

## **Town of Ayer Conservation Commission**

Town Hall \* One Main Street \* Ayer, MA 01432 \* 978-772-8249 \* 978-772-8208 (fax)  
Minutes for **8/13/2015** – Approved 8/27/2015

Location: Ayer Town Hall, 1st Floor

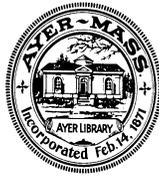
Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Takashi Tada (TT),  
Jessica Gugino (JG, Clerk)

Not present: Vacancy: CA, Conservation Administrator; Member

APAC taped: Yes

### **7:07 PM – Open Meeting**

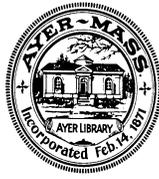
- **Confirmation of Agenda**
  - GB moved to confirm the agenda as posted; TT 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Approval of Meeting Minutes**
  - GB moved to accept the minutes for 7/23/2015 as corrected; TT 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Public Hearing: NOI – 255 Snake Hill Road, Ayer Gun & Sportsmen’s Club, MassDEP # 100-0385**
  - The project proposes a 322 sq. ft. building expansion and relocation of existing deck.
  - Alan Griffin and Barry Schwarzel, from the Gun Club, were present.
  - A site walk was performed by BD, GB, and TT on 7/25.
    - The only issue to arise was a discussion of where excess soils were to be stored.
    - A Special Condition will be added to the OOC specifying that excess soil will be hauled off site.
  - Mr. Griffin said that the initial design for the addition has now changed.
    - Where originally 3 new walls were to be excavated down to 4 ft., now sonotubes will be used instead.
    - Since this lessens rather than increases the amount of ground disturbance, this change will not slow down the Hearing process.
    - BD asked that a copy of revised plans showing this change be given to ConCom by the time of the erosion control inspection.
  - Mr. Griffin indicated he would prefer to use wattles rather than haybales and silt fence and ConCom agreed that this was acceptable.
  - GB moved to approve and issue an OOC for 100-0385; TT 2<sup>nd</sup>.
    - Motion approved unanimously.
  - A draft OOC, including ConCom’s Special Conditions, was reviewed with Mr. Griffin.
    - Mr. Griffin will provide JG with missing deed information (book, page) which is necessary for the OOC to be filed at the Registry.
    - Mr. Griffin indicated he would prefer to pick up the completed OOC in person rather than receive it via certified mail.
  - ConCom members signed the OOC on the condition that no objections to its terms arise prior to the 8/27 meeting, at which point the Public Hearing will then be closed.
  - GB moved to continue the Public Hearing to 8/27 for this purpose; TT 2<sup>nd</sup>.
    - Motion approved unanimously.



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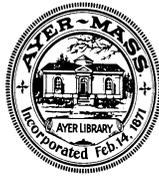
- **Interview: Conservation Administrator Vacancy**
  - ConCom members interviewed Mr. Brian Colleran.
  
- **Review of ZBA Requests for Comments**
  - 84A Groton School Road
    - A Special Permit for conversion of a single-family dwelling has been requested.
    - BD signed ConCom's approval with the note that any future changes to the building or lot were to be reviewed by the Commission.
  - 19 Fitchburg Road, Family Dollar
    - A sign variance was approved with no comment.
  - 14 Washington Street, Former Fire Station Conversion Project
    - ConCom approved with no comment.
  - 22 Fitchburg Road, Ayer Shop & Save
    - A sign variance was approved with no comment.
  - 22/215 West Main Street, Calco LLC
    - A Special Permit was approved with a note that future work requires an application and review by the Commission.
  
- **Office Updates**
  - Kohler Place, Wright Road (MassDEP # 100-0340)
    - BD and JG inspected and approved erosion controls on 8/1/2015.
    - BD asked that the developer contact ConCom after the clearing has been completed so that someone from ConCom can check to see how the erosion controls are holding up.
  - Catania Spagna, 1 Nemco Way (MassDEP # 100-0383)
    - BD and JG inspected and approved erosion controls on 8/1/2015.
    - BD contacted Joe Basile, of Catania Spagna, to inquire about non-petroleum oil spillage on the gravel next to the unloading tracks.
  - Complaint: Soil and construction debris pile at The Willows (MassDEP # 100-0288)
    - Joe Bellino, of MassDEP, emailed ConCom on 8/3/2015 passing on a complaint from Willows condo resident Sheila Schwabe that the developer was storing construction debris on the lot that was originally for Units 56, 57, & 58.
      - Ms. Schwabe also indicated that the erosion control barrier below this pile had been overtopped.
    - BD and JG inspected the area on the evening of 8/3/2015.
    - BD contacted erosion control specialist Desheng Wang and requested that soils be pulled back from the haybales and the erosion control line restored.
      - Dr. Wang passed this information on to Mary Trudeau, the wetland scientist working with the developer under Dr. Wang's supervision.
      - As for the storage of construction material on this lot, BD said this was actually a good location on an active construction site for this purpose, especially since it was well away from the riverfront buffer zone.
      - Subsequently, Ms. Trudeau indicated on p. 3 of her 8/6/15 site monitoring report that the "silt fence check dam" in disrepair is a "temporary limit of work line fence" and "not part of the current erosion and sedimentation control barrier."
        - Ms. Trudeau provided photos, however, showing the check dam has now been repaired.



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- BD responded to a later email, 8/5/15, from Willows condo resident Duncan Brown.
  - Mr. Brown complained that the developer was storing material on this lot that came from the house lots on Willow Road being constructed by the same developer, and worried that this would present future issues for the condo association.
  - BD responded that the construction site as a whole is active and under the same OOC (100-0288) and that this was permissible activity by the developer.
- Complaint: 5 Ledge Way (MassDEP # 100-0377)
  - An 8/3/15 mail from abutters Robert Hudlin and Barbara Mack was received complaining about construction issues at the site and asking for ConCom's inspection records.
  - BD replied in an 8/3/15 email and noted that the OOC had been approved for homeowner Ann Loven without objection, contrary to the objections raised to a prior NOI submission (MassDEP # 100-0367) for the same lot under different potential ownership (the Turners).
    - BD offered Mr. Hudlin the opportunity to appear on ConCom's agenda for a discussion that would review the original application, the objections raised by Ms. Mack and Mr. Hudlin, the differences between the Turner's original and Ms. Loven's subsequent application, and the substance of the approved project.
    - ConCom would also contact the current homeowner so that she or a representative could be present as well.
    - BD also noted that ConCom is without an Administrator to perform field visits, but that he has stopped by the site on numerous occasions, including after the foundation was poured and most recently on 8/1/15, and has noted no problems.
  - JG said she had also given Mr. Hudlin a copy of the OOC on 8/5/15 when he stopped by the office.
    - JG told Mr. Hudlin at that time that any discussions of this project need to be done in open meeting with the entire Commission.
- Complaint: 6 Wright Road, unpermitted ground work next to a stream
  - Harry Zane, also a Wright Road resident, complained of work being done on this property that was comparable to work he asked to do on his property back in 2008.
  - While JG was out of town on vacation, regrading work apparently began on this lot using an excavator.
  - JG will prepare a Violation Notice for BD to review.
  - JG also clarified for Mr. Zane that he had not been denied permission to do regrading on his lot, but that ConCom had made clear the NOI process he would have to go through in order to do it.
- Complaint: Pingry Hill
  - The ConCom office received an anonymous call complaining of a "massive erosion breach" at Pingry Hill following the heavy downpours on 8/4.
    - The area in question is under active construction.
  - JG contacted Desheng Wang who responded that he had looked into this and requested the restoration and strengthening of erosion controls.
- Four Corners Groton-Ayer Sewer Extension, Westford Road
  - JG received a phone call from Ryan Allgrove, of Environmental Partners Group.
  - Groton is requiring that an RDA be filed for this project.



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- BD asked JG to contact EPG to ask where exactly the project will tie into Ayer's sewer system, in order to determine if an RDA needs to be filed.
- Conservation Administrator Vacancy
  - BD will confirm Mr. Collieran's references.
  - BD asked JG to set up a couple more interviews with two different applicants at a Special Meeting on 8/20.
- **Committee Updates**
  - Greenway Committee
    - GB said the Nashua River Watershed Association would be conducting a walk at Pine Meadow Conservation Land on Tuesday, 8/18, as part of its Heart Healthy program.
- **9:50 PM – Adjourn Meeting**
  - GB moved to adjourn; TT 2<sup>nd</sup>.
    - Motion approved unanimously.