

RECEIVED

JUL 09 2019

TOWN OF AYER

6:00pm

*Monaghan*

## **Town of Ayer Conservation Commission**

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

Minutes for 5/23/2019

Location: Ayer Town Hall, 1st Floor

Present: George Bacon (GB, Chair), Bonnie Tillotson (BT, Vice-Chair), Jessica Gugino (JG, Member/Clerk), Jon Schmalenberger (JS, Member), Mark Phillips (MP, Member), Jo-Anne Crystoff, (CA, Conservation Administrator)

APAC taped: Yes

### **7:05 PM – Open Meeting**

- **Confirmation of Agenda**
  - BT moved to confirm the agenda as posted; JS 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Approval of Meeting Minutes**
  - BT moved to accept the minutes for 5/9/2019 as written; JS 2<sup>nd</sup>.
    - Motion approved unanimously.
- **Public Meeting: Request for Determination of Applicability (RDA) – 66 Littleton Road, Rebecca and Frederick Jones**
  - Assessor's Map 36, Parcel 207
  - ConCom voted to issue a Negative Determination of Applicability for the removal of 3 hazard trees on 5/9/2019.
  - The paperwork was now ready and ConCom members signed the DOA.
- **Request for Certificate of Compliance (COC) (cont'd.) – Lot 3, Orion Park Drive, Foresite Engineering, Scott Hayes, MassDEP # 100-0292**
  - Assessor's Map 7, Parcels 5 & 7
  - Still no response still from the engineer or the company.
  - GB asked that this be removed from the agenda until Orion contacts ConCom again.
- **Discussion: Kohler Place Conservation Restriction (CR)**
  - (MassDEP #s: Lot 1 – 100-0392; Lot 3 – 100-0390; Lot 4 – 100-0391; Subdivision – 100-0340)
  - At the suggestion of Misty-Anne Marold, Natural Heritage & Endangered Species Program, CA added a 'Reserve Right' clause.
    - Given that the dock license specifies a dock location 50 ft. from the property line, a reserve right would allow the property owner to apply to Waterways for an amendment to the dock license.
    - An amendment, which would take about a year to pass through MassDEP Waterways, would allow for the relocation of the dock closer to the Access path.
  - With that change, CA said the CR, from ConCom's perspective, is ready to go to Town Counsel and the Board of Selectmen.
    - CA has not heard back from A. J. Bergin, the property owner, but presumes his attorney will have to review the revised CR as well.
- **Discussion: Ayer Wetlands Protection Bylaw Draft Review**

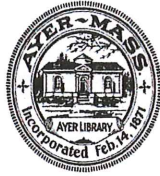


## **Town of Ayer Conservation Commission**

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

Minutes for **5/23/2019**

- JG circulated the latest revision, based on comments and edits received since the last meeting.
  - ConCom went through the entire draft and made additional edits and decisions.
- ConCom also reviewed the draft notice to residents for ConCom's plan to hold a special public input meeting on June 20, along with also scheduling time during following regular meetings (June 27 and July 11) for additional input.
  - The postcard should be mailed at the beginning of the week of June 10.
  - CA will confer with Assistant Town Manager Carly Antonellis further about this.
- **Conservation Commission Office Updates**
  - 0 Central Avenue, John Hillier, Central Avenue Compassionate Care, Enforcement Order (EO)
    - CA observed that wattles and stakes for erosion controls have been delivered to the site, although not yet installed.
    - CA also circulated copies of a September 18, 1947 article on 'The Brook of the Week' in The Public Spirit.
      - The article describes the wetland system/unnamed brook that originates at the spring near the elementary school on Washington Street and flows downhill, passing through the 0 Central Avenue property, on its way to Balch Pond.
      - This is the wetland system that Mr. Hillier insists is just a drainage ditch on his property.
      - It was nice to have this historical documentation!
  - Pirone Park Perimeter Path (MassDEP # 100-0422)
    - The area around the path has now been raked, mulched and hydroseeded, and is looking good.
    - CA also helped plant a River Birch between the path and the pond.
      - The birch was given to the Town by the Finley family.
  - Rosewood Avenue culvert and beaver fencing (MassDEP # 100-0388)
    - CA showed pictures of the downstream side of the culvert, from 4/1, 5/8, and 5/22.
      - The 5/8 photo showed the downstream side reduced to a trickle, but the 5/22 photo showed a fuller stream again.
      - Possibly the changes in flow are related to beaver activity further downstream?
    - CA also called Mike Lotti, of Industria Engineering, and asked him to pick another replication area.
      - He has not yet called back.
  - Trevor Trail
    - The Gallaghers (Seal Harbor Development) pumped out a temporary pond, dumping the water and sediment onto Trevor Trail, in order to construct a driveway at one of the houses they are building.
      - This in turn also sent water under another nearby house, creating a different problem.
      - While mud and sediment have piled up against the erosion controls, nothing has gotten into the wetlands.
  - 113 Oak Ridge Drive
    - CA did a site visit with the homeowner.
    - The backyard slopes steeply down to Flannagan Pond.
      - The owner wants to put in retaining walls like her neighbors to either side and create a 'flatter' backyard.



## **Town of Ayer Conservation Commission**

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

Minutes for **5/23/2019**

- She also wants to take down a big 3-trunk oak tree.
  - CA said the neighbors likely put in their retaining walls without ConCom permitting.
  - Regardless, for the work described here, ConCom members were in agreement that the homeowner would have to follow the Notice of Intent (NOI) process and provide a professionally engineered plan for the retaining wall.
- 28 Harvard Road, Global Partners LP (MassDEP # 100-0429)
  - Demolition of the old Maxant building is almost complete.
- MassDOT stormwater project at Frederick Carleton Circle (MassDEP # 100-0426)
  - This project has been staked and should be getting underway shortly.
- Pulse Design Signs
  - CA showed an example of an interpretative trail sign produced by Pulse Design Inc. and wondered if something similar, regarding ponds, wetlands and wildlife, might be a good educational tool for use at the Town Beach on Sandy Pond.
- **Member Updates**
  - BT has observed green algae in Flannagan Pond, more than usual, and wondered if it was something new or possibly related to last year's weed treatment.
    - CA will ask Solitude to check this out, and in the meantime, BT was advised to take photos and get a water sample next time she observes algae.
- **10:18 PM – Adjourn Meeting**
  - BT moved to adjourn; JSs 2<sup>nd</sup>.
    - Motion approved unanimously.

Minutes Recorded and Submitted by Jessica G. Gugino, Clerk

Date Minutes Approved by Conservation Commission: 6/13/2019

Signature Indicating Approval: 