledge way (DEP # 100-0367)
 - CA and JG met at % Ledge way on 4/23 with Maryann DiPinto, of Mass DEP, to review the abutter appeal to ConCom's issuance of an OOC.
 - The abutter who filed the appeal, Barbara Mack, was present along with her environmental consultant, David Haines.



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- Greg and Debra Turner, who own the property, and J.P. Connolly and Calvin Goldsmith, of Goldsmith, Prest & Ringwall, were also present.
- The meeting was amicable.
 - Most of the issues raised remain zoning issues.
- It will be several weeks before Ms. DiPinto will get back to all parties involved with her ruling on the appeal.
- Tree-clearing, Old Sandy Pond Road
 - CA has visited the site and been in contact with the new homeowner who wishes to take down some trees for safety reasons as well as a potential garage construction.
 - CA identified which trees could be cut and stumped, closer to Flannagan Pond, and which trees, in the front yard, could have stumps ground.
 - The homeowner asked for permission to spread the grindings as mulch in the backyard, assuming she would put up haybales to protect the pond first.
 - CA said yes on the condition that she does use haybales.
- Tree-cutting, Nick Mancini, 45 Partridge Run
 - While on the 4/12 site walk to Pingry Hill, ConCom members observed that on an adjacent lot, homeowner Mancini may have cleared more trees than agreed to by ConCom, including right down to the wetland line.
 - BD asked that CA schedule a site visit so that ConCom can observe up close whether Mr. Mancini stayed within the bounds of permitted work.
- Balch Dam boards
 - CA has been in contact with Chief Pedrazzi, of the Fire Department.
 - The spring water levels are high, so the boards have not yet been replaced in the East Main Street Spillway.
- **8:05 PM – Adjourn Meeting**
 - GB moved to adjourn; LC 2nd.
 - Motion approved unanimously.