

**CONSERVATION COMMISSION  
JANUARY 8, 2002  
MINUTES**

**7:00 PM** The meeting was called to order by Chairman Owen.  
Present were Owen, Corwin, Clements, Auman, O'Connor and Chace.  
Absent was Morrison.

**Discussion – Trails Committee – Kailey's Way**

Wendy Good from the Trails Committee was present to ask permission from the Commission to mark and bushhog the trails through the woods from the end of the cul-de-sac on the Groton Hills Conservation Land off of Kailey's Way. The trail will be marked to take it off the private property it now crosses. Old "No Trespassing" signs will be removed. They were put up when the conservation land was private property and they are no longer appropriate. Member O'Connor moved to allow the trails to be cut, remove the "No Trespassing" signs and relocate the trail onto the Conservation Commission property. The motion was seconded and passed unanimously.

**Certificates of Compliance Issued**

A duplicate OOC was signed for Richard Marsh –169-791. Applicant lost original.

**169-302**

Vice Chairman Corwin moved to issue a COC to Barry Cunningham for 169-302 issued 3/2/88 to John Friedrich. The house was never built. Mr. Cunningham is buying the property. The motion was seconded and passed unanimously.

**169-365**

Barry Cunningham is buying Lot I-38B from Richard Marsh. The OOC was issued on 4/18/89 to HMM Associates for monitoring wells on Gratuity Road. The NOI included Lot I-38B as part of the submittal. This lot is not near the monitoring wells and not listed in the narrative, shown on the plan or in the description of proposed work. Upon the advice of Alexandra Dawson, Attorney for MACC, a partial COC should be issued with a brief description of reason and suggested that the plan be recorded with the COC at the Registry of Deeds in the event of future inquiries. Vice Chairman Corwin moved to issue a partial COC to Barry Cunningham for 169-365 with the explanation for the removal of Lot I-38B from the application. The motion was seconded and passed unanimously.

**169-758**

The members inspected the site on Saturday, January 5, 2002.  
Member O'Connor moved to issue a COC for 169-758 to the Town Forest Committee for the repair of the Priest Bridge in the Town Forest. The motion was seconded and passed unanimously.

**169-664**

The members inspected the site on Saturday, January 5, 2002 for the drainage system at 27 Old Carriage Path.  
Member O'Connor moved to issue a COC for 169-664 to Ellen Weber and Russell Broz. The motion was seconded and passed unanimously.

**169-581**

Member O'Connor moved to issue a COC for 169-581 to the Town of Groton Board of Selectmen for the cleanout of silt and debris from under the Island Road Bridge. The motion was seconded and passed unanimously.

**169-549**

Vice chairman Corwin moved to issue a COC for 169-549 to the Town of Groton Board of Selectmen for the herbicide treatment of weeds at the boat launch on Lost Lake off of Pine Trail. The motion was seconded and passed unanimously.

**169-585**

Member O'Connor moved to issue a COC for 169-585 to the Town of Groton Board of Selectmen for the removal of the dam between Lost Lake and Knops Pond. The work was never performed and the COC has expired. The motion was seconded and passed unanimously.

**Comments to Planning Board****Academy Hill**

The members prefer the cluster development that preserves open space and puts a buffer around vernal pools and helps to maintain the existing trail network.

**Sprint Tower**

The Commission has no jurisdiction over the site. There are no wetland issues.

**Voicestream – Blood Farm**

The Commission had previously issued a negative determination for a Sprint cell tower on the Blood property on West Main Street with the condition that no machinery shall be in the wetlands. Voicestream will be sharing the same tower

**7:25 PM Discussion – Doucette – 556 Main Street**

Brian Doucette was present to talk to the Commission about the addition to his house at 556 Main Street. The office had received a complaint from a neighbor that Mr. Doucette was building an addition 20 feet from a pond. The members visited the site on Saturday and observed a manmade hole that was not jurisdictional. Mr. Doucette asked if he could fill it in and the members said he could. The pit is not hydrologically connected to a water source.

**7:30 PM Discussion – Tom Orcutt – Water Department**

Mr. Orcutt was present to speak to the Commission about some projects that may concern the Commission. The Water Department is exploring the idea of putting a water storage tank at the top of Skyfields Drive on a five-acre lot. The Water Department only needs 1 to 1 ½ acres and asked if the Commission would be willing to co-sponsor an article at a future Town Meeting to purchase the land and keep the remainder for conservation purposes. He thought the price would be approximately \$200,000. The tank would be low profile. It would be built into the hill and could be constructed to look like a barn. Only about 10 ft would be visible above ground. The Water Department would pursue a grant to off-set the cost. It would be close to the 40 acre parcel donated to the Commission by the Wiewel's in 1998. Clerk Clements stepped down from any discussion on this parcel since he is an abutter. The water would be pumped from the well on Route 40 to the site for storage.

Another area being considered for a well-site is the Torrey Woods Conservation Land on Unkety Brook on Chicopee Row. The Water Department is looking for approximately 10 acres. If this site was determined to be the best location for a new well, the Commission would have to approve it, then it would have to go to Town Meeting for approval and then to the State Legislature for final approval. The Commission will be given more information as the process progresses and any decision is made.

The third item for discussion is land near Baddacook Well. There is a possibility that a parcel of land would be placed under a Conservation Restriction to be held by the Water Department. It is still being negotiated.

**Chicopee Row Driveway – 169-568**

Vice chairman Corwin stepped down. She is part owner of the driveway being discussed. Chairman Owen also stepped down since he does work for the developer, Michael Kimball.

The Commission had requested an "As-built" from Mr. Kimball before a COC could be issued. The "As-built" had been submitted.

Ms. Corwin requested that the developer be required to put in some matting to stabilize part of the slope before a COC is issued.

The Commission will inspect the site on January 19 before making a decision.

### **Minutes**

Member O'Connor moved to accept the minutes of December 11, 2001 as written. The motion was seconded and passed unanimously.

### **Purchase and Sale Agreement for the Hurd Property on Skyfields Drive**

Attorney June Johnson had submitted a revised Purchase and Sale agreement for the Commission's approval for the purchase of the Hurd property on Skyfields Drive. It will be sent to Town Counsel for review.

### **Deerhaven – Disturbance to Land Near Wetland**

The members will inspect the Deerhaven Subdivision on January 19, 2002 in response to concerns that the developer, David Moulton, has caused damage to wetlands from the installation of the community septic system. The area that the Commission had Mr. Moulton stabilize has now been torn up and there are concerns about erosion.

### **Bylaw**

The members discussed how to interpret the new bylaw and how to determine what constitutes previously disturbed areas, what is exempt (grandfathered). What was the intent?

Chairman Owen said everyone agrees that the area around a house, driveways and lawns, would be considered previously disturbed.

Member Auman said the intent was that if it were an existing home, it would be exempt under the new bylaw.

Scott Wilson said even if undisturbed woods.

Clerk Clements remarked that the house at Forge Village and Hayden Road did not come under the new bylaw. It had undisturbed woods but was an existing lot.

Member O'Connor said through public discussion it was said if it was existing it was grandfathered.

Vice chairman Corwin said she thought if you built a house and it had a forested area, it would come under the new bylaw.

Ms. Montgomery remarked that the people at the lake were assured that their existing homes would be exempt.

Chairman Owen said that was at a meeting with Member Morrison and the Groton Lakes Association. \*\*\*

Ms. Montgomery disagreed and said it was promised at the public hearing in Town Hall.

The members agreed that if a house existed and was torn down and rebuilt, it would be previously disturbed land and would be exempt.

Mr. Wilson said it would be addressed in the regulations.

There would be an issue if you tear down and rebuild or put an addition in a pristine area. That would have to be clarified.

Vice chairman Corwin said we need to define a time-frame of disturbed areas.

There needs to be a definition of disturbed and not disturbed.

Clerk Clements asked if you have a two-acre lot and one acre is disturbed and one acre is undisturbed, does the Commission differentiate? Does the size of the lot count?

Mr. Wilson said we need a general list of "What if's".

9:00 PM With no further business, the meeting was adjourned.

Respectfully submitted,

Elizabeth A. Montgomery  
Conservation Assistant

\*\*\* Explanation of this statement addressed in the minutes of January 22, 2002.