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JUL 09 2019

TOWN OF AYER

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249

Minutes for 6/13/2019

6:50 pm
Marianne Copeland

Location: Ayer Town Hall, 1st Floor

Present: George Bacon (GB, Chair), Jessica Gugino (JG, Member/Clerk), Jon Schmalenberger (JS, Member), Mark Phillips (MP, Member)

Not Present: Bonnie Tillotson (BT, Vice-Chair), Jo-Anne Crystoff, (CA, Conservation Administrator)

APAC taped: Yes

7:05 PM – Open Meeting

- **Confirmation of Agenda**

- A Request for a Certificate of Compliance (COC) was removed, not having been formally filed.
- Discussion of culvert assessment training was removed, given CA's absence.
- JS moved to confirm the agenda as amended; MP 2nd.
 - Motion approved unanimously.

- **Approval of Meeting Minutes**

- JS moved to accept the minutes for 5/23/2019 as written; MP 2nd.
 - Motion approved unanimously.

- **Accounts Payable**

- ISS Print Services: \$1156.83, for printing and Town-wide mailing of postcard advertising special June 20 Public Meeting for input on new local wetlands bylaw draft.
 - JS moved to approve payment of \$1156.83; MP 2nd.
 - Motion approved unanimously.

- **Public Hearing: Notice of Intent (NOI) – John Carroll Reserve subdivision, 54 & 56 Littleton Road, LR Properties, LLC, MassDEP #100-tbd**

- Assessor's Map 36, Parcels 2, 21, 22 & 24, Littleton Road
- Cal Goldsmith, of Goldsmith, Prest & Ringwall Inc. (GPR) presented the application on behalf of the applicant and provided proof of the notification mailing to abutters.
- The subdivision is being designed according to Section 10.1 of the new Zoning Bylaw, "Open Space Residential Development" (OSRD).
 - The project site is 10.88 acres in size, with 2.6 acres of wetlands in the northwest portion of the site.
 - Oxbow Associates delineated the Bordering Vegetated Wetlands (BVW) on 4/27/2018.
 - Per the requirements of the OSRD bylaw, ConCom prepared a Conservation Analysis of the site for the Planning Board at the beginning of the year.
 - A site walk for that purpose was conducted on 1/6/2019 and ConCom met with Mr. Goldsmith to discuss the Analysis at its 1/10/2019 meeting.
- Per the requirements of the OSRD bylaw of 7/26/2018, in exchange for design flexibility (e.g. area, frontage, setback requirements, allowing more clustered development), a minimum of 50% of a development tract must be set aside for permanent preservation as open space.
 - An amendment to the bylaw on 10/22/2018 put a restriction on the amount of wetlands that can be used as counting toward the calculation of the 50% open space.



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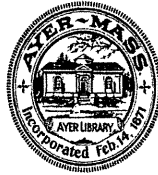
- However, GPR submitted a preliminary subdivision plan to the Planning Board prior to the bylaw amendment, therefore the restriction on the amount of wetlands that can calculate the open space does not apply.
- The amount proposed in this application for permanent open space is 56% of the total project site, a good portion of which is the wetland area.
- The project proposes 20 lots for single family dwellings.
 - No work is proposed within the BVW itself.
 - In the NOI, the only work proposed in the buffer zone to the BVW is for stormwater – a proposed infiltration basin with a sediment forebay at the northwest corner, and a wet basin further to the east along the Limit of Work line.
 - Both basins are at the edge between the development area and the wetlands and fall partially within the 100 ft. wetland buffer zone.
 - The majority of stormwater from road runoff (as well as roof and yard runoff) will be directed in a closed pipe system to the forebay of the infiltration basin.
 - Stormwater directed to the wet basin will come largely from roof runoff and overflow across grass lawns.
 - During construction, the resource area will be protected by a combination straw wattle and silt fence barrier to provide erosion control from sediment and construction material runoff.
 - While ConCom, in its Conservation Analysis, had advised against the location of surface stormwater structures within the required open space of an OSRD, the open space for this site is 56% of the total.
 - The stormwater basins account for about 4% of the open space, meaning that more than 50% of the designated open space section is still set aside without stormwater structures.
 - The basins are sized to handle 100-year storms.
 - Sizing the basins is based on a number of calculations based on the plans – impervious vs. pervious surface, volume, projected peak rate of flow, and so forth.
 - The NOI application included two additional documents:
 - Stormwater Management Report (April 2019, GPR)
 - Long Term Pollution Prevention & Stormwater System Operation and Maintenance Plan (April 2019, GPR)
 - The Management Report documents “pre-development conditions” as well as anticipated “post-development conditions.”
 - Calculations were based on a stormwater runoff modeling program called Hydrocad, which Mr. Goldsmith said incorporates contemporary climate data from NOAA (National Oceanic and Atmospheric Administration) and NRCC (Northeast Regional Climate Center).
 - While the older standards still used by DEP are based on, for example, a 6-1/2” rain event in a 24 hour period, Hydrocad’s updated data model, based on contemporary changing climate conditions, has risen to a 7.92”/24 hour standard.
 - At a recent Planning Board meeting on 6/11, BT had asked about sizing basins based on newer data rather than the norms of DEP’s old model which is still in the process of being updated.



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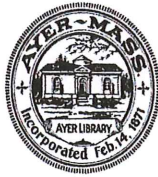
- Since that meeting, Mr. Goldsmith had found out more about the program they are actually using to make these calculations.
- Other details:
 - Maintenance
 - The wet basin will need little if any maintenance.
 - The infiltration basin will need its forebay cleaned periodically; this will be a matter for a future homeowner's association, not the Town's DPW.
 - Easements
 - An easement between lots 10 & 11, to access the infiltration basin for maintenance, is shown on the plan.
 - Another easement, between lots 13 & 14, will be added to the plan to provide access to the open space area for subdivision residents.
 - Groundwater
 - Test pits show the groundwater table at just 24-26 inches below the surface.
 - Because of this, all of the houses will be slab-on-grade, no basements.
 - Sewer
 - The plan calls for a low-pressure sewer system, with each house having its own E1 grinder pump and small subsurface tank.
 - The grinder pumps direct sewage toward the subdivision's street sewer pipe, and once there, the sewage then flows via gravity to the sewer main on Littleton Road.
 - This system distributes maintenance among the individual homeowners.
 - Mr. Goldsmith said the pumps will have alarms, and if there is an unaddressed problem, there might be a sewer backup toward the house – but not toward the street or the wetlands.
 - Since there will be no municipal pumping system, an MS4 permit is not required.
 - JG asked GPR to provide CA with design specification sheets for the grinder pump system and tanks.
 - Rain gardens versus basins?
 - This question was asked at the Planning Board meeting by Town Planner Mark Archambault as well as BT.
 - Mr. Goldsmith addressed it here as well in terms of why GPR did not design the site with rain gardens.
 - The soils at this site are 'C' soils, meaning they are not very permeable, so provide limited infiltration.
 - With the groundwater so high, there is not the room for the depth needed for a rain garden.
 - In addition, rain gardens require maintenance (i.e. replacing soils regularly) and if this were left to individual homeowners, they would likely soon fail.
 - Abutting neighbor concerns
 - JG brought up the concerns of abutters expressed at the Planning Board meeting, worried that changes from the development would add more water to their already wet properties.
 - Use of a third-party consultant had been brought up.



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- Mr. Goldsmith reiterated that he expected the Planning Board would probably go that route and that GPR and the applicant were open to this approach.
 - Site walk
 - A site walk was scheduled for 9 a.m. on Saturday, June 29.
 - JS moved to continue the Public Hearing to July 11; MP 2nd.
 - Motion approved unanimously.
- **Public Meeting: Request for Determination of Applicability (RDA) – 113 Oak Ridge Drive, Mary Walker**
 - Assessor's Map 28, Parcel 40
 - Mary and Joe Walker were present.
 - Ms. Walker described the backyard as eroding toward Flannagan Pond, and her wish to bring a few truckloads of soil in to build the yard up.
 - The soil would be spread by hand.
 - CA has previously described the yard as steeply sloped down to the pond.
 - Ms. Walkers said she was not going to put in a retaining wall, as previously mentioned to CA and which neighbors to either side have.
 - Given CA's absence and her previously expressed concerns about the slope, JG suggested ConCom should perform a site visit.
 - A site visit was accordingly scheduled for Saturday, June 29, at 10 a.m.
- **Discussion: Kohler Place Conservation Restriction (CR)**
 - (MassDEP #s: Lot 1 – 100-0392; Lot 3 – 100-0390; Lot 4 – 100-0391; Subdivision – 100-0340)
 - GB related from CA that the draft as revised by ConCom was reviewed by A. J. Bergin and his relatives who live next door.
 - They were all fine with the changes and CA said that ConCom should therefore formally vote to approve the draft CR for final submission to Town Counsel and the Board of Selectmen.
 - JS so moved; MP 2nd.
 - Motion approved unanimously.
- **Discussion: Ayer Wetlands Protection Bylaw**
 - The most recent draft (6/10/2019) has now been posted on ConCom's webpage.
 - Thursday, 6/20, ConCom is holding a special meeting for public input on the bylaw.
 - Postcards went out earlier in the week to all Ayer residents informing them of this special meeting as well as subsequent opportunities and methods for providing feedback.
 - GB suggested some PowerPoint slides be prepared for the 6/20 meeting.
 - MP said he'd help with that.
 - GB also said it would be good to have Town Counsel provide a preliminary review of the current draft at this time.
 - Once the final draft is submitted to Town Counsel in August and they make any changes then, no further edits can be made by ConCom until it comes up for Fall Town Meeting vote.
- **Conservation Commission Office Updates**
 - Beaver dams, Pine Meadow Conservation Land



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- GB said he and CA had earlier in the week walked down to look at the two beaver dams located upstream of the wetland system that flows into Pine Meadow Pond.
 - ConCom had a beaver deceiver installed at the upper dam (impounding 'Rock Meadow Pond', abutting Autumn Ridge) to prevent the impounded water from rising too high.
 - In 2011, this beaver dam failed, possibly due to human interference, and the resulting rush of water took out the second lower dam, flooded Pine Meadow Pond, and took out part of Oak Ridge Drive as it flooded into Flannagan Pond.
 - GB said the water levels on either side of the upper dam looked pretty level.
 - However, the lower dam is now impounding a lot more water than it should, presenting new potential risks.
- GB has asked CA to contact Mike Callahan, at Beaver Solutions, to evaluate this dam for a beaver deceiver as well.
- 217 West Main Street (MassDEP # 100-0420)
 - GB said that it appears that one section newly graded and seeded landscaping is now experiencing the growth of Japanese Knotweed, an invasive.
 - Knotweed had not been present before this project, so was probably brought in with contaminated new soil.
 - The OOC contains a Special Condition barring the introduction of invasives into a project site.
 - CA will have to write Calvin Moore regarding his responsibility to see to its eradication.
- 0 Central Avenue, John Hillier, Central Avenue Compassionate Care, Enforcement Order (EO)
 - GB said the erosion controls have now been installed and that blue flags, presumed to denote wetland delineation, are now visible.
- **8:18 PM – Adjourn Meeting**
 - JS moved to adjourn; MP 2nd.
 - Motion approved unanimously.

Minutes Recorded and Submitted by Jessica G. Gugino, Clerk

Date Minutes Approved by Conservation Commission: _____

Signature Indicating Approval: _____

6/27/2019
Jessica G. Gugino