



## **Town of Ayer Conservation Commission**

Town Hall \* One Main Street \* Ayer, MA 01432 \* 978-772-8249  
Minutes for 7/12/2018

Location: Ayer Town Hall, 1st Floor

Present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair/Acting Clerk), Bonnie Tillotson (BT, Member), Jon Schmalenberger (JS, Member), Jo-Anne Crystoff, (CA, Conservation Administrator)

Not Present: Jessica Gugino (JG, Member/Clerk),

APAC taped: Yes

### **7:00 PM – Open Meeting**

- **Confirmation of Agenda**
  - GB moved to confirm the agenda as posted; BT 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Request for Certificate of Compliance (COC) – Wright Road Cross Country Water Main, Ayer Department of Public Works (DPW), MassDEP # 100-0401**
  - CA visited site and found no issues.
  - GB moved to issue a COC; BT 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Public Hearing (cont'd.): Notice of Intent (NOI) – Diesel Direct (Adam Nataupsky), Oil Spill Cleanup, Page Hilltop School, 115 Washington Street, MassDEP # 100-0425**
  - Assessor's Map 13 & Map 20, Parcels 13-11, 13-42, 12-158, 12-159
  - MassDEP Release Tracking Number 2-20459
  - Gregory Morand, of Omni Environmental Group LLC (OEG), was present on behalf of Diesel Direct, as was Attorney Nicholas Kosiavelon, of Boyle & Shaughnessy Law.
  - A check from Diesel Direct to pay for the third party consultant required by ConCom has not yet been received.
  - GB moved to continue the Hearing to 7/26; BT 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Public Hearing: NOI –28 Harvard Road, Global Partners LP, MassDEP # 100-0429**
  - Assessor's Map 35, Parcels 52, 53 & 54
  - Luke DiStefano, of Bohler Engineering (Southborough, MA), was present on behalf of the applicant.
  - The NOI proposes the construction of a gas station & a 4,830 sq. ft. "Alltown" convenience store within the 100-foot buffer zone to wetlands and bank to an intermittent stream.
    - Associated driveways, parking areas, landscaping, and utilities are also detailed in the plan.
    - The existing structures on the site (masonry building, covered pavilion, shed) will be completely razed.
    - Of the 6.16 acres of land, approximately 3.52 acres at the western portion, adjacent to Harvard Road, will be disturbed.
      - This includes 22,000 sq. feet of land within the buffer zone.



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- The gas station will have 8 gas/diesel pumps along with 3 high-speed diesel pumps for large vehicles.
    - Underground fuel storage tanks are to be constructed.
  - To provide stormwater pretreatment, the site plan calls for deep-sump hooded catch basins which will flow into a subsurface treatment and infiltration system in the SW corner before clean discharge into the wetlands.
    - A drainage swale will be constructed on the east side of the site to redirect overland sheet flow from the hill at the back of the site away from the paved area.
    - Mr. DiStefano said the proposed stormwater system significantly improves both the quantity and quality of stormwater exiting the property.
  - BT asked about overnight parking on the site.
    - Mr. DiStefano said the site is not intended as an overnight truck stop so this likelihood was low.
  - The site is not within Ayer's Zone 2 aquifer district.
  - A small portion of the site is within the Town of Harvard.
    - The Harvard Conservation Commission previously issued a Negative Determination of Applicability for its jurisdictional portion of the project.
  - The existing gas station across the road, which this project replaces, will likely be closed and removed.
    - BD stressed that that work is not part of the current NOI and will have to be part of a separate NOI application in the future.
  - A site walk was scheduled for 9 a.m. on Saturday, August 4.
  - GB moved to continue the Public Hearing to 8/9/2018; BT 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Public Hearing: NOI – 0 Sedgeway, Paul Bresnahan, MassDEP # 100-0427**
  - Assessor's Map 15, Parcel 28
  - John Boardman, of Places Associates, Inc., was present on behalf of the applicant, Paul Bresnahan, also present in the audience.
  - The NOI proposes the demolition and removal of an existing cottage, followed by the construction of a new single-family 2-story house with attached garage, paved driveway and utilities.
    - All of the work falls within the 100 ft. buffer zone to Sandy Pond and a strip of bordering vegetated wetland that follows along the bank by the pond.
    - An existing area of sandy beach will remain in place.
    - An existing path to get boats down to the pond will be slightly relocated in the area where the house will be constructed.
    - No work is proposed within the 25 ft. buffer zone.
    - No work takes place in flood plain (FP elevation 228.8).
    - The project will connect to existing sewer as well as install a new water connection.
    - No sump pump in the basement is planned.
    - The foundation drain, using gravity discharge, is at an elevation of 229' contour while the slab will have an elevation of 230'.
      - BD advised that should the Building Inspector require gutters, ConCom will need to be notified as to the location of drainpipes and their outflow.
  - MassDEP had no comments on the submitted application.
  - BT thought there was an existing white drain pipe on this site but the applicant said there is not.



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- A site walk was scheduled for 10 a.m. on Saturday, August 4.
- GB moved to continue the Public Hearing to 8/9/2018; BT 2<sup>nd</sup>.
  - Motion approved unanimously.
- **Public Hearing: NOI – 186 Littleton Road, Brent Routhier, MassDEP # 100-0428**
  - Assessor's Map 30, Parcel 12
  - Kyle Burchard, of Goldsmith, Prest & Ringwall (GPR), was present on behalf of the applicant, Brent Routhier, also present.
  - The NOI proposes construction of a 40 ft. x 60 ft. detached garage for vehicle storage.
    - It will also include construction of a 12 ft. x 100 ft. paved driveway leading to a pervious 30 ft. x 60 ft. paved area.
    - The property is screened by fencing and has several existing house trailers on site.
    - The garage is to be located within the 200 ft. riverfront buffer zone to Bennett's Brook, but will fall in the outer riparian zone, just outside of the 100 ft. buffer zone.
    - The proposed work redevelops existing degraded riverfront land.
    - There is a 5 inch reservoir in the pervious pavement for stormwater.
    - Mr. Burchard said the proposed work will provide improvements overall to the stormwater infiltration capacity in this area.
    - The foundation will be slab on grade with no utility connections other than overhead electrical.
    - Half of the rainwater off the pitched roof will hit the pervious pavement; the other half will dissipate with runoff.
      - BD noted the Building Inspector's previous concerns about getting water away from foundations – which may not be a factor with a slab foundation.
    - Mr. Burchard was asked to look at the FEMA floodplain map for the area in order to tie in the elevations on the application plan ,
  - A site walk was scheduled for 8:30 a.m. on Saturday, August 4.
  - GB moved to continue the Public Hearing to 8/9/2018; BT 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Approval of Meeting Minutes**
  - GB moved to accept the minutes for 6/28/2018 as written; BT 2<sup>nd</sup>.
    - Motion approved unanimously.
    - BD signed the minutes.
- **Conservation Commission Office Updates**
  - Nonacoicus Brook
    - Jay Ward, of MassDEP, alerted CA to a citizen's report of a milky flow running from Nonacoicus Brook into the Nashua River.
    - CA visited the area, wading through poison ivy, to take photos at the juncture of the brook and river.
      - The milky-colored flow is very noticeable at the juncture, but not as apparent at the West Main Street Bridge that crosses the brook.
        - There is no smell nor oily sheen.
      - CA talked to Fish & Wildlife which said brooks sometimes get cloudy like this during a hot spell.



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- The Nashua River Watershed Association said it no longer tests the water in this area because of the high concentration of poison ivy.
  - The cause is therefore currently unknown and still being investigated.
- Pingry Hill
  - Work continues on the stormwater basins.
- **Member Updates**
  - GB heard from a resident complaining that the posted agenda lists projects by map/parcel, not street address.
    - CA will be sure to include street addresses in the future.
- **8:35 PM – Adjourn Meeting**
  - GB moved to adjourn; BT 2<sup>nd</sup>.
    - Motion approved unanimously.

Minutes recorded by George Bacon and later edited by Jessica G. Gugino, Clerk

Date Minutes Approved by Conservation Commission: 7/26/2018

Signature Indicating Approval: 