

CONSERVATION COMMISSION**APRIL 9, 2002****MINUTES**

7:00 PM The meeting was called to order by Chairman Owen.

Present were Owen, Corwin, Clements, Auman, Morrison, O'Connor and Chace.

Public Hearing – Goudey – 24 Vose Avenue

Clerk Clements read the public hearing notice to consider the Notice of Intent submitted by Beatrice and Robert Goudey to install a replacement septic system at 24 Vose Avenue, Assessors' Lot 206/49.

Mr. and Mrs. Goudey were present with Robert Pine and Mark Patnode.

Mrs. Goudey explained to the members that the existing system consists of a tank and a cesspool. The new system consists of a new septic tank and a leach bed designed to be as far from the wetland buffer zone as possible.

The members had walked the site on Saturday.

Member Morrison moved to close the hearing. The motion was seconded and passed unanimously.

Discussion – First Parish Church – Lowell Road – Erosion

On Saturday, the members observed that the corrections were made and they are satisfied at this point but will continue to monitor it.

Sportsmen's Club – West Groton – Beaver Dam

Tom Delaney, Highway Surveyor, reported to the office that he was placing a pipe in the beaver dam to prevent the road to the Senior Center from flooding and to keep the water from the septic system at the Sportsmen's Club. They obtained a permit from the Board of Health.

They will have to file with the Commission for the pipe.

Pickol – 37 Boathouse Road – Debris Removal

The Board of Health sent letter to Thomas Pickol, owner of two lots on Boathouse Road, directing him to remove the piles of debris on his properties on Boathouse Road.

Mr. Pickol went to the Board of Health office last week and obtained a Transfer Station Sticker so he could take some of the debris to the Transfer Station.

At that time he also spoke to Ms. Montgomery, Conservation Assistant, and explained that he did some filling on his property on the lake side of the street. When he raked weeds he piled sand and made a lawn. He claimed that he did not know he was doing anything wrong. Ms. Montgomery explained that he must file in the future for any work he does within 100 feet of the lake or the swamp on the other side of the street.

Mr. Pickol apologized and said he would file in the future.

The Commission may look at aerial photos to determine the shoreline.

Minutes – March 12, 2002

Member O'Connor moved to accept the minutes as written. The motion was seconded and passed unanimously.

7:15 PM Req. for Det. – Blouin – Whitewood Road

Clerk Clements read the public notice to consider the Request for Determination submitted by Patrick Blouin to restore and relocate a house at 35 Whitewood Road.

Neither Mr. Blouin or his Attorney Ray Lyons, who had filed the Request, were present.

The members went to the site on Saturday.

They measured approx. 100 ft to the edge of the house and approx. 79 ft to the edge of the yard from the wetland, so approx. 20 ft of the backyard is in the buffer zone.

Neighbors, John Keane, Kathy Rainville, and Mark Kick, were in attendance. They expressed concerns about the conditions at the Blouin property.

Mr. Kick questioned how the septic system was allowed that close to the stream and how did it get approved.

He was told that is a Board of Health matter.

Their concerns were not under the jurisdiction of the Commission.

Member Morrison moved to issue a negative determination to Patrick Blouin with the following conditions:

1. The area of current disturbance shall be permanently marked to preclude any future encroachment into the buffer zone (suitably marked with i.e. rocks, boulders, fence).
 2. Hay bales and silt fence shall be placed along the area of current disturbance, approximately 80 feet from the wetland.
 3. No machinery is to be operated in this project within the buffer zone (in other words, within the backyard area).
- The motion was seconded and passed unanimously.

7:35 PM Public Hearing (con't) Landwest, Inc. – Academy Hill

Clerk Clements read the public hearing continuation notice.

Don Yonika was present. He requested that the Planning Board waive the requirement to set granite bounds at every lot corner. The Planning Board wanted to know if the Commission would approve this waiver.

The Planning Board also wanted comments from the Commission about paving the connector road and comments for the revised plan.

A letter will be sent to the Planning Board that the Commission agrees with the concept of the bounds but wants to see a proposed plan with bounds identified before approving.

The members prefer that the connector road through the open space parcel be constructed with gravel and not paved.

The Commission endorses the revised definitive subdivision plan dated March 14, 2002 received on March 22, 2002, in general, showing open space and cluster development and that no wetland is in private ownership.

Member O'Connor moved to continue the hearing to May 14, 2002. The motion was seconded and passed unanimously.

8:10 PM Discussion – Bunn – 330 Lost Lake Drive

Mr. Bunn was present to explain to the members the activity observed on his property he performed without a permit. He put in a new driveway. The pile of dirt observed on Saturday had been moved away from the lake on Sunday. Mr. Bunn will file a Req. for Det. for the work.

8:15 PM Discussion – Casella – Lot 1 Chicopee Row – 169-737

James Casella was present.

The members inspected the replication area on Lot 1 Chicopee Row in response to a request from Paul Brigham, attorney for Paul Palmer, a prospective buyer of the property.

The members told Mr. Casella that as it is currently built, it could not receive a Certificate of Compliance.

Member Morrison asked him what he used for soils in the replication area.

Mr. Casella said he used the material that he dug out for the driveway. There was a lot of shale and clay. He got the grade down to proper wetland elevation.

Member Morrison said that assuming that elevation is correct, there is zero organic matter.

Mr. Casella said the material had to be spread thin to make 1 ½ replication area. He planted three dozen blueberry bushes.

Chairman Owen said he may have to ask advice from someone who does this for a living.

Vice chairman Corwin said the area is not functioning, the soils are not right and there is sparse vegetation. Wetland seed mix may help.

Member Morrison said the Commission can not sign off on this. They are not satisfied with the plantings.

A letter will be sent to the attorney.

8:35 PM Discussion – Williams Barn – ATM Warrant Article

Josh Degen was present to discuss the article requesting \$30,000.

Mr. Degen reported that most of the work that can be done by volunteers has been done.

The Selectmen want to know what is the ultimate use of the barn.

Manure must be cleaned up from the basement and 4" of gravel and starpack put in. This would make it functional for storage.

Water seeps through the fieldstone foundation, so they want to put in a trench.

They propose to put steel grills on the back of the building to secure it, restore the hayloft and stain the siding.

The William's Barn Committee is asking for a letter to the BOS and FinCom in support of the \$30,000 requested at the

ATM.

The barn could be used for a Trails building, maple sugering or 4H events. The Highway Dept. could use it for dead storage. A community garden could be put in.

They are applying for a grant from the Massachusetts Historical Commission to replace the stonewall, put in a new hand pump for the old well, remove the asphalt and put in a new parking lot. The \$30,000 could be used for matching funds.

They have done \$93,000 worth of work for \$25,000. Most of the work and materials was donated.

It would cost \$11,000 to strip out the floor and dispose of the debris and put in the starpack.

The building needs an electrical service.

The Building Inspector will be asked what the barn can be used for without major renovation.

Vice chairman Corwin moved to support Article 44 at the ATM for \$30,000 as written.

The motion was seconded and passed unanimously.

9:05 PM Members Morrison, O'Connor and Chace left the meeting to attend the Finance Committee meeting on the first floor, to discuss the ATM article requesting \$300,000 to be added to the Conservation Fund.

Certificate of Compliance – Lot 8 Whitaker Lane

The members inspected the site on Saturday. Vice chairman Corwin moved to issue a Certificate of Compliance for Lot 8 Whitaker Lane DEP # 169-511. The motion was seconded and passed unanimously.

Open Space Survey

Two samples of Open Space Surveys were distributed to the members for review.

It was decided to combine them and make one survey.

Orders of Conditions Written

Town of Groton – Weed Control – Lost Lake/Knops Pond 169-824

Chairman Owen moved significance, regular and special conditions. The motions were seconded and passed unanimously. The OOC is on file in the Commission office.

Groton School –Stables – Farmers Row – 169-825

Chairman Owen moved significance, regular and special conditions, The motions were seconded and passed unanimously. The OOC is on file in the Commission office.

Members returned from FinCom meeting

Member Morrison reported that the Finance Committee reduced the amount of \$300,000 requested to be added to the Conservation Fund to \$200,000 with the promise that if there are any funds available in the Fall, the Commission will be given more money at the Fall Town Meeting.

After much discussion, Member Morrison moved to request of Town Meeting \$200,000 for the Conservation Fund.

The motion was seconded and passed 5 to 2. Clements and Chace voted no.

Member Morrison moved to allow Administrative Officer, Jean Kitchen, to amend the summary to reflect \$200,000.

The motion was seconded and failed 3 yes 4 no.

Chairman Owen will state at the Annual Town Meeting that the Commission asked for \$300,000 and was willing to amend the amount to \$200,000 because of the current financial situation.

Other business

Patnaude – West Groton Road

The office received a call that manure was being placed in the wetland at the farm of Charles Patnaude on West Groton Road.

A letter will be sent to Mr. Patnaude asking him to attend the next Commission meeting to discuss the situation. The Commission would like a manure management plan for activity in the buffer zone.

Lathrop/Heveran – 122 Old Ayer Road

Scott Lathrop and Beatrice Heveran have not responded to the Enforcement Order sent to them. Alexandra Dawson,

legal advisor to MACC, suggested that the Commission file a Request for Determination for the site to have record of the Commission's findings.

Vice chairman Corwin moved to file a Req. for Det for 122 Old Ayer Road. The motion was seconded and passed unanimously.

10:10 PM Landwest, Inc. – Academy Hill – Comments to Planning Board

The Commission voted unanimously to send a letter to the Planning Board that it agrees with the concept for the placement of the bounds, but want to see a plan identifying the bounds before approving it.

The Commission prefers that the connector road through the open space parcel be constructed with gravel and not paved.

The Commission endorsed the revised definitive subdivision plan dated March 14, 2002, received on March 22, 2002, in general, showing open space and cluster development and that no wetland is in private ownership.

Biodiversity Days

Chairman Owen reported that the Shattuck Land on Martins Pond Road and the property on Skyfields to be purchased from Leon Hurd will be studied during Biodiversity Days.

Casella – Lot 1 Chicopee Row

The members voted unanimously to send a letter to Attorney Paul Brigham that as the replication is currently built it would not receive a COC. The Commission informed Mr. Casella, the builder, of the situation.

10:25 PM With no further business, the meeting was adjourned.

Respectfully submitted,

Elizabeth A. Montgomery
Conservation Assistant