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JUN 22 2023

TOWN OF AYER  
TOWN CLERK

## Town of Ayer Conservation Commission

Town Hall \* One Main Street \* Ayer, MA 01432 \* 978-772-8220, ext. 143  
Minutes for 5/25/2023

Location: Ayer Town Hall, 1st Floor

Present: Jon Schmalenberger (Chair), Mark Phillips (Vice-Chair), George Bacon (Member), Jen Amaya (Member), Jessica Gugino (Member/Clerk), Heather Hampson (Conservation Agent)

APAC taped: YES

All Public Hearings are opened under the Wetlands Protection Act (MCL Ch. 131, section 40)  
and under the Ayer Wetlands Bylaw (Article XXVI)

### 7:00 PM – Open Meeting

- **Confirmation of Agenda**
  - **VOTE:** G. Bacon moved to confirm the agenda as posted; M. Phillips 2<sup>nd</sup>.
    - Motion approved unanimously 5-0.
- **Approval of Meeting Minutes**
  - **VOTE:** G. Bacon moved to accept the minutes for 5/11/2023 as amended; M. Phillips 2<sup>nd</sup>.
    - Motion approved unanimously 5-0.
- **Public Input**
  - None received.
- **Public Meeting (cont'd.): Request for Determination of Applicability (RDA) – Infrastructure improvement, end of Marshall Street and Third Street, Ayer Department of Public Works (DPW)**
  - DPW Director Dan Van Schalkwyk was present.
  - The proposed work is to install a bioretention basin and other improvements in an undeveloped area within a Town Right-of-Way (ROW) adjacent to the intersection of Marshall and Third, at the eastern end of Grove Pond.
  - ConCom inspected the project location during a site visit on Saturday, 5/13.
    - As noted during the site walk, the DPW will endeavor to save the two mature trees at the edge of the proposed basin location if at all possible.
    - For public safety reasons, M. Phillips asked that the DPW remove numerous dead hanging limbs from over the proposed path area as well.
    - H. Hampson will inspect the erosion controls when they are installed.
  - **VOTE:** G. Bacon moved to issue a Negative Determination of Applicability (DOA); M. Phillips 2<sup>nd</sup>.
    - Motion approved unanimously 5-0 and the DOA was signed.



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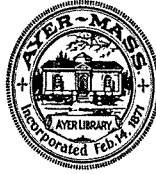
- **Public Hearing (cont'd.): Notice of Intent (NOI) – 2 Wright Way Sewer Pump Station, Ayer DPW, MassDEP # 100-0484**
  - Present were DPW Director Dan Van Schalkwyk and Audrey Starbard, Project Manager from Tighe & Bond.
    - Also present was resident Keith Henderson, on whose property the Town utility easement is located.
  - The project proposes replacing the aging/corroding pneumatic injector sewer pump with a new submersible pump station using the same footprint and concrete enclosure of the existing station.
    - A drainage swale, a geoweb-stabilized access road to the station, and other improvements are planned as well (including movement of electrical control components out of the flood zone to the nearby existing shed along with installation of an odor-control system).
  - ConCom inspected the project location during a site visit on Saturday, 5/13.
  - Mr. Van Schalkwyk said the Town has been trying to schedule the rehabilitation/update of this pump station since FY19.
    - He said it should be able to accommodate the Stratton Hill subdivision further down, and off of, Wright Road if that moves forward.
      - Stratton Hill would be asked to compensate the Town via connection fees and capacity usage fees if the project is tied in to this station.
      - It is also a possibility that Stratton Hill might need to install its own sewer pump station, but he noted that the existing sewer main does not stay on Wright Road as it runs to the end.
        - This means there is not an easy tie-in location to the main at that portion of Wright Road, near Standish Avenue.
  - G. Bacon brought up the issue of the amount of road salt used during the winter on the side streets off Wright Road down to Sandy Pond, including Wright Way.
    - Specifically regarding Wright Way, Mr. Van Schalkwyk said the DPW will continue to plow Wright Way to the extent that it has been doing, but, if necessary, will plan on using a snow blower to clear further, from the end of the current road across the geoweb lawn access to the pump station.
      - They would therefore not be plowing road salt any closer to the pond on Wright Way.
    - More broadly, though, the Commission recommended the DPW look into reduced salt use on all the side roads off Wright, and H. Hampson asked if there were low-salt or other alternatives that could be used.
      - As Mr. Van Schalkwyk noted, the DPW has to balance in public safety when treating these roads but said he would look into it
  - Regarding the concern expressed by the neighbor who directly abuts the easement and the Henderson property, H. Hampson asked if the neighbor would still be able to access her yard with large equipment (e.g. if a tree came down and had to be removed) through a section of fence that is removed when needed.



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- Currently the only access to her back yard is from the Henderson property through this fence section.
  - Would the installation of the drainage swale along the property line interfere with this access?
- Mr. Van Schalkwyk said the swale would be 3 ft. wide and 1 ft. deep, so a larger truck should be able to drive across the swale.
- It was clarified that while the project may take a year to complete – putting out the bid, securing a contractor and supplies, final design etc. – the actual work on site should only take 2-3 months, during which the use of a temporary generator will be needed.
  - Doing this work during winter, when windows are closed, should also reduce the impact of generator noise.
- Based on site walk observations, M. Phillips and Mr. Van Schalkwyk discussed altering a proposed berm height to further help direct the stormwater flow into the new swale.
- J. Gugino asked how the geoweb material portion of the access to the station (across what is currently lawn, from the end of the road to the station) would be anchored.
  - The honeycombed geoweb will be filled in with grass to present a lawn appearance, but the substrate underneath will be stone.
    - The abutters during the site visit had expressed concern about this area being able to shift, especially if plowed.
  - While the DPW does not plan to plow the geoweb area, but use snow blowers if greater winter access is needed, the Commission asked the DPW to look into whether the geoweb material could be pinned somehow, at least at the edges.
    - H. Hampson will follow up on this as well when the plans are further advanced.
- Mr. Henderson raised the issue of neighborhood concerns over the potential for sewage odors coming from the different style pump proposed.
  - The existing pneumatic injector system is fully enclosed; no odors can escape.
  - The new submersible design will include an odor-control tank, with carbon filter, in the nearby shed.
  - The DPW and Tighe & Bond emailed the abutters with information on a similar pump station on Lake Quinsigamond, in Worcester, that they can drive by and observe (the station is fenced in so direct access is not possible).
  - Mr. Henderson asked for more technical information on air movement during pumping, as it might affect odors, and Mr. Van Schalkwyk indicated he'd be happy to go over more of those details directly with Mr. Henderson.
  - Mr. Henderson asked how often the carbon filter will need to be changed.
    - Mr. Van Schalkwyk said that will depend on the flow usage, but that the station will be designed according to the Best Management Practices of the particular manufacturer used (to be determined after the project goes out to bid).
      - The DPW will monitor regularly and change out as needed.
      - J. Schmalenberger asked if the DPW would have a replacement filter on hand?



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- When asked why the newer submersible design has been chosen over the current pneumatic injector style that is completely sealed to the atmosphere, Mr. Van Schalkwyk said the submersible style matches well with other equipment the DPW uses, so that there is greater redundancy in parts.
  - In addition, the pneumatic injector style pump uses about 5 times more energy to operate than the new one will.
  - Ms. Starbard added that it is getting harder to get replacement parts for the older style pump pod.
- Mr. Henderson asked about the station being pulled off line when the pumps are serviced.
  - Mr. Van Schalkwyk said that because the submersible will have two pumps, only one pump would be serviced at a time so the other one would always remain functioning.
    - Redundancy has been built in.
- Mr. Henderson said he had read that – when there are no grinder pumps feeding into the system, just gravity (as is the case here) – submersible pumps tend to clog more when handling larger particulate material.
  - He said this looked like going from a pump station that needed minimal servicing to one that will need more servicing.
  - Mr. Van Schalkwyk said it may be necessary to have a grinder pump inside.
- When asked by Mr. Henderson to consider delaying a vote until after residents have had a chance to visit the Worcester station, ConCom members did not feel this was necessary.
  - As J. Amaya said, the existing pump station is in poor condition due to corrosion; no matter what, it needs to be replaced.
  - With it getting harder to find parts for the existing model, it makes sense that the new submersible model needs to be used regardless.
  - Mr. Van Schalkwyk also said the DPW needs to open the project to bidding as soon as possible, especially given greater delays in getting materials that have arisen the last few years.
- **VOTE:** G. Bacon moved to approve the Notice of Intent and issue an Order of Conditions (OOC) for the reconstruction of the sewer pump station at the end of Wright Way; M. Phillips 2<sup>nd</sup>.
  - Motion approved unanimously 5-0 and the Commission signed the draft OOC as prepared by H. Hampson.
- **VOTE:** G. Bacon moved to close the Public Hearing for 100-0484; M. Phillips 2<sup>nd</sup>.
  - Motion approved unanimously 5-0.
- **Request for Partial Certificate of Compliance (PCOC): 7 Hemlock Drive, MassDEP # 100-0341, Pingry Hill subdivision**
  - This OOC was issued for infrastructure work in the subdivision, including work done on or across a number of house lots, 7 Hemlock Drive being one of them.
  - H. Hampson said the DPW approved the infrastructure work (e.g. stormwater) years ago and the Town has also already accepted the work that was done, including the roadway.



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- The developer has not yet submitted a COC request for the whole OOC, but meanwhile the property at 7 Hemlock has been sold, with a closing scheduled for next week.
- The lack of a COC is a concern for the buyer's attorneys, hence the request for the Partial COC to remove this Order from the deed.
- **VOTE:** G. Bacon moved to issue the PCOC for 100-0341 to 7 Hemlock Drive; M. Phillips 2<sup>nd</sup>.
  - Motion approved unanimously 5-0 and the PCOC was signed.
- **Conservation Commission Office and Member Updates**
  - Re-sign COC issued for MassDEP # 100-0030
    - This COC was issued by the Commission in January but the attorney lost the signed document and has asked for a replacement so he can file it at the Registry of Deeds.
      - The Commission signed the replacement COC.
  - Ayer Solar II
    - The request for an Amendment to the Order of Conditions (OOC) – for 0 Washington Street, Ayer Solar II, Rohit Garg, MassDEP # 100-0444 – opened at ConCom's 5/11 meeting and was then continued to 6/8.
    - H. Hampson met last week with members of the Planning Board and a representative from Green International, the peer reviewed hired by the Planning Board to review the concurrently submitted new Site Plan Review.
      - The Board met with representatives from Ayer Solar II two days earlier, on 5/23, and had just received 62 comments from the peer reviewer but not had time to review them.
        - H. Hampson will forward the comment letter on to Commission members.
    - Planning Board members will be joining ConCom on its already scheduled site walk on 6/3, at 8 a.m.
    - While Solar II is scheduled to appear again before ConCom on 6/8, it won't be back before the Planning Board again until 6/13.
      - ConCom will keep this in mind when it re-opens the Public Hearing at its meeting on the 8<sup>th</sup>.
  - Catania Oils
    - Catania will be putting in an oil/water separator for a ground-level roof drain.
      - Given the recent peanut oil spill, H. Hampson said this was a good idea and is working with them to determine what type of ConCom permitting will be required.
    - They are also planning another addition, but it does not appear that the addition will be located within ConCom jurisdiction.



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- Oak Ridge Sheds
  - G. Bacon asked what has happened to the plans to remove the sheds on the Town's conservation land (related to the Tooker property acquisition).
  - J. Gugino said this was raised at a meeting with Town Manager Robert Pontbriand earlier in the year, and will be taken up again when a future meeting is scheduled with Mr. Pontbriand, Mr. Van Schalkwyk, and representatives from the Commission.
    - The decision to remove the shed was made just before the Covid pandemic shutdown, moving the project to the back-burner.
- **8:07 PM – Adjourn Meeting**
  - **VOTE:** G. Bacon moved to adjourn; M. Phillips 2<sup>nd</sup>.
    - Motion approved unanimously 5-0.

Minutes Recorded and Submitted by Jessica G. Gugino, Clerk

Date / Signature of Approval:

6/8/2023 