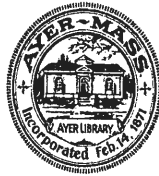


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MAY 14 2019

TOWN OF AYER



## Town of Ayer Conservation Commission

Town Hall \* One Main Street \* Ayer, MA 01432 \* 978-772-8249  
Minutes for 4/25/2019

Location: Ayer Town Hall, 1st Floor

Present: George Bacon (GB, Chair), Bonnie Tillotson (BT, Vice-Chair), Mark Phillips (MP, Member/Acting Clerk), Jo-Anne Crystoff, (CA, Conservation Administrator)

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

APAC taped: Yes

### 7:01 PM – Open Meeting

- **Confirmation of Agenda**

- Changes/Deletions:
  - Public Meeting for 8 Littleton Road is continued
  - Request for COC for Orion Park is continued
  - Ayer Wetlands Bylaw discussion will be continued
  - Request for public input from David Bodurtha
- BT moved to approve the agenda as modified; MP 2<sup>nd</sup>.
  - Motion approved unanimously.

- **Approval of Meeting Minutes**

- No meeting minutes for 4/11/2019 submitted for approval.

- **Announcements**

- None

- **Accounts Payable**

- None

- **Public Hearing (cont'd.): Notice of Intent (NOI) – 10 Fox Run Drive (Lot 114), Ridge View Realty Trust, (Pingry Hill subdivision) MassDEP # 100-0435**

- Assessor's Map 36, Parcel 153
- Steve Mullaney, of S. J. Mullaney Engineering Inc., was not present.
- CA noted that she had review with Mr. Mullaney and confirmed the modifications (i.e. 15 boulders, 15 trees, & 3 signs on posts) to the Order of Conditions (OOC) the ConCom had asked for following site 4/6/19 site walk and are set to sign
- BT moved to sign the Order of Conditions (OOC); MP 2<sup>nd</sup>.
  - Motion approved unanimously.

- **Public Meeting: Request for Determination of Applicability (RDA) – Isaac Lane - Ayer Housing Authority**

- Assessor's Map 11, Parcel 25.
- Katherine Andruchuk, of Allen and Major Associates was present
- Ms. Andruchuk presented a plan to repave (maintenance) the drive isle, turnaround, and driveway aprons (curb radius) on Isaac Lane for the Ayer Housing Authority's state supported family housing complex consisting of six 2-unit dwellings.
- A portion of the work will be performed within 100' of the wetlands at the rear (westerly side) impacting approximately 2,100 ft<sup>2</sup> within the Buffer Zone but generally no closer than 80' from wetlands.
- A portion of the work is also within FEMA flood zone A and noted on the drawing in blue.



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- Core-logs and silt fence are planned to be used along the back of properties to protect the wetlands from any runoff.
- BT asked about storage of removed pavement. Ms. Andruchuk indicated that it was planned to be stored outside the Buffer Zone before being removed from the site. Discussion continued on stockpiling location. MP asked if it could be added to the RFP to have the removed pavement removed from site as it is excavated. Ms. Andruchuk indicated she could add that to the RFP.
- CA asked when the work was planned. Ms. Andruchuk indicated they are trying to get this completed by June 30<sup>th</sup> to align with the fiscal year.
- BT moved to issue a negative RDA; MP 2<sup>nd</sup>
  - Motion approved unanimously.
- **Public Meeting: Autumn Ridge Farm Conservation Restriction Stewardship Monitoring Report**
  - Assessor's Map 4, Parcel 1
  - Steve Smith, Margaret Pfeiffer (Chairman & Treasurer), John Marion (Trustee), Chuck Francis were present.
  - Mr. Smith (appointed steward for the conservation restriction) presented the annual report (dated January 20, 2019) based on field work performed in August & November 2018 and January 2019.
  - Mr. Smith highlighted the fact that survey markers from the GPR 2005 survey are missing or damaged. He went on to state that the hope of the trustees is that money could be raised to refresh the survey.
    - Mr. Smith presented a quote from GPR to refresh the survey for \$1,500.00 and asked if the Conservation Commission would be willing to cover \$750.00 of the cost. He proposed the refresh would take place in the fall to allow the January photos to be taken from the exact same spots for comparison.
  - Trustees decided to restrict hunting and placed 10 signs in August following the ConCom's rules.
  - GB asked if there was any work required besides the refresh of the survey and Mr. Smith indicated that there was not.
  - GB stated he would investigate funding the \$750.00 after reviewing ConCom's budget.
  - Mr. Smith distributed a list of work done in 2018 and planned for 2019
    - Tree blowdown work was completed on May 5, 2018 by ARF volunteers.
    - GB noted that the Ayer Town Tree Warden is willing to perform cleanup of blowdowns
  - Conservation Commission thanked Mr. Smith, et al. for their report and stewardship
- **Public Meeting: Request for Extension of Order of Conditions (OOC): Riley Jane Farm, Pleasant Street Extension (DEP File #100-0389)**
  - CJ Moore was present
  - CA noted that Mr. Moore's OOC was set to expire on June 12<sup>th</sup>
  - Mr. Moore was requesting the extension on the OOC for Trevor Trail since the planned completion is in Spring 2020, he would like to extend the whole project
  - CA recounted 4/16 meeting held with CJ and MassDEP Circuit Rider Judy Schmitz regarding water runoff issues on Trevor Trail.
    - Ms. Schmitz agreed with the solution proposed by Mr. Moore to re-divert the water back to its original flow pattern by building a new berm from in-place loam and rocks so that it again passes through the pipe under Pleasant Street.
    - Ms. Schmitz also agreed to handle this modification as a "Field Change".
  - BT moved to extend the OOC 3 years; MP 2<sup>nd</sup>
    - Motion approved unanimously.



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- **Public Input: David Bodurtha:**

- Mr. Bodurtha asked about the Oak Ridge end of the trail system and the Adirondack shed and its condition he noticed during his walk and various items at the location.
- GB noted that there was a similar issue about 3 years ago and the police were contacted who subsequently contacted the owner who was requested to remove the items.
- Mr. Bodurtha also asked if the ConCom had considered using the shed for a program point for the school system.
- GB and the rest of ConCom thanked Mr. Bodurtha for bringing the matter to their attention.

- **Discussion: Kohler Place Conservation Restriction (CR)**

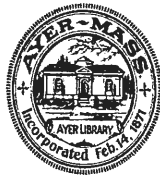
- (MassDep #s: Lot 1 – 100-0392; Lot 3 – 100-0390; Lot 4 – 100-0391; Subdivision – 100-0340)
- CA note the ConCom performed a site walk with A. J. Bergin and his mother-in-law at 6 p.m. on Tuesday, 4/16.
  - Mr. Bergin indicated his attorney did not want to remove the term “beach” and GB said then we just need to define the term beach.
- Draft definition was reviewed in emails and further edited.
- CA will send the final version to the AJ’s lawyer to be reviewed and eventually included in the listed definitions of the conservation restriction.

- **Discussion: Town Manager, Robert Pontbriand**

- Mr. Pontbriand noted that he would be willing to meet with GB and CA to address the request for \$750.00 to refresh survey for the Autumn Ridge Farm Conservation Restriction and felt they would be able to accomplish that goal.
- Mr. Pontbriand went on to address Mr. Bodurtha’s proposal for trail stewardship at Pine Meadow.
  - Mr. Pontbriand noted that due to town ownership there are liabilities that need to be considered when considering a stewardship. As such, a structured program, set up by the ConCom, should be required to protect the town from any insurance liabilities.
  - We should continue to allow town employees to address issues brought to the ConCom’s attention by members of the public to protect the town’s interests.
  - Mr. Bodurtha commented that his intentions were to begin the process get a program established since he realizes how long it may take to complete; however, he said that he will not pursue establishing a program to maintain the trails any further.

- **Conservation Commission Office Updates**

- Pingry Hill
  - CA met with Luke who had placed stone to clean up runoff at the top of the hill
  - CA noted she also found discolored water running out of a basin at a different site
    - CA called Desheng to have him address ASAP
- Roger Kanniard
  - Roger asked to remove the last of the wattles and plant some grass seed, which CA agreed to, and all looks great.
- Social Media
  - CA noted that the first posting of the ConCom social media campaign reached 2,132 people. The 2<sup>nd</sup> posting reached 3,800 people.
  - CA noted she was planning to do a posting on pollinators to coincide with the library’s upcoming butterfly and pollinator program.
- 0 Central Avenue’s Parking



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- CA noted she passed along DEP's opinion on the erosion control being used
- Norwood Ave
  - CA worked with MassDEP Circuit Rider Judy Schmitz and they believe they found a replication area but were unable to find the other two
- 39 Norwood Ave
  - CA noted that the erosion coming off the lot was not jurisdictional.
  - CA called the builder and asked them to install some erosion controls and sweep up the street which was done the next day.
- Nashua Street
  - CA and Ms. Schmitz met with young Mark Gallagher and Calvin Moore to look at the crossing which also calls for a replication area.
  - Ms. Schmitz would like that installed ASAP and CA notes that there is likely to be some back and forth between Mr. Moore and Mr. Gallagher as to who will do that.
- MACC Lunch and Learn
  - CA listened to one on vernal pools
- Brown Bag Session
  - CA attended to learn about Harvard's Deep Water Draw Down in Bear Hill Pond
- Autumn Ridge
  - CA noted there is a blowout at the lowest storm water pond that dispersed stone into the wetland.
  - Repairs are forthcoming
- ConCom Database
  - CA noted the cost of creating the database (Access) as \$6,000.00.
  - CA noted there was about \$56,700.00 in the Wetlands Fund.
- Tick Bite
  - CA noted she had been bitten on the shoulder after a Saturday's site visit.
  - CA asked if she may be able to purchase tick proof clothing that is treated with Permethrin at a cost of approximately \$200.
- **Member Updates:**
  - BT, MP – Nothing
- **Committee Updates:**
  - None
- **8:31 PM – Adjourn Meeting**
  - BT moved to adjourn; MP 2<sup>nd</sup>.
    - Motion approved unanimously.

**Minutes Recorded and Submitted by Mark A. Phillips, Member**

**Date Minutes Approved by Conservation Commission:** 5/9/19

**Signature Indicating Approval:** Mark A. Phillips