

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **03/24/11** – Approved 4/28/11

Location: Ayer Town Hall, 1st Floor

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

Not present: Bill Daniels (BD, Chair)

APAC taped: Yes

7:05 PM – Open Meeting

- **Pledge of Allegiance**

- **Confirmation of Agenda**

- GB moved to confirm agenda as written; TT 2nd.
 - Motion approved unanimously.

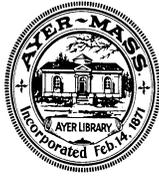
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- **Announcements**

- The Nashua River Watershed Association (NRWA) will hold a free workshop on protecting forests, 6:30-8:30 pm on Wednesday, April 13, at 592 Main Street, Groton.

- **Workshop: “Low Impact Development (LID): A Better Way to Work in the Landscape”**

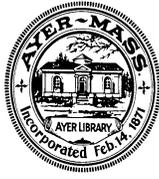
- Mark Archambault, Smart Growth Circuit Rider for NRWA, gave a power-point presentation on LID.
- A correlation exists between the amount of energy used and the amount of impervious pavement put down, Mr. Archambault said.
- LID is a sustainable approach to land development and stormwater management.
- Mr. Archambault compared LID with conventional high impact development (HID) practices.
 - As an example: a conventional HID might put in two large catchbasins while a LID might employ clustered housing, minimize impervious surfaces, and put in multiple smaller rain gardens, rain barrels, dispersed swales and vegetated filter strips.
- LID is a site-specific practice that works with the local landscape and tends to be more attractive than HID practices.
- While LID requires more design work, Mr. Archambault said that it is typically less expensive for developers to do LID rather than HID.
 - Planning Board Member Steve Wentzell asked if that was so, then why didn't more builders use LID?
 - Mr. Archambault said LID is relatively new and not well known, having only been used in the U.S. for about 20 years.
- In terms of applying LID at the local level, Mr. Archambault said the first step was for towns to set up their stormwater bylaws and regulations.
 - The second step would be for towns to then amend their bylaws to provide for LID alternative stormwater systems.



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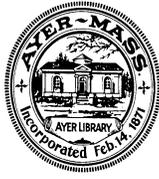
- Mr. Wentzell asked about the track record for LID – for example, whether people get tired of treating multiple raingardens versus just a couple of catchbasins.
 - The Massachusetts Smart Growth Took Kit, available online, is a good resource.
 - Proper/regular maintenance is key to preserving the functionality of LID systems.
 - Mr. Archambault said the Center for Watershed Protection in Maryland has the longest record and he would check with them.
 - CA said that now new subdivisions are required to establish homeowners associations, and that LID maintenance therefore easily can be incorporated within such an association's annual landscaping plans.
- CA asked Mr. Wentzell if Ayer has updated its zoning bylaws to allow for LID.
 - CA noted that when the Pingry Hill subdivision came before the Planning Board many years ago, they were prohibited from doing LID clustered housing because of then-existing bylaws.
 - Ayer resident Jeremy Callahan said that incorporating LID into building code in order to give developers more options wouldn't be that difficult.
- **Public Hearing (cont'd): Kohler Place, Sandy Pond Investment Trust**
 - CA said that David E. Ross Associates has put in the requested stakes to mark planned house and catchbasin locations, and that Jesse Johnson has updated the wetland flagging.
 - A site visit was scheduled for 9 am on Saturday, 4/9/11.
 - GB moved to continue the Public Hearing to 4/14/11; TT 2nd.
 - Motion approved unanimously.
- **CA Updates**
 - Science Trail Rerouting
 - CA asked Conrad Donell, of the Ayer Gun and Sportsmen's Club, for a copy of the survey plan used when the gun club did its forestry logging last fall.
 - Mr. Donell told CA there are flags and stone markers designating the boundaries and that he will mark these on the plans before giving a copy to CA.
 - CA requested the copy in relation to Steve Smith's asking the Commission's permission to begin work this spring on rerouting a damaged portion of the Science Trail back onto Town land.
 - The Commission wanted to confirm the boundaries between gun club and Town land before okaying trail rerouting work.
 - Stratton Hill
 - CA spoke to developer Dave Moulton recently.
 - The check dams put in along Wright Road last summer appear to be working.
 - CA told Mr. Moulton that the haybales and silt fencing need to be replaced on Wright Road before any more work or paving can take place there.
 - Mr. Moulton plans to finish the final paving of Wright Road this spring.
 - The planned land donation has been put on hold until the fall.
 - In the development itself, Mr. Moulton plans on constructing two more catchbasins and finishing the existing two basins this year.



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- CA told Mr. Moulton that the DPW access road to Long Pond dam that runs along the lower existing basin adjacent to Wright Road needs to be corrected as the access road is now subject to flooding as the basin fills.
- CA has asked for site plans that show the final corrections so that the Commission has an accurate plan on file.
- The Commission noted that it has not yet finalized and issued a new OOC for Stratton Hill and that this must be done before Mr. Moulton can begin working on the site this spring.
 - Bob Collins, attorney for Mr. Moulton, has asked to look over the Special Conditions beforehand.
- 217 West Main Street
 - An Enforcement Order, including a Cease-and-Desist, has been issued to Phil Berry over his tenant's use of this lot for the storage of used cars.
 - The BOS issued a class 2 business license last year for this use without contacting the Commission and despite there being stormwater and wetlands issues involved.
 - CA was told that when the Board of Selectmen (BOS) held its Public Hearing for this license, resident Laurie Nehring spoke up at the time to remind the BOS that the lot was located in an ACEC as well as within the aquifer for a Mass. Development Zone 2 well.
 - The tenant approached CA recently asking what he can now do, given that Mr. Berry does not want to pay for work that would customize the lot for his tenant's intended use.
 - CA will be meeting with Town Administrator Robert Pontbriand on this; the Commission has yet to hear back from the BOS about its concerns with how the BOS issued this license in the first place.
 - The Commission requested in an email sent 2/10/11 that the BOS solicit the Commission's opinion prior to authorizing business permits in areas where wetlands are present.
 - Ultimately this issue will have to go back to the BOS for resolution as it issued the permit in the first place.
 - Janet Lewis, Secretary to the BOS, told CA that the Building Inspector gets copied on Class 2 license applications as a matter of course, and suggested the Commission ask to be copied on similar license applications so that it can have a chance to comment on relevant conservation and stormwater concerns.
 - The BOS will need to take specific action in order to change its policy in this regard.
- Upcoming Agenda
 - An RDA for Pan Am Railway to perform regular pesticide application along the tracks.
 - An NOI for Pingry Hill/Ridgeview Heights to begin Phase III construction.
 - Steve Mullaney, of SJ Mullaney Engineering, has submitted a supplemental plan that realigns proposed stormwater management components.



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- This eliminates the need for wetland alternation and replication, making the application for 401 Water Certification no longer necessary.

- **Member Updates**
 - Pond Weed Control RFP: Given the absence of BD, the Commission arranged for a special meeting at 7 pm on 3/29/11 to finalize the RFP.
 - CA will post accordingly.
 - The Commission confirmed that the 1988 USGS topographical map designates a certain town pond as “Flannagan Pond” and this will henceforth be the Commission’s accepted spelling (as opposed to Flanagan, Flanagan’s, Flannagan’s, or Fletchers).
 - TT said the new trail map being prepared by the Greenway Committee is almost ready and will reflect the planned rerouting of the Science Trail.
 - GB said the Planning Board reads its Public Hearing notices aloud at its meetings and suggested the Conservation Commission do likewise.
 - JG described the recent BOS meeting at which a group of citizens asked for consideration of land on West Main Street as an alternative site for an Ayer train station and associated parking.
 - It was noted that wetland and stormwater issues frequently arise in lots adjacent to West Main Street.

- **9:03 PM – Adjourn Meeting**
 - GB moved to adjourn; TT 2nd.
 - Motion approved unanimously.