

CONSERVATION COMMISSION
SEPTEMBER 10, 2002
MINUTES

7:00 PM Members present were Owen, Auman and Clements. O'Connor arrived at 7:05 and Chace at 7:45 PM. Absent were Morrison and Corwin.

Discussion – Squannacook Sportsmen's Club

Bayard Underwood, buyer, and his attorney, Al Barbieri, were present to talk to the Commission about the purchase of the Squannacook Sportsmen's Club and the Conservation Restriction to be placed on the property and held by the Commission.

Mr. Barbieri reported that they have an article placed on the Special town Meeting to grant them a right-of-way since the property is landlocked and the only access is the driveway to the Senior Center, owned by the Town.

They also had concerns about some of the language in the Conservation Restriction. One concerning penalties and the other about use of the premises as residential.

Mr. Underwood has requested that the enforcement provisions of the restriction be modified. The draft CR provides that if the owner of the land violates the provisions of the CR, the Commission will be entitled to recover attorney's fees and costs that it has incurred in enforcing the provisions of the restriction.

Member Auman asked what was standard language for enforcement?

Ms. Montgomery said she will review other CR's to see how they read.

Member Clements thought it should be stricken.

The second modification requested by Mr. Underwood involves the prohibition against the use of the property as a residence. Mr. Underwood intends to use the property as an art studio and wants the possibility of an artist or caretaker to stay on the premises intermittently. He objects to the absolute prohibition.

Mr. Barbieri will send a revised CR with language addressing number of days and/or weeks, time of year, etc.

They would like to have the language problem resolved before September 25, 2002, the date scheduled for closing on the property.

The use of the property may have to go to the Building Inspector, Planning Board and Board of Health for approval.

7:15 PM Chairman Owen opened the meeting.

Public Hearing – Currie – 179 Mill St

Clerk O'Connor read the public hearing notice to consider the Notice of Intent submitted by Michael Currie for an addition to an existing structure on Assessors' Lot 110/20 at 179 Mill St.

Mr. and Mrs. Currie were present.

The members visited the site on Saturday and observed a steep slope from the location of the proposed addition to the wetland.

Mr. Currie assured the Commission that the design of the addition, using piers instead of a foundation will prevent the slope from collapsing and causing siltation into the intermittent stream located 68 feet from the project. The site is limited by the presence of a large maple tree.

Mr. Currie marked the location of silt fence and hay bales on the plan.

Clerk O'Connor moved to close the hearing.

Natural Heritage was notified that that the proposed work is in an area of habitat.

The Commission will wait to get a report from them before writing the Order of Conditions.

7:40 PM Discussion – West Groton Dam on Squannacook River

Selectman Cunningham was present to discuss an emergency repair to the dam at Route 225 and the Squannacook River.

Also present were Carl Canner, abutter, and Thomas Delaney, Highway Surveyor.

Mr. Cunningham reported that the lower gate of the dam is not operational.

Martin Jalonski, DEP, met with Administrative Officer Jean Kitchen and Highway Surveyor Thomas Delaney last week to observe the dam. It was decided at that time that the gate should be repaired while the water level is down. It

should be done before the October 1 date established earlier as the final date for work on the dredging of the pond to protect the Blandings Turtle hibernation.

Mr. Delaney said they will put in sand bags to bring the water level down two feet.

Mr. Jalonski does not want the flow stopped to the lower part of the Squannacook River.

The members agreed that now is the time to make the repair.

8:00 PM Discussion – Al Futterman – Trails

Al Futterman from the Nashua River Watershed Association was present to speak to the Commission about gathering information about trails to be shown on a map he is preparing.

He wanted a contact person.

The members suggested that the Trails Committee would be the best people for him to contact.

He passed out maps showing trails that he knew existed and would like the members to indicate on the map any other trails they know.

Paul Funch from the Trails Committee came in during the discussion. He volunteered to work with Mr. Futterman.

Trails –Groton Woods and McLains Woods

Mr. Funch reported that he will be working with David Black and students from Groton School to clear the trails in the Groton Woods subdivision as part of a Community Awareness project.

Mr. Funch submitted photographs of the trail locations that will be cleared and marked.

Clerk O'Connor moved to allow Mr. Funch and the Groton School students to clear trails in the Groton Woods subdivision. The motion was seconded and passed unanimously.

Mr. Funch also asked permission to clear another trail in McLains Woods. This trail will require a wetland crossing and he will file for a bridge in the future.

Clerk O'Connor moved to allow the Trails Committee to open the trail at McLains Woods. The motion was seconded and passed unanimously.

Certificate of Compliance – Anderson – 270 Whiley Road – 169-748

Member Auman moved to issue a COC to Robert Anderson for an addition at 270 Whiley Road. The members inspected the site on Saturday.

The motion was seconded and passed 4-1 (Chace abstained).

Certificate of Compliance – Fleischer – Lot 1A, 577 Lowell Road – 169-657

Clerk O'Connor moved to issue a COC to Balint Fleischer for a new house at 577 Lowell Road. The members inspected the site on Saturday. The motion passed 4-1 (Chace abstained).

Request for Extension of COC – Robinson/Holt – 176 Shelters Road – 169-560

Nancy Robinson requested an extension to the Order of Conditions for a replacement septic system at 176 Shelters Road.

Clerk O'Connor moved to issue an extension for one year to Nancy Robinson and Thomas Holt for DEP # 169-560.

The motion was seconded and passed 4-1 (Chace abstained).

Right of First Refusal – 61 Land – Mason – Old Dunstable Road

The Commission received information that Edward and Jean Mason plan to remove 143 acres of Chapter 61 Land on Old Dunstable Road and sell it to the Groton Land Foundation.

Clerk O'Connor moved that in light of the presence of a conservation buyer a letter should be sent to the Board of Selectmen that the Town give up its right of first refusal for this property.

The motion was seconded and passed 4-1 (Chace abstained).

Landwest – Draft EIR

The Commission received a copy of the draft Environmental Notification Report for the proposed Academy Hill Subdivision on the "Throne" on Townsend Road.

Clerk O'Connor will review it first and then pass it on to Member Chace and then Member Auman. Member Clements already had a copy since he is a member of the Planning Board.

Minutes – August 27, 2002

The spelling of Member Morrison's name was corrected on page two. Clerk O'Connor moved to accept the minutes as corrected. The motion was seconded and passed unanimously.

Order of Conditions written for Harker – 169-840

Clerk O'Connor moved significance, regular and special conditions for the replacement septic system for Scott Harker, 341 Martins Pond Road, DEP # 169-840. The motions were seconded and passed unanimously. The OOC is on file in the Commission office.

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

Respectfully submitted,

Elizabeth A. Montgomery
Conservation Assistant