

## **Town of Ayer Conservation Commission**

Town Hall \* One Main Street \* Ayer, MA 01432 \* 978-772-8249 \* 978-772-8208 (fax)

Minutes for **04/08/10** – **Approved 05/27/10**

Location: DPW Office, Brook Street

Members present: Bill Daniels (BD, Chair), Dave Bodurtha (DB, Vice-Chair), Takashi Tada (TT, Clerk), Jessica Gugino (JG), Becky DaSilva-Conde (CA, Conservation Administrator)

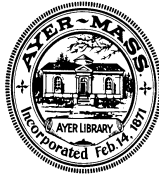
Not present: George Bacon

APAC taped: No

### **7:45 PM – Open Meeting**

-- *Note: Start time delayed due to meeting room schedule mix-up at Town Hall.*

- **Public Hearing (cont'd): NOI – MBTA Commuter Rail Improvement (DEP #100-0334)**
  - Holly Palmgren, MBTA, and Mike Turgeon, Jacobs Engineering (wetland consultant).
  - Ms. Palmgren provided a check to CA for the legal notice.
  - Mr. Turgeon presented the revised plans. Revisions include:
    - Proposed relocation of the transformer that is currently mounted on the fence.
    - Designated refueling areas outside of wetland buffer zone.
    - Erosion controls.
  - Mr. Turgeon provided a sketch of the proposed signal house (approved by DEP), and an email from Phil Nadeau (DEP Section Chief) confirming that the stormwater management standards are not applicable in this case.
  - Special Conditions will include:
    - Removal of old erosion controls.
    - Refueling plan specifications.
  - MBTA does not plan to use the extra culvert pipes (from previous culvert project) for the double track project.
  - JG moved to approve MBTA's NOI (100-0334); TT 2<sup>nd</sup>.
    - Motion approved unanimously.
  - BD reminded MBTA to notify CA in advance of starting work, in order to inspect erosion controls.
- **Public Hearing (cont'd): NOI – Stratton Hill Subdivision, Wright Road**
  - Dave Moulton, developer, and Russ Wilson of R. Wilson Associates (engineer).
  - Mr. Wilson presented the revised plans, which show the re-flagged wetlands.
    - Wetlands in the northern part of the site expanded slightly due to beaver activity.
    - Detention basin B-4 was redrawn slightly, but has the same volume as before.
  - JG mentioned that basin B-B does not appear to be functioning; all the runoff from the slope ends up in basin B-A.
    - Mr. Wilson explained that B-B is not tied in yet.
  - Several residents of Standish Avenue and Wright Road were in attendance and expressed anger and frustration at the nearly impassable conditions of the roads below the subdivision due to uncontrolled stormwater runoff.
    - Subsidence along Standish Avenue required the DPW to put steel plates over portions of the roadway.
  - Mr. Moulton and Mr. Wilson suggested adding check dams in the area just above the intersection of Wright Rd. – Standish Ave.

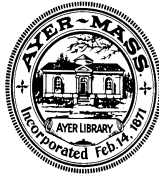


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- Dan Nason, DPW Superintendent, also suggested adding clay-lined check dams along the unpaved subdivision road.
  - BD asked if the stormwater problem was related to velocity or volume.
    - Mr. Nason said both the velocity and volume were problematic, but he believed the volume of ponding from basin B-A was the bigger factor.
  - Construction of basin B-1 might be helpful, but some trees would need to be cleared.
  - BD suggested uncovering the catch basins at Wright – Standish intersection that are currently covered.
  - Mr. Moulton also said he could regrade the toe of the slope to create more of a dam effect that would hold back runoff and divert it to catch basins.
  - Mr. Nason said the catch basins would need to tie in to detention basin B-1.
    - Detention basins are designed to handle 100-year storm events, whereas catch basins are typically designed to handle only 25-year events.
  - The first course of action is for Mr. Moulton and Mr. Nason to inspect Standish Ave. and Wright Road, address any immediate safety concerns, and discuss remedies.
    - Mr. Moulton will investigate the options available at the site, such as check dams, additional catch basins, etc.
  - JG moved to continue the public hearing to 04/22/10; TT 2<sup>nd</sup>.
    - Motion approved unanimously.
  - CA recommended that Mr. Moulton provide copy of all future plans to Mr. Nason.
  - Mr. Wilson provided a letter requesting extension of the other OOC pertaining to this project, for the sewer infrastructure and repaving along Wright Road.
- **Public Meeting: Emergency Certification – Flooding at Patriot Estates (Sandy Pond Rd.)**
    - Ed Cornellier, developer of Patriot Estates, and Dan Wolfe of David E. Ross Associates (engineer), discussed their proposed strategy to alleviate flooding of homes and driveways.
    - They propose to install a culvert pipe at elevation 230 ft., from the existing detention basin next to Patriot Way to the wetlands on the other side of Sandy Pond Rd. The pipe would be installed through the road bed (i.e., below the road), which was recently resurfaced by DPW at a cost of \$200,000.
      - Dan Nason, DPW Supt., gave his approval of the work. He recommended a surety bond (\$200,000) as insurance.
      - Mr. Cornellier owns the land where the pipe will discharge the water.
      - The land is in mapped rare species habitat. The Natural Heritage and Endangered Species Program provided a letter authorizing the discharge of floodwater to the wetlands on Mr. Cornellier's property.
    - The plan presented by Mr. Wolfe contains roadway rebuilding specs per DPW.
    - All materials will be stored on vacant lot off Patriot Way.
    - According to Phil Nadeau of DEP, this project can be handled under the Emergency Certification application process of the Wetlands Protection Act (WPA).
    - DB asked about notifying the abutters to the property where the discharge is to occur.
      - Besides Mr. Cornellier's relatives, the only other abutter is Mr. Valerde, who was in attendance and acknowledged that he had been duly notified.



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- Mr. Schwartz, abutter to Patriot Estates, said the culverts along the railroad are blocked by debris and are contributing to the flooding in the area.
  - DB responded that the Commission was aware of the blocked railroad culverts and would address the issue with the MBTA.
- DB mentioned that dye tests showed no evidence of surface flow from behind Patriot Estates.
- TT asked if the engineers had estimated the volume of water that will be discharged to the wetland.
  - Volume had not been calculated; however the discharge plan includes a coffer dam to control the flow of water, and hay bales to prevent erosion.
  - BD recommended a double row of hay bales for good measure.
  - The cut in the road bed will be shored with steel plates.
- Work will begin on/after 04/09/10, subject to DPW permission to open the road.
- JG moved to approve the WPA Emergency Certification for Patriot Estates; TT 2<sup>nd</sup>.
  - Motion approved unanimously.
- **Public Hearing (cont'd): Land Use Regulations – Pine Meadow Conservation Land**
  - Residents who expressed opposition to hunting on the conservation land included Bobbie Eliades of Groton-Harvard Rd., Michael and Beth Clark of Oak Ridge Dr., John Cadogan of Autumn Ridge, and Heaton Nash of Autumn Ridge.
  - Those in attendance agreed that priority should be given to public safety.
  - Ms. Eliades said the Ayer Rod and Gun Club charges \$50 to join, plus \$50 annually.
  - Mr. Clark said he could not find any data on the number of deer in the area, the number of vehicle collisions involving deer on the neighboring roads, or the local rate of Lyme disease.
  - Mr. Cadogan said he found a deer stand in the woods on or near the conservation land, along with a plastic canister used for target practice.
    - He provided photos of the deer stand and showed the canister with shotgun holes.
    - Mr. Cadogan provided written comments on behalf of more than 30 residents of the Autumn Ridge community.
    - BD suggested notifying the police of the tree stand and target shooting.
  - Mr. Nash said the draft regulations should be written such that hunting is prohibited, rather than allowed, as a general rule. Exceptions could be granted, if needed.
  - None of the residents in attendance spoke in favor of hunting.
  - BD closed the public comment period at 10:20 PM.
  - For the 04/22/10 meeting:
    - BD asked Commissioners to prepare statements for the record.
    - CA will provide copies of all written comments to Commissioners for review.
  - DB moved to continue the public hearing to 04/22/10; JG 2<sup>nd</sup>.
    - Motion approved unanimously.
- **10:40 – Adjourn Meeting**
  - JG moved to adjourn; DB 2<sup>nd</sup>.
    - Motion approved unanimously.