

11. CPA PROJECT APPLICATION FORM

[CPC Use Only: Date Received 2/24/22 By: SAMMIE KUL
Assigned CPC #2023- 87]

If possible, use word processor to fill out form. Please answer all questions, use "N/A" if not applicable.

1. a.) Applicant Name and Organization: Last GERATH, MARK First _____
Organization(s) (if appropriate) GROTON CONSERVATION TRUST

b.) Regional Project: Yes ☐? or No? ☒ If Yes, Town/Organization: _____

2. Submission Date: 2/24/22

3. Applicant Address: St. PO BOX 395
City/ State: Groton, MA ZIP: 1450

4. Ph. # 978-337-5935 Email: MARK.GERATH@GMAIL.COM

5. CPA Purpose. Check all that apply:

Community Housing ☐ (Affordable Housing ☐ Historic Preservation* ☐ Open Space: ☒
Recreation ☒

* As per MA General Law Chapter 44B, proposed historic projects that are not on the structures listed on the state's registry of historic places require a determination by the Groton Historic Commission that the proposed project is of historic significance.

6. Town Committee or boards participating: CONSERVATION COMMISSION

7. Project Location/Address: OLD AYER ROAD, GROTON, MA

8. Project Name: BATES/BLACKMAN IMPROVEMENTS INCLUDING ACCESSIBLE PATH

9. Additional Responsible Parties (If applicable):

| Role (specify) | Name | Address | Ph. (w) (cell) | Email |
|---------------------|--------------------------------------|--------------------|----------------|--------------|
| Property/Site Owner | GROTON CONSERVATION TRUST | PO BOX 395, GROTON | 978-337-5935 | mark.gerath@ |
| Project Manager | ROBERT PINE, MARK GERATH | PO BOX 396, GROTON | | |
| Lead Architect | MassDEP Order of Conditions 169-1217 | | | |
| Project Contractor | | | | |
| Project Consultants | | | | |
| Other: | | | | |
| Other | | | | |

10. As appropriate, indicate if proposal requires P&S agreement ☒ Deed ☒
Option agreement ☒ Other-describe: _____

11. a.) Assessor info. (map/ block/ lot id.(s)): 222-25 b.) Tax classification type: non-profit

12. Permits required: Zoning: _____ Historic Preservation: _____ Other: MassDEP Order of Conditions 169-1217

13. Historic Commission Approval signoff (when required): _____ Date: _____

14. Funding: a.) Project Cost: \$ 69,050 Estimate: \$ _____ Professional Quote: \$ _____

b.) Requested from CPC: \$ 39,545.00 c.) Committed from other sources: \$ 29,505.00

d.) Annual anticipated total income: \$ _____ e.) Annual anticipated total expense: \$ _____

f.) Anticipated net income (loss): \$ _____ g.) Estimator name/company: Bennett Black, Excavator, Read Custom Sc

15. CCP Objectives - use codes from Section 5 to indicate all that apply: Sections 9.5, 9.6, 9.7

16. Project Timelines: Proposed Start Date: 8/1/22 Projected Complete Date: 11/30/23

17. Estimated Delivery Date of Completion Report to CPC: 12/31/23

18. Project description and explanation (attach additional sheets as needed): The Groton Conservation Trust (GCT) seeks to improve community access and safety at its flagship Bates-Blackman conservation land in Groton, Massachusetts. The unique area consists of approximately 55 acres that include a remarkable diversity of ecosystems, serves as a gateway to a large interconnected area of over 600 acres of protected land, and is one of GCT's most heavily visited properties.
- The property requires substantial upgrades to enhance safety, accessibility, and ecological integrity. Chief among these concerns is the deterioration of the crossing spanning James Brook, immediately adjacent to the existing parking area. The crossing provides the only access to the property and cannot be currently be used by heavy vehicles, including emergency safety vehicles. In addition to replacing the crossing, the GCT hopes to install an install and accessible trail leading from the parking area to accessible seating in an open picnic...CONTINUED
19. Feasibility: The applicant is not aware of any regulatory or technical issues that adversely affect the feasibility of the proposed project. The example zoning and agreement/terms concerns listed in the question are not...CONTINUED
20. List of attachments: * ORDER OF CONDITIONS- FOR SITE IMPROVEMENTS AT BATES CONSERVATION AREA, MASS DEP #169-1217; *BID DOCUMENTS FOR IMPROVEMENTS TO THE BATES/BLACKMAN CONSERVATION PROPERTY, *ADDITIONAL TEXT FOR ITEMS 18, 19, 22, *Community Letters of Support, * Cost Summary
21. Additional Information: N/A
22. Management Plan: The proposed project will be managed by a team led by GCT trustee Bob Pine who has a background in landscape architecture and engineering. Bob is a professional Engineer in Massachusetts and was elected as a Fellow of the American Society of Landscape Architects because of his expertise in both landscape design and landscape construction. He is a recognized expert in soil and drainage design and in environmental engineering and has managed large and small landscape construction projects throughout the US. Bob will be supported by GCT president Mark Gerath, an environmental engineer with more than 30 years...CONTINUED
23. Applicant Signature: Mark Gerath Date: 2/24/22
- Co Applicant Signature: _____ Date: _____
- Co Applicant Signature: _____ Date: _____



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Groton Conservation Trust, CPC Application, Bates/Blackman Improvements including Accessible Path
Continued Sections for items: 18. Project Description; 19. Feasibility; and 21. Management Plan

18. Project Description

The Groton Conservation Trust (GCT) seeks to improve community access and safety at its flagship Bates-Blackman conservation land in Groton, Massachusetts. The unique area consists of approximately 55 acres that include a remarkable diversity of ecosystems, serves as a gateway to a large, interconnected area of over 600 acres of protected land, and is one the GCT's most heavily visited properties.

The property requires substantial upgrades to enhance safety, accessibility, and ecological integrity. Chief among these concerns is the deterioration of the crossing spanning James Brook, immediately adjacent to the existing parking area. The crossing provides the only access to the property and cannot currently be used by heavy vehicles, including emergency safety vehicles. In addition to replacing the crossing, the GCT hopes to install an accessible trail leading from the parking area to accessible seating in an open picnic area. This is one of the few conservation properties in the GCT portfolio that would allow the construction of an accessible trail and seating due to the geography and layout of the land. Even in its current condition, the location of the proposed accessible path is periodically used by people in wheelchairs, demonstrating the need for more accessible paths on conservation land in Groton. In addition, the current parking is insufficient to handle the volume of visitors, resulting in cars parked on a sloped shoulder and into the roadway, and has no designated handicap parking. Use of the property is anticipated to increase substantially when the Groton Hill Music Center across the street opens in the Fall of 2022.

As described in the attached bid documents, the GCT requested bids on three separate projects at the Bates Property. Each project is independent and the projects have differing timelines for work. CPC funding is requested only for the James Book Crossing, Accessible Path, and the Accessible Picnic Tables. However, these form only a part of the larger Bates/Blackman project. The GCT is seeking additional funding from the Community Foundation of North Central Massachusetts for meadow restoration and construction of grass paths, materials for trail safety improvements, and construction of an accessible parking place. The GCT has also committed to expanding the parking area out of dedicated funds raised by private donors, in addition to funds requested from the Community Foundation of North Central Massachusetts.

Improvements to the Bates Property for which CPA funding is requested



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James Brook Crossing: Work on the crossing can only take place with the flow in the Brook is low and preferably when the Brook is dry. In most years, the flow becomes small or stops during a period of time in August or September. However, in wet years, such as 2021, the flow in the Brook does not become sufficiently low to allow the replacement to take place, in which case the work may need to be delayed until 2023.

Accessible Path: The construction of the accessible path can take place after the crossing has been replaced or earlier if the existing crossing is reinforced to support equipment and materials that will be used for construction.

Accessible Picnic Tables: Two accessible tables will be installed within the existing wooded picnic area to which the accessible path will be constructed. Funding for purchase of the tables is sought. Installation will be carried out by the GCT.

Additional improvements to the Bates Property: no CPA funding requested

Expansion and Reconfiguration of Existing Parking Area: The intent of this project is to enlarge, reconfigure and improve the surface material of the existing parking area of the Bates Conservation Property. This work is necessary to ensure adequate parking, including an accessible parking area.

Meadow Restoration: GCT volunteers have been working to reduce the presence of invasives and woody plants within the existing meadow areas. Once the presence of these has been reduced, native wildflowers and grasses will be seeded and additional grass paths through the meadows will be created.

Trail Safety Improvements: Tree roots are exposed within some portions of the existing path beyond the area where the accessible path will be constructed. GCT volunteers will cover these with purchased sand and fine gravel

The GCT respectfully requests CPA funding to help carry out plans to replace the deteriorated crossing over James Brook; for construction of an ADA accessible trail that will extend from the parking area to the meadows near Cady's Pond Brook with a spur to an existing picnic area; and the purchase of accessible picnic tables. The GCT has committed to making additional improvements to the parking area and trails, and restoration of the meadows with funds already earmarked by its board for this work and to be raised by private donors from the community.

This is but one part of a larger multi-year project initiated by the GCT in 2018 to provide increased recreational access, expand trail linkages to connect recreational areas, and improve the infrastructure to support future use and programming. The larger project has been carried out to date primarily by volunteers. At the Bates-Blackman property, GCT Trustees and other



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community volunteers have dedicated, and will continue to dedicate, hundreds of hours over three years to remove invasive species from the picnic area, restore the meadows from woody invasive species growth, and improve the trails. Additional volunteer hours have been donated for engineering services to develop a plan that has been approved by the Town of Groton Conservation Commission for the work near James and Cady's Pond Brooks.

19. Feasibility

The applicant is not aware of any regulatory or technical issues that adversely affect the feasibility of the proposed project. The example zoning and agreement/terms concerns listed in the question are not relevant to the project. The project is regulated under the Massachusetts Wetlands Protection Act and Groton's Wetland Protection Bylaw and both have been addressed. Elements of the proposed project are subject to "Order of Conditions - for site improvements at Bates Land Conservation Area, Mass DEP #169-1217" (see attached) due to the project's proximity to James Brook and Cady Pond Brook. Bob Pine has overseen the application and documentation process for the Order of Conditions, working directly with the Groton Conservation Commission through the application and Public Hearing process. The team has substantial experience with the implementation of the Wetlands Protection Act and will continue to work directly with the GCC to ensure all planning, construction, and documentation requirements are met. The engineering and construction methods proposed are routine and no constraints are anticipated.

21. Management Plan

The proposed project will be managed by a team led by GCT trustee Bob Pine who has a background in landscape architecture and engineering. Bob is a professional Engineer in Massachusetts and was elected as a Fellow of the American Society of Landscape Architects because of his expertise in both landscape design and landscape construction. He is a recognized expert in soil and drainage design and in environmental engineering and has managed large and small landscape construction projects throughout the United States. Bob will be supported by GCT president Mark Gerath, an environmental engineer with more than 30 years of experience in water resources permitting and environmental assessments; and GCT staff Katy Coburn, who has a background in conservation and sustainability, with over 20 years experience in research and non-profit management.

Bob Pine and Mark Gerath will not be remunerated for their work on the project; their efforts are contributed solely as volunteers in their roles as trustees for the Groton Conservation Trust. Bob is contributing engineering expertise only on a pro bono basis. This grant does not include a request for any operational support or any funding for Katy Coburn's work on the project as a paid employee of the Groton Conservation Trust.



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Bob will work directly with contractors and suppliers to oversee implementation of the project plans, adherence to the MassDEP Order of Conditions, and supervise construction deliverables and completion. The team will work together to ensure target dates are met and the project stays on track. The close proximity of the work site to the town village eliminates any barriers to access to direct in-person oversight and project management. As with all GCT properties, the Bates/Blackman Conservation Land is subject to an existing written management plan overseen by the Trustees of GCT, which will be modified to include the construction updates and accessible areas. The property is formally monitored on an annual basis, and volunteers will continue regular mowing and invasive plant removal to maintain the meadows and cleared areas.

Bates/Blackman Improvements Including Accessible Path: Cost Summary

| |
|--|
| Funding request to Community Foundation of North Central Massachusetts |
| construction of Accessible Parking Place |
| |
| Improvements to be funded by Donations and Existing GCT Funds |
| Expansion and Reconfiguration of Main Parking Area, permitting fees, professional consulting |
| |
| Improvements for which Groton CPA Funding has been requested |
| 1. Replacement of James Brook Crossing |
| 2. Construction of Accessible Path |
| 3. Purchase of two Accessible Picnic Tables |
| Total CPA Funding Request |
| |
| Total Project Costs |

OTHER
SIDE
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| |
| \$7,500 |
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| \$22,005 |
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| |
| \$13,585 |
| \$21,560 |
| \$4,400 |
| \$39,545 |
| |
| \$69,050 |



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Bid Documents for Improvements to the Bates-Blackman Conservation Property

The Groton Conservation Trust (GCT) seeks Bids from Contractors to make improvements to the Bates-Blackman Conservation Property on Old Ayer Road in Groton. Separate Bids are requested for improvements to and expansion of the existing parking area, replacement of the existing crossing of James Brook, and construction of a new accessible path from the new crossing to two open fields and to a wooded picnic area. Contractors may bid on one, two or all three projects.

Regulatory Status

All three projects include work that is governed by the State and local Wetland Protection Laws. An Order of Conditions has been granted for the work and is attached. The crossing and accessible path projects will include funding through the Groton Community Preservation Committee which affects the bidding process and payment provisions.

Prevailing Wage Requirements

We anticipate that the replacement of the James Brook crossing, and construction of the accessible path will be funded in part with Community Preservation Funds. Therefore, the work on those projects must be carried out according to the provisions of the Massachusetts Prevailing Wage Law. Bids for those projects must reflect that cost. Improvements to and expansion of the existing parking area will be funded entirely through the GCT, and therefore the Massachusetts prevailing Wage Law will not apply to that work.

Timeline and Sequence for Work

We anticipate that the work on the parking area will take place first, replacement of the crossing will take place second, and construction of the accessible path will take place third.

Parking Area

Work on the parking area must take place in the late spring between May and the end of July 2022.

James Brook Crossing

Work on the crossing can only take place when the flow in the Brook is low and preferably when the Brook is dry. In most years, the flow becomes small or stops during a period of time in August or September. However, in wet years, such as 2021, the flow in the Brook does not

become sufficiently low to allow the replacement to take place, in which case the work may need to be delayed until 2023.

Accessible Path

The construction of the accessible path can take place after the crossing has been replaced or earlier if the existing crossing is reinforced to support equipment and materials that will be used for construction.

Payment Process

Because of funding through the CPC, payment for work for the crossing and accessible path projects will be through the Town of Groton and must conform to State Finance Law. Payment for the parking area project will be directly from the Groton Conservation Trust and is not governed by that law.

The description of the payment process below is from the Groton Community Preservation Plan for 2021-2022 and applies to the crossing and accessible path projects.

"Payment of Vendor Invoices.

Payment of invoices is governed by State finance law. This can be frustrating for all involved but the rules cannot be circumvented. In general, invoices may be paid only when the service is completed or the goods have been received. In some cases, periodic payments are permitted but this is usually in connection with specific allowable contract language that forms part of formal bid awards for costs exceeding \$35,000. In no instance will "down-payments" or "advances" be processed for payment. Please be sure your vendor understands this.

Properly processed and signed invoices will be paid on the next subsequent warrant. Warrants are every two weeks. Accounting can give you a list of the check issuance dates and the deadlines for the office to receive paperwork in order meet a particular issuance date. "C.O.D" type payments are not permitted. In addition, the town does not pay finance charges, and, as you will see below, the signature cycle can take some time. Incomplete invoices will need to be sent back through the CPC to the originating entity; this can add weeks to the payment process. While this puts the vendor in a difficult position, we cannot legally pay incomplete, unsigned invoices. Please be sure your vendor understands this. Please do not pay a vendor yourself and expect to be reimbursed. State finance laws apply to reimbursements as well; if the vendor's charges were inappropriate; we cannot reimburse. Even if the charges were correct, a fair amount of proof of your payment, including all the required signatures noted above, will be needed. As noted above, the Town does not pay finance charges. The Town also does not pay sales tax. Please avoid catching yourself in a situation where you may be out-of-pocket with no recourse.

Properly processed and signed invoices include at least the following:

- o · CPC Funding Project Number (#) clearly identified on each invoice

- o · Complete vendor information, including full name, address, tax identification number and a phone number where the vendor can be reached if questions arise. (If we do not already have the vendor in our system, we may require additional forms from the vendor, prior to the first payment.)
- o · Description and amount of charges, properly dated for the period services were rendered. "

Project: Replacement of the Existing Crossing of James Brook

(Proposed Community Preservation Funding)

The existing crossing consists of stone block walls with wooden decking. The current opening is approximately three feet wide by four feet high. The stone-block walls have been pushing inward and are reinforced by pressure treated wood struts. The wooden deck has also been deteriorating. The intent is to remove the deck and stone blocks and replace them with an open-bottom reinforced concrete culvert with the same open area.

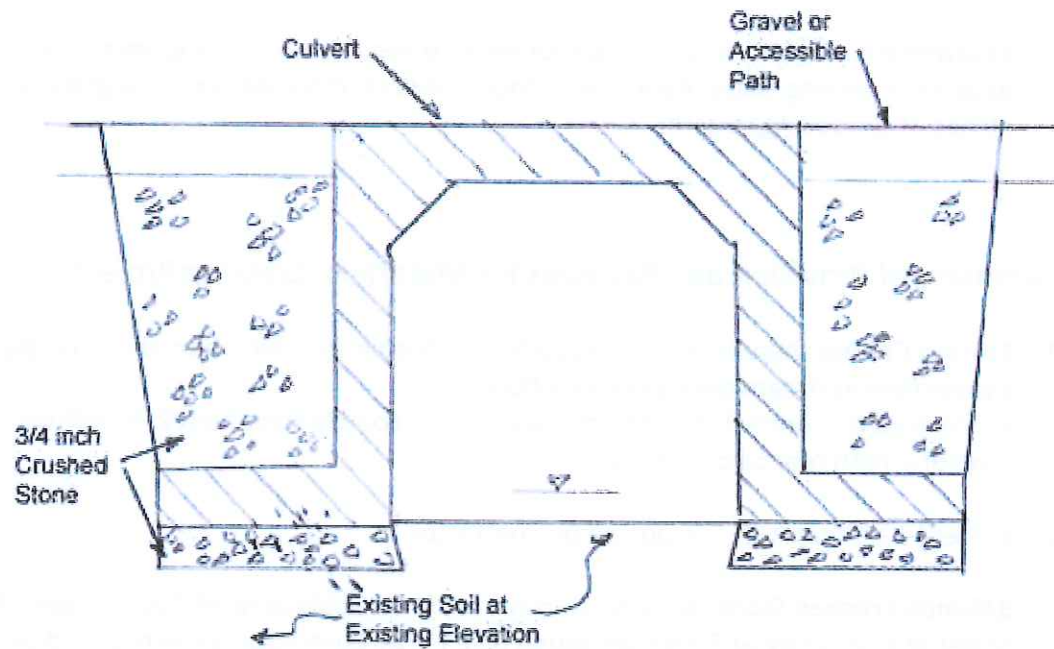
1. No work shall begin until the amount of water in James Brook has dropped to an acceptable level (approximately two-inch depth) and weather reports indicate no significant rain within the anticipated timeframe to complete work on the crossing.
2. Remove and stockpile the granite blocks of the entrance wall and the entrance posts. Install erosion protection as required in the Order of Conditions. Install a minimum twenty-foot long, twelve-inch diameter pipe to collect and carry any water in the stream past the work area.
3. Meet with Conservation Commission Administrator, Nik Gualco 978-448-1106.
4. Remove the wood deck and dispose. Remove granite block walls and stockpile as directed. Excavate to a minimum of six inches below the elevation at which the culvert foundation will be set. Backfill with crushed stone to the foundation elevation. Backfill stream bottom as necessary with sand and gravel to bring as much as possible of the stream bottom to final elevation.
5. Set the precast culvert, provided by GCT, at the pre-determined elevation.
6. Backfill behind the culvert walls with crushed stone provided by the GCT or with sand and gravel as directed.
7. Place Mirafi 140 filter fabric over the exposed edges of the crushed stone or sand and gravel at the corners of the culvert to prevent erosion into the brook. Place granite blocks, boulders or cobbles over the fabric.
8. Finish spreading sand and gravel on the stream bed to meet final elevation.

9. Place granite blocks on top of the culvert along the edges. Backfill over the culvert with 3/8-inch crushed stone provided by GCT and four inches of Porous Aggregate or stone dust, available at Read Custom Soils in Westford, provided by the GCT, as directed.
10. Excavate eight inches of soils for 6-foot-wide connections to parking area including to accessible parking space. Backfill with four inches of imported sand and gravel and four inches of Graded Aggregate.

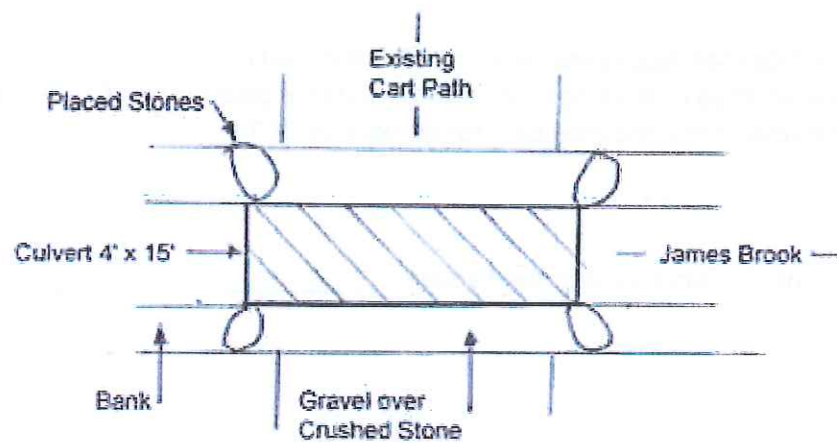
Summary of Provision and Payment for Materials: Crossing Project

1. **Erosion Control:** Assume minimum 20-feet of twelve-inch-minimum diameter pipe for bypass flow in stream during construction.
 - Provided by Contractor. Contractor owns after completion of work. If additional erosion control is required: paid for by GCT.
2. **Culvert:** Paid for by GCT, imported by Contractor.
2. **3/8-inch Crushed Stone:** Assume 10 cubic yards Available at Read Custom Soils, Westford. Material paid for by GCT, transportation paid for by Contractor. Extra required paid for as extra by GCT.
3. **Imported Sand and Gravel:** Assume 15 cubic yards. Provided by and imported by Contractor. Additional required sand and gravel paid for as extra by GCT.
4. **Imported Graded Aggregate:** Assume 10 cubic yards. Available at Read Custom Soils, Westford. Material paid for by GCT, transportation paid for by Contractor. Extra required paid for as extra by GCT.

Lump Sum Cost for work as described above: _____



Section through Culvert



Plan View of Culvert

Project : Construction of Accessible Path (Proposed Community Preservation Funding)

The accessible path will follow existing grass paths from the crossing of James Brook to an existing picnic area and an existing stone bench across Cady Pond Brook

1. Layout the centerline of path (approximately 750 feet) and the designated area for placing excavated material. Place erosion control measures as required by the Order of Conditions and as directed.
2. Meet with Conservation Commission Administrator, Nik Gualco 978-448-1106.
3. Excavate a minimum of seven inches of soil, six feet wide. Increase the depth of excavation as necessary to ensure that all soft soils are removed. All soil removed shall be placed in designated areas of the property, protected from erosion and seeded.
4. Grade the subgrade to eliminate any localized low pockets.
5. Excavate pits approximately four feet deep by two feet wide at three designated locations along the path. Backfill with 3/8-inch crushed stone available at Read Custom Soils in Westford, provided by the GCT.
6. Provide and install a 4-inch corrugated slotted ADS plastic pipe with Drain Sock covering along the path, crossing over the crushed stone filled pits.
7. After approval by GCT, provide and place and compact sand and gravel meeting Massachusetts Highway Specification M1.03.0 Type C with a maximum size of two inches and a maximum of ten percent passing the Number 200 Sieve, or as approved by the GCT, to two inches below final grades. Assume up to 55 cubic yards of sand and gravel.
8. After approval of the compacted sand and gravel, scarify the surface of the sand and gravel by raking or with the teeth of the bucket of an excavator or backhoe. Import, place and compact, using a large plate compactor with a minimum rating of 10,000 lb-ft centrifugal force or other approved equipment, four inches of Graded Aggregate Porous Pavement, available at Read Custom Soils in Westford, provided by the GCT, over the sand and gravel. Spread a thin layer of stone dust, as used in the blend, over any area with loose stone and rake into the stone and re-compact.
9. Grade the surface with a crown or cross gradient as appropriate based on local topography to prevent stormwater from running onto or over the path.

10. Seed all disturbed areas with grass provided by the GCT.

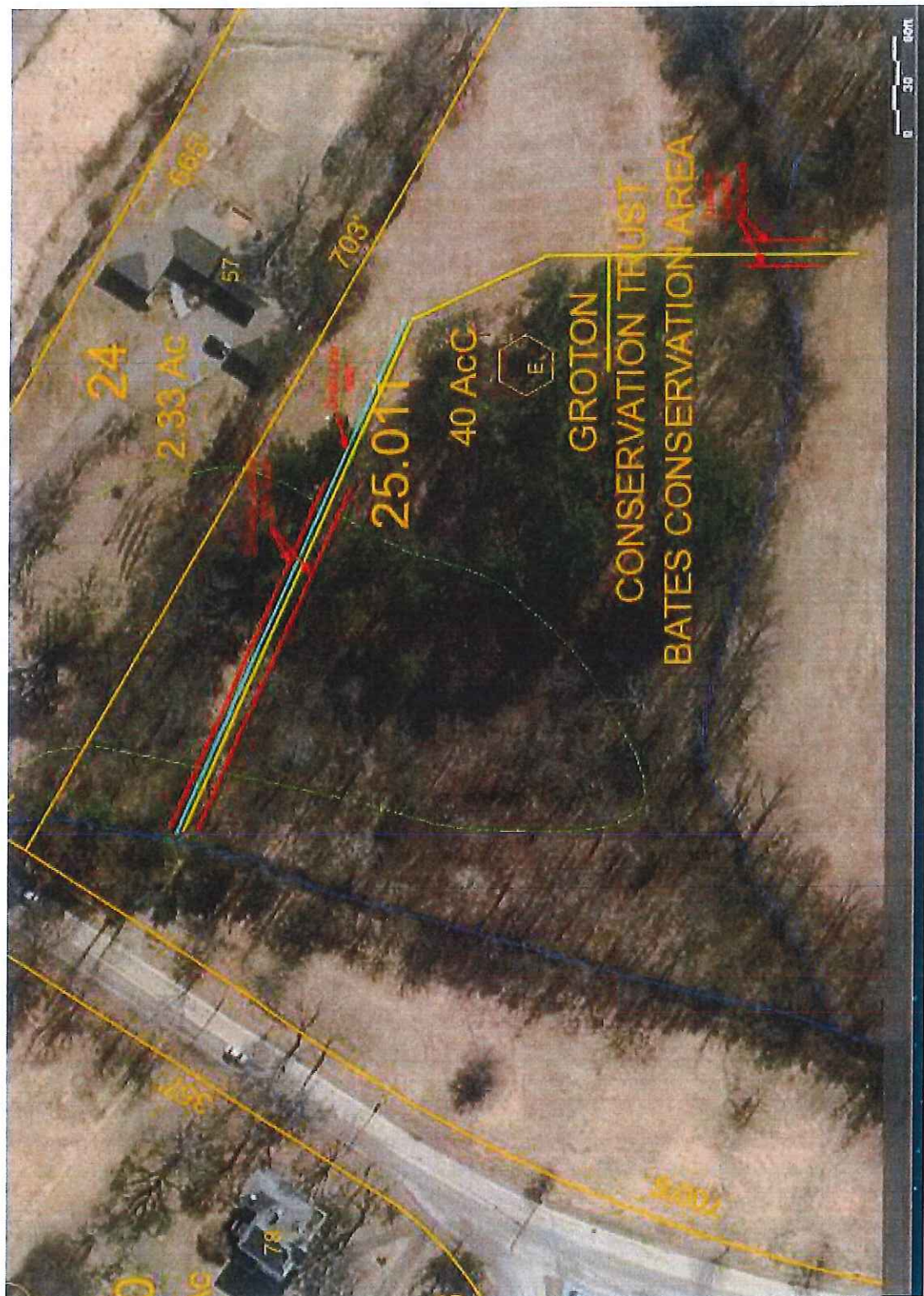
Accessible Path Project Summary of Provision and Payment for Materials

1. **Erosion Control:** Assume 500 feet of six-inch-minimum diameter straw-filled wattles or equivalent protection.
 - Provided and paid for by Contractor. Additional required erosion control paid for as extra.
2. **4" slotted ADS Corrugated Drainage Pipe with Drain Sock:** Assume 200 feet.
 - Provided and paid for by Contractor. Additional required Drainage Pipe paid for as extra.
3. **Imported Sand and Gravel:** Assume 55 cubic yards.
 - Provided by and imported by Contractor. Additional required sand and gravel paid for as extra
4. **Imported Graded Aggregate:** Assume 55 cubic yards.
 - Available at Read Custom Soils, Westford. Material paid for by GCT, transportation paid for by Contractor. Extra required paid for as extra

Lump Sum Cost for work as described above: _____

Cost per Cubic Yard for additional imported Sand and Gravel _____

Bates Accessible Path with Erosion Control and Subsurface Drainage



Project: Expansion and Reconfiguration of Existing Parking Area (No Community Preservation Funding)

The intent of this project is to enlarge, reconfigure and improve the surface material of the existing parking area of the Bates Conservation Property owned by the Groton Conservation Trust (GCT). The new surface material will consist of four inches of Graded Aggregate Porous Pavement (GAPP) available at Red Custom Soils at 37 Power Road, Westford, MA 01886. The Read Custom Soils contact is Ed Downing at (508) 440-1833. Contacts for the GCT are Bob Pine at 978-852-4804 or Katy Coburn at (617) 501-4491.

Procedures

1. Mow all grass within the work area. Install erosion protection as required in the Order of Conditions. Remove and store as directed the engraved stone commemorating Natica Bates.
2. Meet with Conservation Commission Administrator, Nik Gualco 978-448-1106.
3. Strip vegetation from areas adjacent to Old Ayer Road, where excavated soil will be placed, by raking with the teeth of the bucket of an excavator or other approved means.
4. Excavate a minimum of seven inches of soil within the expansion of the main parking area, including the accessible parking area. Excavate a minimum of ten inches of soil within the overflow parking area. Increase the depth of excavation as necessary to ensure that all topsoil and soft soils are removed.
5. Stockpile approximately 10 cubic yards of topsoil for blending with imported sand/compost mix, available at Read Custom Soils in Westford, provided by the GCT..
6. Place all remaining excavated soil in designated upland areas of the property along Old Ayer Road to reduce slopes. Protect from erosion and seed.
7. Grade the subgrade of the main parking area to have a pitch between 1.5% and 3.0% from the Old Ayer Road side to the James Brook side of the main and overflow parking areas and a minimum 1.5% pitch from the northwest corner of the parking area, near Old Ayer Road and the entrance, to the southeast corner. The subgrade of the main parking area should be a minimum of eight inches below final grades and the subgrade of the overflow parking area should be a minimum of ten inches below final grades. Thoroughly compact the subgrade with the tracks of a bulldozer or excavator. Set grade

stakes as necessary to ensure the correct thicknesses of sand and gravel base and Graded Aggregate Porous Pavement surface

8. After inspection and approval of the subgrade by the GCT, excavate two pits approximately four feet deep, four feet long and two feet wide along the low side of the parking area, one approximately halfway along the main parking area and other at the low end of the overflow parking area. Backfill the pits with 3/8-inch crushed stone available at Read Custom Soils in Westford, provided by the GCT.
9. Install a 4-inch corrugated, slotted ADS plastic pipe with Drain Sock covering along the low edge of the parking areas on the James Brook side crossing the crushed stone filled pits. Estimated total length of pipe is 120 feet.
10. After inspection of the pipe, strip three inches of sand and gravel from existing parking area. Re-grade entrance drive to reduce the slope as directed. Spread the remaining stripped sand and gravel uniformly over the subgrade.
11. Provide, import, place and compact clean, approved sand and gravel meeting Massachusetts Highway Specification M1.03.0 Type C with a maximum size of two inches and a maximum of ten percent passing the Number 200 Sieve, or as approved by the GCT, within the main parking area to four inches below final grades and within the overflow parking area to six inches below final grades. Assume 45 cubic yards of imported sand and gravel required. Provide unit price per cubic yard to import, spread and compact additional sand and gravel.
12. After inspection and approval by the GCT, scarify the surface of the sand and gravel with the steel cleats of track equipment or the teeth of an excavator. Within the main parking area place four inches of Graded Aggregate Porous Pavement, consisting of a well graded blend of angular crushed stone and stone dust materials, provided by the GCT, over the base sand and gravel material. Compact with a large plate compactor with a minimum rating of 10,000 lbf centrifugal force or other approved compaction equipment. Spread a thin layer of stone dust, as used in the blend, over any area with loose stone and rake into the stone and re-compact.
13. Thoroughly blend two parts sand/compost mix, available at Read Custom Soils, provided by GCT, to one part stockpiled topsoil by bucketing soils together. Within the overflow parking, spread a minimum thickness of six inches (approximately 10 cubic yards of blend) and compact with the tracks of a small bulldozer. Seed with grass provided by GCT.
14. Spread six inches of stripped topsoil in the island next to the entrance drive (approximately 5 cubic yards) and seed with grass provided by GCT..

14. Where directed by the GCT, construct a swale between the parking area and Old Ayer Road to collect runoff from the road, carry it beyond the parking area and release it in the meadow area to the south of the parking area.

15. Grade and seed with grass provided by GCT all disturbed areas as directed.

Parking Area Project Provision and Payment for Materials

1. **Erosion Control:** Assume 150 feet of eight-inch-minimum diameter straw-filled wattles.
 - Provided and paid for by Contractor. Additional required erosion control paid for as extra BY GCT.
2. **4" slotted ADS Corrugated Drainage Pipe with Drain Sock:** Assume 120 feet.
 - Provided and paid for by Contractor. Additional required Drainage Pipe paid for as extra BY GCT.
3. **Imported 3/8-inch crushed stone:** Assume 3 cubic yards.
 - Available at Read Custom Soils, Westford. Material paid for by GCT, transportation paid for by Contractor. Extra required paid for as extra by GCT.
4. **Imported Sand and Gravel:** Assume 45 cubic yards.
 - Provided by and imported by Contractor. Additional required sand and gravel paid for as extra by GCT.
5. **Imported Graded Aggregate:** Assume 45 cubic yards.
 - Available at Read Custom Soils, Westford. Material paid for by GCT, transportation paid for by Contractor. Extra required paid for as extra by GCT.
6. **Imported Sand-Compost Blend:** Assume 10 cubic yards.
 - Available at Read Custom Soils, Westford. Material paid for by GCT, transportation paid for by Contractor. Extra required paid for as extra by GCT.
7. **Seed:** Provided by GCT

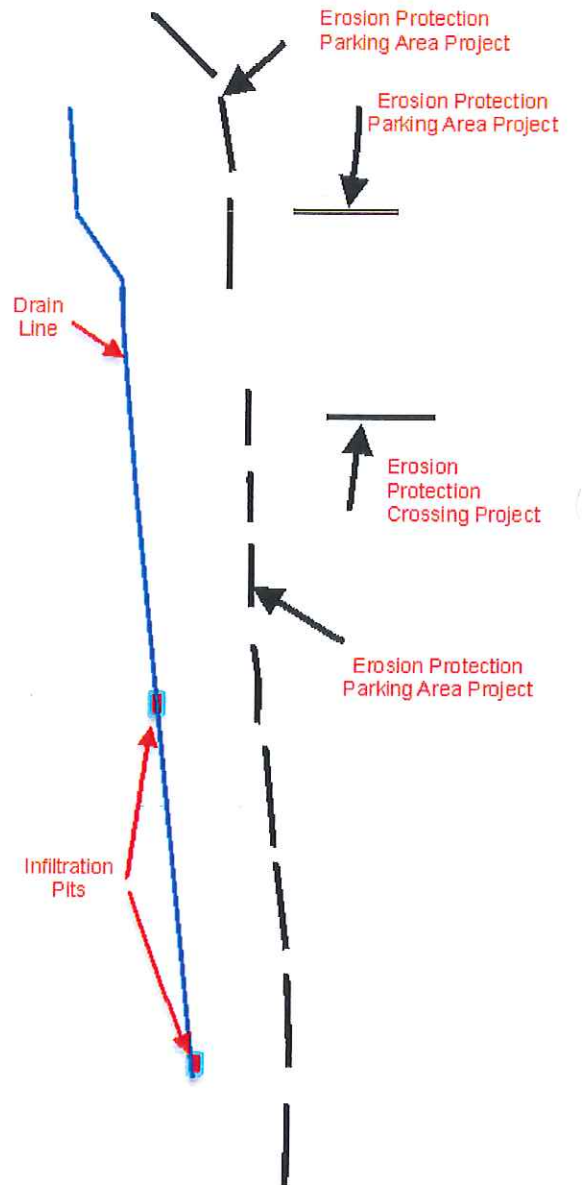
Lump Sum Cost for work as described above: _____

Cost per Cubic Yard for additional imported Sand and Gravel _____

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TOWN OF GROTON
Groton Conservation Commission

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(978) 448-1106
Fax: 978-448-1113
e-mail: ngualco@townofgroton.org

July 14, 2021

Groton Conservation Trust
c/o Robert Pine
P.O. Box 365
Groton, MA 01450

RE: Order of Conditions – for site improvements at Bates Land Conservation Area,
(Groton Assessor's Parcel 222-25), **MassDEP#169-1217**.

The Groton Conservation Commission voted to issue the enclosed original Order of Conditions at its regular meeting on July 13, 2021. The entire Order must be at the Middlesex Registry of Deeds prior to the start of work.

Proof of recording of the Order must be provided to the Commission before any work can begin. You may use Page 10 of the Order for this purpose. The Middlesex South Registry of Deeds is located at 208 Cambridge St., PO Box 68, E. Cambridge, MA 02141. Their telephone number is 617-679-6300. In addition, the Acknowledgment Form at the end of the Bylaw Special Conditions (last page of the Order) should be signed by you, as the applicant, and any contractors working on the project, and returned to the Commission. Please submit to the Conservation Commission a signed letter granting permission for the Commission, the Town, or its agents to enter the property as stated in the Order.

As required by Special Conditions # 21 & 26, prior to construction an on-site meeting with myself and the applicant and/or their agent will occur where I will inspect the erosion controls and overall condition of the work site. During construction, you are required to report progress on the project as described in Special Condition # 50

As noted on Page 9 of the Order of Conditions, there is a ten-day appeal period. Please contact me if you have any questions about the Order.

Sincerely yours,

Nikolis Gualco
Conservation Administrator

Enclosure

cc: DEP Central Region Office (sent electronically)

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #:169-1217

eDEP Transaction #:1294742

City/Town:GROTON

A. General Information

1. Conservation Commission

GROTON

2. Issuance

a. ☒ OOC

b. ☐ Amended OOC

3. Applicant Details

a. First Name ROBERT

b. Last Name

PINE

c. Organization GROTON CONSERVATION TRUST

d. Mailing Address PO BOX 395

e. City/Town GROTON

f. State

MA

g. Zip Code

01450

4. Property Owner

a. First Name

b. Last Name

c. Organization GROTON CONSERVATION TRUST

d. Mailing Address PO BOX 395

e. City/Town GROTON

f. State

MA

g. Zip Code

5. Project Location

a. Street Address BATES PROPERTY, OLD AYER ROAD

b. City/Town GROTON

c. Zip Code 01450

d. Assessors

222

e. Parcel/Lot# 25

Map/Plat#

f. Latitude 42.59776N

g. Longitude 71.56950W

6. Property recorded at the Registry of Deed for:

a. County

b. Certificate

c. Book

d. Page

SOUTHERN MIDDLESEX

11624

560

7. Dates

a. Date NOI Filed : 6/8/2021

b. Date Public Hearing Closed: 7/13/2021

c. Date Of Issuance: 7/13/2021

8. Final Approved Plans and Other Documents

a. Plan Title:

b. Plan Prepared by:

c. Plan Signed/Stamped by:

d. Revised Final Date: e. Scale:

?BATES
ENTRANCE AREA?

ROBERT PINE

N/A

June 22, 2021

N/A

"SECTION

THROUGH

CULVERT"

ROBERT PINE

N/A

June 22, 2021

N/A

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act

Following the review of the the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

a. ☒ Public Water Supply

b. ☐ Land Containing Shellfish

c. ☒ Prevention of Pollution

Massachusetts Department of Environmental Protection

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| | | |
|---|--|---|
| d. <input checked="" type="checkbox"/> Private Water Supply | e. <input type="checkbox"/> Fisheries | f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat |
| g. <input checked="" type="checkbox"/> Ground Water Supply | h. <input checked="" type="checkbox"/> Storm Damage Prevention | i. <input checked="" type="checkbox"/> Flood Control |

2. Commission hereby finds the project, as proposed, is:

Approved subject to:

- a. ☒ The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

- b. ☐ The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. A description of the performance standards which the proposed work cannot meet is attached to this Order.
- c. ☐ The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).

3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a).

a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

| Resource Area | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|---|--|--|----------------------|-----------------------|
| 4. <input type="checkbox"/> Bank | a. linear feet | b. linear feet | c. linear feet | d. linear feet |
| 5. <input type="checkbox"/> Bordering Vegetated Wetland | a. square feet | b. square feet | c. square feet | d. square feet |
| 6. <input checked="" type="checkbox"/> Land under Waterbodies and Waterways | 0 a. square feet 0 c. c/y dredged | b. square feet b. square feet f. c/y dredged | 15 c. square feet | d. square feet |
| 7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding | 196 a. square feet | b. square feet | 0 c. square feet | d. square feet |
| Cubic Feet Flood Storage | 0 e. cubic feet | f. cubic feet | 0 g. cubic feet | h. cubic feet |
| 8. <input type="checkbox"/> Isolated Land Subject to Flooding | | | | |

**Massachusetts Department of Environmental
Protection**

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| | | | | |
|--|-------------------|-------------------|----------------|----------------|
| | a. square feet | b. square feet | | |
| Cubic Feet Flood Storage | c. cubic feet | d. cubic feet | e. cubic feet | f. cubic feet |
| 9. <input checked="" type="checkbox"/> Riverfront Area | 4950 | | | |
| | a. total sq. feet | b. total sq. feet | | |
| Sq ft within 100 ft | 3700 | 3700 | | |
| | c. square feet | d. square feet | e. square feet | f. square feet |
| Sq ft between 100-200 ft | 1250 | 1250 | | |
| | g. square feet | h. square feet | i. square feet | j. square feet |

Coastal Resource Area Impacts:

| Resource Area | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|--|---|-------------------------|-------------------------|--------------------------|
| 10. <input type="checkbox"/> Designated Port Areas | Indicate size under Land Under the Ocean, below | | | |
| 11. <input type="checkbox"/> Land Under the Ocean | a. square feet | b. square feet | | |
| | c. c/y dredged | d. c/y dredged | | |
| 12. <input type="checkbox"/> Barrier Beaches | Indicate size under Coastal Beaches and/or Coastal Dunes below | | | |
| 13. <input type="checkbox"/> Coastal Beaches | a. square feet | b. square feet | c. c/y nourishment | d. c/y nourishment |
| 14. <input type="checkbox"/> Coastal Dunes | a. square feet | b. square feet | c. c/y nourishment | d. c/y nourishment |
| 15. <input type="checkbox"/> Coastal Banks | a. linear feet | b. linear feet | | |
| 16. <input type="checkbox"/> Rocky Intertidal Shores | a. square feet | b. square feet | | |
| 17. <input type="checkbox"/> Salt Marshes | a. square feet | b. square feet | c. square feet | d. square feet |
| 18. <input type="checkbox"/> Land Under Salt Ponds | a. square feet | b. square feet | | |
| | c. c/y dredged | d. c/y dredged | | |
| 19. <input type="checkbox"/> Land Containing Shellfish | a. square feet | b. square feet | c. square feet | d. square feet |
| 20. <input type="checkbox"/> Fish Runs | Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above | | | |
| | c. c/y dredged | d. c/y dredged | | |

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21. ☐ Land Subject to Coastal Storm Flowage

 a. square feet b. square feet

22.

☐ Restoration/Enhancement (For Approvals Only)

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please entered the additional amount here.

 a. square feet of BVW

 b. square feet of Salt Marsh

23.

☒ Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

 1

 a. number of new stream crossings

 b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered

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land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work..

10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

" Massachusetts Department of Environmental Protection"

[or 'MassDEP']

File Number : "169-1217"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order(the "Project") is (1) ☒ is not (2) ☐ subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that; i. all construction period BMPs have been

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removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
 - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.

**Massachusetts Department of Environmental
Protection**

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- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions:

SEE ATTACHED SPECIAL CONDITIONS UNDER THE WETLANDS PROTECTION ACT

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No

2. The Conservation Commission hereby (check one that applies):

a. ☐ DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____

2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. ☒ APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw GROTON
WETLANDS
PROTECTION
BYLAW

2. Citation CHAPTER 215

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows:

SEE ATTACHED SPECIAL CONDITIONS UNDER THE GROTON WETLANDS PROTECTION BYLAW

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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E. Signatures

This Order is valid for three years from the date of issuance, unless otherwise specified pursuant to General Condition #4. If this is an Amended Order of Conditions, the Amended Order expires on the same date as the original Order of Conditions.

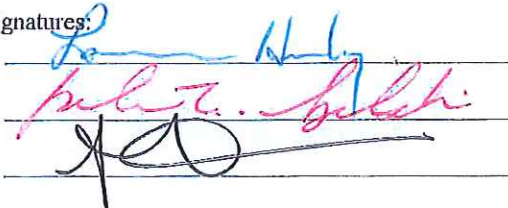
7/13/2021
1. Date of Original Order

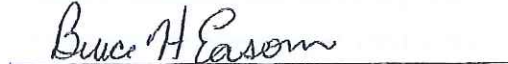
Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

4
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:




O-CATHROP

☐ by hand delivery on

☐ by certified mail, return receipt requested, on

Date

Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

**Massachusetts Department of Environmental
Protection**

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G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

GROTON

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

GROTON

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

BATES PROPERTY, OLD AYER ROAD

Project Location

169-1217

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

Rev. 4/1/2010

ATTACHMENT TO WETLANDS PROTECTION ACT ORDER OF CONDITIONS
SPECIAL CONDITIONS

#169-1217

Address – Bates Property, Old Area Road
Map 222, Parcel 25

Applicant – Groton Conservation Trust

FINDINGS: This Order of Conditions is written under and subject to the Massachusetts Wetlands Protection Act M.G.L. Ch. 131 §40, as amended.

This project is comprised of two main activities: 1) the replacement of the existing stream crossing at James Brook; and 2) site improvements, which include: a) the expansion and reconfiguration of the existing non-paved parking area; b) the construction of a handicap-accessible-path; c) the restoration of a meadow and the improvement (safety) of an existing walking trail. The specifics of the proposed work are detailed in the May 24, 2021 letter referenced below. The property contains 230,000 sq.ft. of Riverfront Area, of which 4,950 sq.ft. (3,700 sq.ft. within the inner riparian and 1,250 sq.ft. within outer riparian) is proposed for alteration. The 100-year floodplain is present on this site and 196 sq.ft. of it are proposed to be altered during the project, however, this alteration will not affect the elevation of the flood plain and will increase the infiltration rate (as part of the parking area improvement). Finally, the Petapawag ACEC is present on site.

PLANS: The work shall conform to the following plans and documents, unless otherwise specified in this Order:

- a) Notice of Intent filed by Robert Pine on behalf of the Groton Conservation Trust.
- b) Cover Letter included with the Notice of Intent, written by Robert Pine, dated May 24, 2021.
- c) Plan entitled “Bates Entrance Area”, prepared by Robert Pine, received by the Conservation Commission on June 22, 2021.
- d) Sketch entitled “Section through Culvert”, prepared by Robert Pine, received by the Conservation Commission on June 22, 2021.

SPECIAL CONDITIONS - Please review the General Conditions on previous pages:

Pre-Construction

- 20. This Order of Conditions regulates activities proposed in the Notice of Intent within the 100-foot Buffer Zone and/or Resource Area or Riverfront Area (Bank, Bordering Vegetated Wetland, Land Under Water Bodies and Waterways, Bordering or Isolated Land Subject to Flooding) as defined in 310 CMR 10.04 (Definitions) of the Wetlands Protection Act. No wetland resource area is proposed to be, or permitted to be, altered under this Order of Conditions.
- 21. No clearing of vegetation, including trees, or disturbance of soil shall occur prior to the pre-construction meeting. Minimal disturbance of shrubs and herbaceous plants shall be allowed

prior to the pre-construction meeting if absolutely necessary in order to place erosion control stakes where required.

22. The Conservation Commission must be notified five working days prior to commencement of any activity that would impact the Wetlands Protection Act.
23. This Order shall apply to any successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans. Within ten (10) calendar days inclusive of the transfer of ownership of the subject parcel, in whole or in part, including lots or buildings conveyed under individual deeds, the Conservation Commission shall be notified in writing of the name and address of the new owner. Within ten (10) calendar days inclusive of such transfer, a written, notarized affidavit shall be filed with the Conservation Commission by the new owner, stating that he or she has read and understood the Order of Conditions and all terms applicable to the project site and intends to comply with all provisions of the Order.
24. The applicant shall submit evidence of recording (receipt) this Order of Conditions at the Middlesex County Registry of Deeds in Cambridge within 21 days or prior to commencement of work, whichever comes first. (see also General Condition #9)
25. If applicable, prior to the commencement of activities, the Applicant shall provide the Commission with a copy of the NPDES Stormwater Prevention Pollution Plan ("SWPPP") as well as copies of written inspection reports required by EPA's Construction General Permit throughout the duration of construction activities for the record file.
26. Prior to the commencement of any work on site, the Applicant shall submit to the Conservation Commission for approval a detailed Sequence of Construction with a timetable and details to be completed before other work begins on site. The Applicant shall also include the name(s) and telephone number(s) of the person(s) responsible on site for compliance with this Order.
27. Prior to any work on site the Applicant or his agents shall meet with the Commission or its agent on the site to review the proposed work and measures designed to mitigate any impact on wetlands and to ensure that all of the Conditions of this Order are understood.
28. The erosion controls required in General Condition #18 above shall delineate the limits of disturbance. Heavy equipment shall not traverse the limits of disturbance, and vegetation shall not be removed from the area.
29. Sedimentation and erosion control devices shall be placed according to standards set in the *Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas*. Placement shall be directed on the site by the Design Engineer and, in order to accomplish maximum control of products of erosion, hay bales must be staked and entrenched. Silt fencing must be of sufficient porosity to pass detained water without allowing suspended sediments to pass through the fence.
30. The Conservation Commission reserves the right to require additional erosion control or storm damage prevention controls if deemed necessary.

31. There shall be no erosion or siltation of the wetlands. The Applicant shall install a row of sedimentation controls between the area of work and the stream channel. Prior to any work the sedimentation barrier shall be inspected and approved by the Conservation Administrator. The siltation controls shall be in place prior to the commencement of work and shall remain in place until all disturbed areas have been properly stabilized.
32. Erosion control devices may be modified based upon experience at the site. All such devices shall be inspected, cleaned, or replaced during construction and shall remain in place until such time as stabilization of all areas that may impact resource areas is permanent.
33. Within thirty days of completion of construction on any given portion of the project, all disturbed areas in the completed portion of the site shall be permanently stabilized with vegetative cover, using sufficient top soil to assure long-term vegetative growth. Continued maintenance of this area, in a manner which assures permanent stabilization and precludes any soil erosion, shall be the responsibility of the applicant.
34. Subsequent to seeding, disturbed areas will be covered with salt hay mulch, erosion control blanket or netting, or other suitable material in order to provide an adequate surface protection until seed germination. Preference should be given to erosion control netting with biodegradable stitching.
35. If soils are to be disturbed for longer than two months, a temporary cover of rye or other grass should be established to prevent erosion and sedimentation. If the season is not appropriate for plant growth, exposed surfaces shall be stabilized by other appropriate erosions control measures, firmly anchored, to prevent soils from being washed by rain or flooding. *[This condition should be specific to an erosion control and construction sequence established during the public hearing and submitted as part of the approved plans submitted and approved by the Commission.]*
36. Cement trucks shall not be washed out in any wetland resource or buffer zone area, or into any drainage system. Any deposit of cement or concrete products into a buffer zone or wetland resource area shall be immediately removed.
37. Erosion and sedimentation control devices shall be inspected after each storm event and repaired or replaced as necessary. Any accumulated silt adjacent to the barriers shall be removed.
38. All stockpiles of soils existing for more than one day shall be surrounded by a row of siltation controls (i.e., straw wattles, hay bales, entrenched silt fence) and shall be covered.
39. All exposed soil finish grade surfaces shall be immediately landscaped and stabilized, or loamed, seeded, and mulched with a layer of mulch straw. Where necessary, the loam and seeding shall be held in place with jute netting. Outside of the growing season, exposed soil finish grade surfaces shall be stabilized with a layer of mulch straw until climate conditions allow for seeding. During construction, any area of exposed soils that will be left idle for more than 30 days shall be stabilized with a layer of mulch straw or other means approved by the Conservation Commission or its agent. Temporary stabilization methods may include, but not be limited to, hydro-seeding, straw mats, jute netting, sod, or other Commission-approved method.

40. Erosion control devices shall remain in place and properly functioning until all exposed soils have been stabilized with final vegetative cover and the Conservation Commission or its agent has authorized their removal.
41. This document and the approved plans shall be included in all construction contracts and subcontracts for the proposed work and shall supersede any conflicting contract requirements. It shall also be kept on file at the job site at all times during construction.
42. The applicant and any agents or contractors shall sign the attached "Acknowledgment of Order of Conditions" and return it to the Conservation Commission prior to the commencement of work.
43. Any contractor employed to execute the activities within the Buffer Zone and/or Resource Area must be provided with a copy of this Order and thereafter will be held jointly responsible for any violation and the penalties under law for such violation.
44. Members and agents of the Conservation Commission have the right to enter and inspect the premises at reasonable hours to evaluate compliance with the conditions stated in this Order and may require the submittal of any data deemed necessary by the Commission for that evaluation.
45. The applicant must submit to the Conservation Commission a letter signed by the property owner granting permission for the Commission, the Town, or its agents to enter the property referenced in this Order to monitor compliance with this Order of Conditions or to conduct work necessary to bring the property into compliance with the conditions stated in this Order. Said entry to conduct work would only occur in the event that the property owner is unable or unwilling to perform the necessary work himself within a reasonable time period after a request by the Commission.
46. By acceptance of this Order, the owners indemnify and hold harmless the Town and its residents for any damage attributable to alterations undertaken on this property pursuant to the Order. Issuance of the Order does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any form of water damage.
47. Any changes, additions or omissions, including those due to review by other boards, in the plans identified in Condition #13 above, unless specified otherwise in this Order, shall require the applicant to inquire of the Conservation Commission in writing whether the change is substantial enough to require the filing of a new Notice of Intent. Only those changes which have no potential adverse impact to the interests of the Act and those which will reduce direct alteration to the resource area will be considered.

During Construction

48. All equipment shall be operated and maintained so as to comply with the Wetlands Protection Act, M.G.L. Ch. 131, s.40; the Town of Groton Wetlands Protection Bylaw, and this Order of Conditions. Hazardous materials, including but not limited to gasoline, motor oil, hydraulic fluid, etc. shall not be stored nor shall heavy equipment be serviced or parked overnight within 100 feet of wetlands during construction.

49. Any de-watering of trenches or other excavations required during construction shall be conducted so as to prevent siltation of wetland resource areas. All discharges from de-watering activities shall be filtered through haybale sediment traps, silt filter bags or other means approved by the Commission or its agent.
50. The applicant's consultant shall submit, at least every (2 months – or as necessary) in which construction activity occurs on site and for as long thereafter as the ground remains unstabilized, a report to the Conservation Commission, certifying that, to the best of their knowledge and belief, based on a careful site inspection, all work is being performed in compliance with the plan and these conditions. This report shall detail work which has been done in or within 100 feet of wetlands and 200 feet of James Brook as well as what work is anticipated over the next period. This will update the construction sequence.
51. If the Commission feels that the applicant does not understand the Order of Conditions, more frequent engineering reports may be required to be submitted by the applicant.
52. All disturbed areas located within wetland resource areas which are to be only temporarily disturbed during construction, shall be restored to their original grade, soil profile and vegetative cover. The area must be 75% re-vegetated with species similar to those disturbed within two growing seasons.
53. The areas of construction shall remain in stable condition at the close of each construction day. Erosion controls shall be monitored at this time and maintained or reinforced if necessary.
54. All stumps, brush, waste, and debris shall be removed from the construction site unless incorporated into the site as mulch. Construction refuse and debris shall be disposed of promptly and properly and the construction site shall be maintained in a clean condition. Records as to the destination of all materials to be removed from the site; including stumps, brush, waste, debris excess fill, loam and peat shall be kept and supplied to the Commission if requested.
55. Excavated material shall not be stockpiled within the 50-ft Buffer Zone or Area Subject to Protection under the Act.

Post Construction

56. All disturbed areas shall be loamed, seeded, and properly stabilized. Disturbed areas shall be mulched with loose straw until vegetation is established. Any plantings shall be native, non-invasive species. Exotic or invasive plants of concern are those listed by the Massachusetts Department of Agricultural Resources (MDAR) on the Massachusetts Prohibited Plant List (<http://www.mass.gov/eea/agencies/agr/farm-products/plants/massachusetts-prohibited-plant-list.html/>) or by the Massachusetts Invasive Species Advisory Group (MIPAG) at (<http://www.massnrc.org/mipag/>).
57. Upon completion of the project, the Applicant shall submit the following to the Conservation Commission to receive a Certificate of Compliance per General Condition #12:

- a. A Request for a Certificate of Compliance (DEP WPA Form 8A).
- b. A final report including a written statement and as-built sketch of the site shall be provided by the Applicant. The report will certify that the work has been completed in compliance with this Order of Conditions and the approved plans referenced herein (or approved revisions). A statement to the effect that the project is "substantially" compliant (or a similar statement) will not be sufficient. Any discrepancies shall be noted.
- c. Silt fencing must be removed prior to applying for a Certificate of Compliance, providing the area is properly stabilized.

In Perpetuity

The following special conditions shall extend beyond the issuance of a Certificate of Compliance, in perpetuity, and shall be referred to in all future deeds to this property.

58. The Applicant(s), owners and their successors and assignees shall maintain all elements of the drainage systems within any areas subject to the Commission's jurisdiction under M.G.L. Ch. 131, s.40 (as amended) and 310 C.M.R. 10.00 in order to avoid blockages and siltation which might cause failure of the system and/or detrimental impacts to on-site or off-site resource areas and shall maintain the integrity of vegetative cover on site. This condition shall survive the issuance of a Certificate of Compliance.
59. Area shall be kept clean and trash removed as necessary in perpetuity.

ATTACHMENT TO WETLANDS PROTECTION BYLAW ORDER OF CONDITIONS
SPECIAL CONDITIONS

#169-1217
Address – Bates Property, Old Area Road
Map 222, Parcel 25
Applicant – Groton Conservation Trust

FINDINGS: This Order of Conditions is written under and subject to the Groton Wetlands Protection Bylaw, Ch. 215 of the Code of the Town of Groton, as amended.

This project is comprised of two main activities: 1) the replacement of the existing stream crossing at James Brook; and 2) site improvements, which include: a) the expansion and reconfiguration of the existing non-paved parking area; b) the construction of a handicap-accessible-path; c) the restoration of a meadow and the improvement (safety) of an existing walking trail. The specifics of the proposed work are detailed in the May 24, 2021 letter referenced below. The property contains 230,000 sq.ft. of Riverfront Area, of which 4,950 sq.ft. (3,700 sq.ft. within the inner riparian and 1,250 sq.ft. within outer riparian) is proposed for alteration. The 100-year floodplain is present on this site and 196 sq.ft. of it are proposed to be altered during the project, however, this alteration will not affect the elevation of the flood plain and will increase the infiltration rate (as part of the parking area improvement). Finally, the Petapawag ACEC is present on site.

BYLAW SPECIAL CONDITIONS - Please review the General Conditions and Special Conditions on previous pages:

1. This Bylaw Order of Conditions hereby incorporates by reference and affirms all conditions set forth in the Massachusetts Wetlands Protection Act Order of Conditions issued simultaneously by the Conservation Commission for this project.
2. This Order of Conditions must be recorded in its entirety (all 18 pages) at the Middlesex Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property; and recording information (Registry book and page numbers or Land Court certificate number) must be submitted to the Conservation Commission in writing, before any work approved in this Order commences.
3. All activities on this property shall comply with the provisions of the GROTON Wetlands Protection Bylaw and Regulations.

Prior to Construction

4. Prior to the commencement of any activity on this site, the applicant must submit to the Conservation Commission a letter signed by the property owner granting permission for the Commission, the Town, or its agents to enter the property referenced in this Order to monitor compliance with this Order of Conditions or to conduct work necessary to bring the property into compliance with the conditions stated in this Order. Said entry to conduct work would only occur

in the event that the property owner is unable or unwilling to perform the necessary work himself within a reasonable time period after a request by the Commission.

During Construction

5. The burial of stumps and any other type of construction refuse or other waste material is prohibited in the 100-foot Buffer Zone or Adjacent Upland Resource Area.
6. The project and all associated activities shall be in full compliance with the Groton Stormwater Management-Low Impact Development (LID) Bylaw.

After Construction

7. In addition to the items required for a Certificate of Compliance by the Wetlands Protection Act Order of Conditions, the following items must also be submitted under this Bylaw Order of Conditions:
 - a. Wetland resource area boundaries with associated buffer zones and regulatory setback areas shall be shown on the as-built approved in this Order of Conditions.
 - b. Distance from any structures constructed under this Order to wetland resource areas. Structures include, but are not limited to, all buildings, septic system components, wells, utility lines, fences, retaining walls, and roads/driveways; and

In Perpetuity

The following special conditions shall extend beyond the issuance of a Certificate of Compliance, in perpetuity, and shall be referred to in all future deeds to this property.

8. The applicant and any future successors/owners of the property are required to notify buyers or landscapers of conditions which shall continue beyond the Order of Conditions, in perpetuity.
9. Application of road salt or deicing chemicals shall be kept to a minimum. The Commission recommends a mixture of 10% salt and 90% sand. The use of alternative de-icing compounds such as calcium chloride or calcium magnesium acetate mixed with sand is strongly encouraged.

END



TOWN OF GROTON

173 Main Street
Groton, Massachusetts 01450
(978) 448-1111
FAX: (978) 448-1115

Groton Trails Committee

22 February 2022

Mr. Richard Hewitt, Chair
Community Preservation Committee
173 Main St.
Groton, MA 01450

RE: Support for "Bates/Blackman Improvements Including Accessible Path" - 2023-07

Dear CPC:

The Groton Trails Committee wishes to express its strong support for the Groton Conservation Trust (GCT)'s Bates/Blackman project. The trails through the Bates-Blackman property are very popular and for good reason: they are very scenic and within easy walking distance of downtown Groton. They are also, like most of Groton's 100+ miles of trails, currently inaccessible to people who have mobility impairments. We need to provide mobility-impaired people as much entry into Groton's beautiful fields and woodlands as possible so that they can enjoy what others often take for granted. And since many mobility-impaired people are infants and toddlers, we need trails where adults can push them in a stroller so that they can experience the woods and fields, and all they contain, starting in their most formative years.

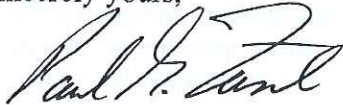
The Bates/Blackman project seeks to provide universal and safe community access at GCT's flagship conservation parcel. While the steep drumlin on this property presents an insurmountable obstacle for many people, the Trust's plan to convert the lower part of the property into a community park with accessible benches, tables, and pathways is a major contribution toward making Groton a more inviting destination for all people.

The plan to improve the James Brook culvert to support emergency vehicle access is equally important, particularly as this parcel will likely see a large increase in visitors due to its proximity to the Groton Hill Music Center that will be completed this year. Likewise, the current parking area needs upgrading as it is currently insufficient to provide dedicated handicap parking with an accessible connection to the trail. While the parking area costs are not included in their application for CPA funds, their commitment to this infrastructure improvement is important.

The GCT is a private non-profit organization whose properties are all open to the public. But the organization is small and its resources are limited and so it is reasonable for them to seek public money in order to provide costly, but vitally important, accessibility to more of Groton's woodlands and fields. The GCT has already put a large number of person-hours and a good deal of their own money into improving the Bates-Blackman parcel; they will no doubt continue to do so. This is a private-public partnership that is working well for the citizens of Groton and its visitors and will provide even more benefits when this project is funded and completed.

The Trails Committee has also submitted an application for CPA funds to build an accessible trail this year. Combined together, these two new accessible trails will triple the number of feet of accessible woodland trails in Groton, and yet the total will still be less than 1% of all the miles of trails in Groton. They should not be viewed as competitors but rather as two small but very significant steps toward making more of Groton's trails accessible to all wherever it is possible to do so. We strongly urge you to advance both projects to Town Meeting with a high priority.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Paul G. Funch", written in a cursive style.

Paul G. Funch, Chair



February 22, 2022

Town of Groton Community Preservation Commission:

I write in support of the Groton Conservation Trust's request for funding for the Bates-Blackman improvement project. The Groton Hill Music Center strongly supports efforts to make Groton's resources more inclusive and shares the Trust's goal of providing increased access to all. The community will benefit from the improvements planned for this beautiful and unique conservation area.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Fiorentino". The signature is fluid and cursive, with the first name "Lisa" being more prominent than the last name "Fiorentino".

Lisa Fiorentino
Chief Executive Officer
Groton Hill Music Center



TOWN OF GROTON

173 Main Street
Groton, Massachusetts 01450
(978) 448-1111
FAX: (978) 448-1115

Destination Groton Committee

Gregory M. Sheldon, Chair
Jeff Gordon, Vice Chair
Mairi Elliot, Clerk
Julie Platt, Member
Joni Parker-Roach, Member

24 February 2022

Mr. Richard Hewitt, Chair
Community Preservation Committee
173 Main St.
Groton, MA 01450

Dear Mr. Hewitt

At our February 23, 2022 meeting the Destination Groton Committee voted 5-0 in favor of the Groton Conservation Trust CPC application for the Bates Accessible Path.

The Bates Conservation area will benefit from the CPC Bates Accessible Path application by extending accessible public parking, repair the James Brook crossing, create an accessible path to traverse open meadows to an accessible wooded picnic area and improve path safety that leads up a drumlin hill to afford spectacular views to Mounts Wachusett, Watatic and Monadnock, with the Groton Hill Music Center below.

The Destination Groton Committee wholeheartedly supports efforts to showcase the many attractions Groton offers our residents and visitors to Town. We look forward to working with the Groton Conservation Trust and the Community Preservation Committee in the future to insure all of Groton's attractions are accessible and celebrated.

Sincerely,

Gregory M. Sheldon

Gregory M. Sheldon
Chair
Destination Groton Committee



TOWN OF GROTON

173 Main Street
Groton, Massachusetts 01450
Telephone (978) 448-1105
Fax: (978) 448-1113

Office of the
Commission on Accessibility

February 21, 2022

Community Preservation Committee
Town Hall
173 Main Street
Groton, MA 01450

RE: "Bates Property" CPC Application by the Groton Conservation Trust

Dear Committee Members:

As the ADA Coordinator for the Town of Groton, I am writing this letter in support of the Groton Conservation Trust's application for Community Preservation funds to provide universal accessibility to the Bates Conservation Land on Old Ayer Road. This project includes improvements to the existing parking area, an accessible parking space, an accessible path across Cady Pond Brook, and one or two accessible picnic tables.

The Town of Groton Commission on Accessibility worked with the Northeast Independent Living Program in 2015 to prepare an Americans with Disabilities Act (ADA) Self Evaluation/Transition Plan for parks, playgrounds, and open space in Groton. The Bates Conservation Land was one of 24 sites included in the evaluation. A copy of the report for the Bates site is attached and is available on the Town Web Site at:

<https://www.grotonma.gov/government/boards-and-committees/commission-on-accessibility/>

The Bates site is a beautiful property located close to the Town Center. There is an existing sidewalk along the other side of Old Ayer Road which provides pedestrian access to the site. Perhaps the Town could install a crosswalk in this area to improve pedestrian safety. The Groton Conservation Trust's proposed improvements will ensure that people with mobility challenges will have access to this property and can enjoy the accessible picnic area.

Very truly yours,

Michelle Collette
ADA Coordinator



**Americans with Disabilities Act-ADA
Self-Evaluation/Transition Plan for the Town of Groton
Groton, MA 01450**

Project Synopsis

This project provided surveys that define areas that may not currently fully comply with the Federal Americans with Disabilities Act (ADA) Accessibility Guidelines, and The State Architectural Access Board requirements, (521CMR). We have provided 24 surveys of the physical accessibility needs, and included a list of specific recommendations which will improve compliance with **24 Active Recreation Sites listed below**. To assist with achieving compliance with the ADA, The NILP has been pleased to provide monitoring self-evaluations at these specific recreation sites, for inclusion with the Town's Open Space and Recreation Plan, etc. We understand the Town of Groton, Massachusetts is now ensuring compliance with the requirements.

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**2.) Americans with Disabilities Act-ADA
Self-Evaluation/Site Access Survey for the Town of Groton
Bates Conservation Land
Old Ayer Road
Groton, MA 01450**

To: Michelle Collette, ADA Coordinator
Land Use Director/Town Planner
Town Hall, 173 Main Street
Groton, MA 01450

James Lyons, our Americans with Disabilities Act (ADA) Consultant, completed an **ADA self-evaluation on September 9, 2015**. The ADA requirement for The Bates Conservation Land is that it be operated in such a way that, when viewed in its entirety, the field is readily accessible to and useable by people with disabilities.

The basis for conducting this (municipal) ADA assessment is that it is the optimal way to create an ambiance or climate of equal opportunities for everyone, regardless of disability, to all the services, programs, and activities the Town's Open Space and Recreational Programs has to offer to the community. The rationale behind the ADA self-evaluation is to provide recommendations that define any/all areas that do not currently comply with the Federal Americans with Disabilities Act (ADA) Accessibility Guidelines, and The State Architectural Access Board requirements, (521CMR). In other words, the reason for completing this activity in harmony with The NILP, is to help us make sure that no one here in the Town of Groton Open Space Recreational Plan gets left out in all pertinent matters. We appreciate the hospitality of *Michelle Collette, David Pitkin, of the Greenway Committee, and Bob Pine, of The Groton Conservation Trust* who provided me with the tour today.

It is our hope that this ADA Transition Plan will open a new frontier for transmitting information and sharing resources. We hope to educate,

inform and generate increased dedication in the community about the ADA as it pertains to Local governments, as well as those individuals they serve, throughout the Town.

In our opinion the following issues were found:

I am informed that the town recently spent a significant amount of money (approximately \$1000.00) to clean up the fields at this site, I am also aware that no events are held at the Bates Land, the area is rarely used, and there are no plans to do so. Bates is described to me as a secondary priority of all the Conservation sites. No motorized vehicles are allowed on the Bates Conservation Land.

The Town plans to rebuild the small wooden bridge on the trail. There is a nice Harvey Sargisson built stone picnic table available at the site. Other than the bridge repair, my recommendation therefore is to leave the field, and the woods at this site as is. At this time that is best course of action for the ADA compliance Plan

Thank You,

James Lyons,

Consultant,
Northeast Independent Living Program, Inc.
The Northeast ADA Access Group
20 Ballard Road, Lawrence, MA 01843

CPA SUMMARY PROJECT FORM

[CPC Use Only: Date Received 10/27/21 By: SAMMIE KUL Assigned CPC #2023 - 07]

1. a.) Applicant Names: Pine, Robert and Gerath, Mark;
b.) Organization: Groton Conservation Trust (GCT)
c.) Regional Project: No
2. Submission Date:
3. Applicant Address: P.O. Box 395, Groton, MA 01450
4. Phone: 978-862-4804 Email:
5. CPA Purpose. Check all that apply:
Community Housing: Affordable Housing: Historic Preservation*: Open Space: X Recreation: X
6. Project Location/Address: Old Ayer Road, Groton

7. Project Name: Bates/Blackman Improvements including Accessible Path

8. **Community Preservation Plan Objectives:**

Groton Community Preservation Plan, Section 4: CPA Allowable Spending

Create: Recreation

Preserve: Open Space and Recreation

Groton Community Preservation Plan, Section 5: from Groton Open Space and Recreation Plan

Section 9.5 OSRP. Provide recreational opportunities to meet Groton's needs.

- Develop/improve facilities to support programming and serve future growth areas of town.
- Update facilities to improve accessibility for people with disabilities.

Section 9.6 OSRP. Facilitate the shared use of recreation facilities by residents of all ages and interests

- Expand recreation programming to provide more variety.
- Effectively coordinate and manage recreation areas.
- Provide information to the public about passive and active recreation offerings.

Section 9.7 OSRP. Enhance Groton's community identity through landscape and cultural awareness.

- Increase awareness of Groton's historic, natural, and community assets.

9. **Project Description**

The Groton Conservation Trust (GCT) seeks to improve community access and safety at its flagship Bates-Blackman conservation land in Groton, Massachusetts. The unique area consists of approximately 55 acres that include a remarkable diversity of ecosystems, serves as a gateway to a large, interconnected area of over 600 acres of protected land, and is one the GCT's most heavily visited properties.

The property requires substantial upgrades to enhance safety, accessibility, and ecological integrity. Chief among these concerns is the deterioration of the crossing spanning James Brook, immediately adjacent to the existing parking area. The crossing provides the only access to the property and cannot currently be used by emergency safety vehicles. In addition to replacing the crossing, the GCT hopes to install an accessible trail leading from the parking area to accessible seating in an open picnic area. This is one of the few conservation properties in the GCT portfolio that would allow the construction of an accessible trail and seating due to the geography and layout of the land. Even in its current condition, the location of the proposed accessible path is periodically used by people in wheelchairs, demonstrating the need for more accessible paths on conservation land in Groton. In addition, the current parking is insufficient to handle the volume of visitors, resulting in cars parked on a sloped shoulder and into the roadway, and has no designated handicap parking. Use of the property is anticipated to increase substantially when the Groton Hill Music Center across the street opens in the Fall of 2022.

The GCT respectfully requests CPA funding to help carry out plans to replace the deteriorated crossing over James Brook; for construction of an ADA accessible trail that will extend from the parking area to the meadows near Cady's Pond Brook with a spur to an existing picnic area; and the installation of accessible picnic tables. The GCT has committed to making additional improvements to the parking area and trails, and restoration of the meadows with funds already earmarked by its board for this work and to be raised by private donors from the community.

This is but one part of a larger multi-year project initiated by the GCT in 2018 to provide increased recreational access, expand trail linkages to connect recreational areas, and improve the infrastructure to support future use and programming. The larger project has been carried out to date primarily by volunteers. At the Bates-Blackman property, GCT Trustees and other community volunteers have dedicated, and will continue to dedicate, hundreds of hours over three years to remove invasive species from the picnic area, restore the meadows from woody invasive species growth, and improve the trails. Additional volunteer hours have been donated for engineering services to develop a plan that has been approved by the Town of Groton Conservation Commission for the work near James and Cady's Pond Brooks.

Project Costs and Funding

Project Costs for which CPA Funding is being requested include a new accessible path, replacement of the crossing of James Brook, which is a critical component of the accessible path, and accessible picnic tables. Costs that are part of the overall project, but for which CPA funding is not being requested, include reconstruction and expansion of the parking area, restoration of meadows and trail safety improvements. The GCT has received preliminary rough cost estimates for each of the project components. Formal cost estimates will be obtained for a final application.

CPA-Related Project Costs

| | |
|--|-----------------|
| Six-foot wide Handicap Accessible Path approximately 1,200 feet long | \$22,000 |
| Replacement of James Brook Crossing | 10,000 |
| Accessible Picnic Tables | <u>3,000</u> |
| Sub-total | \$35,000 |

Non-CPA Project Costs

| | |
|---|-----------------|
| Parking Area Improvements and Expansion | \$10,000 |
| Meadow Restoration | 2,800 |
| Trail Safety Improvements | 500 |
| Project Permit Fees | 1,700 |
| Professional Design, Representation and Construction Management | <u>10,000</u> |
| Subtotal | \$25,000 |
| Total | \$60,000 |

Overall Project Funding

| | |
|----------------------------|-----------------|
| Groton Conservation Trust | \$ 7,500 |
| Private Fundraising | 7,500 |
| Pro-Bono Professional Work | 10,000 |
| CPA Funding Request | <u>35,000</u> |
| Total | \$60,000 |

10. Applicant Signature: Mark Gerath, President GCT



October 26, 2021

Co Applicant Signature: Robert Pine, Trustee GCT



October 26, 2021