

**GROTON CONSERVATION COMMISSION**

Minutes

October 14, 2003

The meeting was called to order at 7:00 p.m. by Chairman Craig Auman. Other members who were present were Bruce Clements, Kris Corwin, Bruce Easom, Stacey Laudenslager, Peter Morrison, and Evan Owen. Barbara Ganem, Conservation Assistant, was also present.

Vic Burton of the Williams Barn Committee reported that over 250 people had attended the Open House at the Barn held on October 11<sup>th</sup> and 12<sup>th</sup>. There was a great deal of interest in what will happen with the barn. A written proposal “that the Williams Barn Committee be formally appointed by the Board of Selectmen to maintain and preserve the Williams Barn and to organize and administer the facility for the benefit of the general public” has been distributed for Commission review. V. Burton explained that there is approximately \$7000 left in the Williams Barn account which may go toward a roof over the silo and some electrical work. He does not anticipate that further taxpayer dollars will be necessary. The current Williams Barn Committee has developed a mission statement for the future Williams Barn Committee which Mr. Burton summarized. He commented that the proposed committee would establish some type of learning center, keeping in mind that this is a major trailhead for the Town. The committee could also consider other uses or activities (such as fundraising) that would benefit the community. The committee would work closely with the Commission which bears the responsibility of managing the land. It is recommended that the number of members be increased to seven.

K. Corwin commented that the Commission purchased the property, Williams Barn included, with the Conservation Fund. P. Morrison noted that the Williams Barn “work” Committee was appointed by the Conservation Commission, and this proposal would essentially separate the management of the land from the management of the barn. It would relieve the Commission from the responsibility of booking for social events. B. Clements asked if the intent is to expend funds from the Williams Barn fund under the authority of the newly constituted committee, and Mr. Burton agreed that this would be appropriate. Upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to endorse the appointment of a Williams Barn Committee by the Board of Selectmen.

After further discussion and upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to endorse the disbursement of whatever funds remain in the Williams Barn account to the new Williams Barn Committee, once appointments have occurred.

V. Burton noted that immediate plans call for the area to be used for parking (behind the Barn) to be seeded. It is anticipated that the area will be mowed twice a year. There also remain several piles of rubble which must be removed.

On another matter, V. Burton stated that he has visited the Painted Post trailhead where parking is proposed for two scout troupes who plan to hike the trails. A scout leader has requested that the area be mowed to allow for additional parking, and Mr. Burton indicated that this would be appropriate. In the future, the Commission may want to consider the use of equipment to re-locate a stone wall on the property to more clearly delineate boundaries. Commissioners recommended that the scouts’ parents park on Town land rather than on private property for this event and agreed that the weeds could be cut.

7:15 p.m. - Public Hearing/Notice of Intent continuation – Shattuck Well/off Martins Pond Road

Tom Orcutt said that bids have been opened, and the Water Commissioners are ready to expend funds, depending on the outcome of the Special Town Meeting. To date, there has been no response from Natural Heritage, and it is becoming urgent to have some closure to the permitting process. He noted that this is the testing and investigation

phase, and work cannot begin until after October 27<sup>th</sup> (Town Meeting). K. Corwin pointed out that there are three rare species near or on the Unkety well site. One of the major issues is the water level in adjacent wetlands, and the Order of Conditions can be structured to address this issue. In addition, having a sweeper in front of the equipment will help assure that no animals are inadvertently crushed. Upon a motion by P. Morrison, seconded by B. Clements, it was

VOTED: to close the public hearing.

(B. Clements left briefly.)

7:30 p.m. – Public Hearing/Notice of Intent continuation – Unkety Well/off Chicopee Row

The proposed access is via Highway Surveyor Tom Delaney's driveway. Natural Heritage's comments can be included in the Order of Conditions for this project as well. Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to close the public hearing.

After discussion, Commissioners agreed to move the regular November 11<sup>th</sup> meeting to Wednesday, November 12<sup>th</sup> because it is Veteran's Day, a legal holiday.

To follow up on the Saturday visit to Thompson Mill Pond, Commissioners agreed to hold off on any action until B. Ganem has had some feedback from the Selectmen's meeting with Joe Cataldo of Littleton Environmental, the contractor for the dredging project.

Concerning the management of the Shattuck property, E. Owen noted that Helene Easom prefers an L-shaped access. He also commented that a chain has been placed opposite Kaileys Way to block access to private property. Commissioners stated a preference for staying out of the negotiations and allowing Ms. Easom to discuss the issue of trail location with Leslie Chaput who is grazing animals there.

(At 7:40 p.m., B. Easom and E. Owen recused themselves from discussion on the Shattuck land.) Helene Easom was present and presented sketches of where the access should be provided on the Shattuck land. She indicated a willingness to work to get the access issue resolved and also noted that the field used to be mowed twice a year.

In review of the minutes of September 23<sup>rd</sup>, E. Owen pointed out that there is no written contract covering the agreement to mow the Ames Meadow land and an area near Fitch's Bridge. This question should be omitted from the minutes. Upon a motion by E. Owen, seconded by K. Corwin, it was

VOTED: to approve the minutes of September 23, 2003, as amended.

(B. Clements excused himself from this meeting to attend a Sign Committee meeting on behalf of the Conservation for the placement of signs on conservation land.)

7:45 p.m. – Public Hearing/Abbreviated Notice of Resource Area Delineation – Pond Hill Road

Clerk Morrison read the legal notice, and Surveyor Stan Dillis explained that he has been working for some time to facilitate the building of a house on this property. This is a lot left over from a subdivision built in the 1950's. S. Dillis mentioned that there is a drain that follows a natural swale on this property. In 1990, the Commission issued a negative Determination, but the lot failed percolation tests at that time. More recently a successful perc test was conducted in the northeast corner, and they have an approved septic system plan. They have also appeared before the Earth Removal Advisory Committee. More recently S. Dillis indicated that William Kuriger confirmed that there are no wetlands on site, and Matt Murro also confirmed this finding after viewing the site. In the course of this review, it was noted that there is wetland flagging on the adjoining lot at 341 Martins Pond Road (DEP #169-840). The current filing is requesting confirmation of the existence of wetlands on this adjoining property.

An abutter, Paula Harker, (341 Martins Pond Road) reported that she has just replaced the septic system on her lot. She expressed concern that work on this lot would affect her \$35,000 investment in the new septic system. Commissioners commented that no work is proposed under the current plan; the applicant is asking the Commission to determine what wetlands are present.

Ms. Harker stated that her concern is that the drainage will change as a result of work done uphill from her site. She noted that the septic leach field acts as a sponge.

P. Morrison pointed out that the Wetlands Protection Bylaw requires a 50 foot no-disturb buffer, and there are additional limitations within 100 foot of wetlands. This applies to wetlands, not to superficial spring runoff.

Resident Edna White stated that the whole hill area is problematic as the soil is not permeable. In response to her question about the size of the lot, S. Dillis said it is approximately 1 acre, with an estimated 200 feet on each side. He identified the natural swale as the area where a satisfactory perc test was done in April, 2002 in accordance with Board of Health regulations for testing.

(B. Clements returned at 7:58 p.m.)

Commissioners noted that the Commission only has jurisdiction within 100 feet of wetlands, although the wetlands may be on adjoining lots. S. Dillis estimated that approximately 3,000 to 4,000 square feet of Buffer Zone is on this lot, if the Commission confirms the wetlands delineation. E. White asked if grading could be done in the 100 foot Buffer Zone or if no structure is allowed under the Groton Bylaw. Commissioners reiterated that no work is proposed at this time. P. Harker stated that she had no objection to building on this lot as long as she does not get more water on her lot. Commissioners asked Mr. Dillis to look at the area north of the parcel where a pipe goes under Pond Hill Lane/Chestnut Hills Road, apparently directing drainage onto this property. Upon a motion by P. Morrison, seconded by B. Clements, it was

VOTED: to continue the hearing to October 28, 2003.

8:00 p.m. – Public Hearing/Notice of Intent – 8 Valley Road

Surveyor Stan Dillis stated that it was his understanding that a new Notice of Intent was required because the Commission found that work was done that was not included in the original Notice of Intent. The original NOI, filed in August 2001, proposed a small addition with a deck with grading to remain the same. Mr. Dillis noted that some grading has occurred along the brook, and a small retaining wall has been built. The erosion control line has also been moved closer to the resource area. There is floodplain on the lot according to the elevations. The 100 year floodplain is 207' at the dam, decreasing to 196' at Whitney Pond. He noted that the floodplain is shown at 198' on this lot, and that contour elevation falls near the middle of the lot. He stated that it may be more toward the toe of the slope, but, in any case, there has been some grading within the 100 year floodplain. B. Clements asked if this means that flood storage capability has been lost, and, if so, can that be restored. S. Dillis responded that it would not be easy, but it might be possible to lower the grade by 5 or 6 feet.

(E. Owen recused himself at 8:15 p.m. from the hearing, stating that he lived near the site.)

K. Corwin suggested that the filled area could be removed. B. Logue explained that the materials were found on site during the excavation for the foundation and the sona tubes. Also, it was necessary to backfill the slope with stone in order to support the cement truck that poured the foundation. S. Dillis stated that there was less than 100 square feet of the addition that was within the floodplain. He estimated that the total amount of work within the floodplain was between 400 and 500 square feet. In a 100-year storm event, the water is predicted to come up to the level of 198'. K. Corwin pointed out that water has come up to the foundation every spring; she strongly urged the applicant to consider compensatory flood storage.

B. Easom commented that floodwater is displaced by this project and asked if downstream lots will be flooded. E. Owen pointed out that the haybales were not placed according to the submitted plans, and it is likely that this work would not have been permitted had the applicant approached the Commission about the change before work

commenced. B. Logue stated that he has complied with the Commission's requests and that no Enforcement Order was ever issued. P. Morrison commented that while he does not think the work will have severe impacts, the Commission is making other people toe the line. If it does not follow the Wetlands Protection Act or the Bylaw, it is not fair. Upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to continue the hearing to October 28, 2003.

8:25 p.m. – Appointment - Stan Dillis/Replication Area/269-271 Pepperell Road. Present: Louis Lunn, Roger Kanniard, and Rob Smith

Stan Dillis explained that the replication area was originally constructed on an area of ledge and is not adequately sized. He noted that he contacted a blaster who indicated that the rock is fractured and unlikely to hold water. Oxbow Associates was also contacted to review other alternatives. They basically eliminated blasting and the addition of organic material and the re-location of the replication area across the driveway from the existing replication area. The final two alternatives include a monetary settlement or the placement of a conservation restriction on a portion of the lot, including an area to widen out the trail access deeded to the New England Forestry Foundation. Commissioners agreed that this was a viable option, and C. Auman asked the proposed size of the area subject to a conservation restriction. S. Dillis estimated it to be around one acre.

In response to B. Easom's question about the purpose of the restriction, Commissioners explained that it would be for mitigation of wetlands lost during construction of the driveway. Portions of the vernal pools on site would be included in the area subject to a conservation restriction. Questions were raised about who will hold the restriction and who would monitor it. Commissioners asked the estimated cost of doing a replication area, since Oxbow has observed that the replication area is not successful. If the Commission holds the restriction, it would also be responsible for monitoring the area.

Rob Smith, resident at 269 Pepperell Road, pointed out that there is an Order of Conditions for his property as well. Builder Roger Kanniard owns 271 Pepperell Road which he hopes to convey to new owners on October 28<sup>th</sup>, providing the Commission signs off on the Occupancy Permit. Commissioners warned those present that putting a conservation restriction in place is not a speedy process and requires that clear boundaries be established to mark the area subject to the restriction. There are also legal costs as a result of Town Counsel review. The Occupancy Permit is a routing slip that the Building Inspector uses to allow all departments an opportunity to comment on the progress of building projects.

Commissioners raised concerns about the ability of the Commission to enforce the placement of the conservation restriction. The Order of Conditions for DEP #169-638 has expired. The Commission will not be able to issue a Certificate of Compliance for the project until it is content that all conditions have been satisfactorily fulfilled. Commissioners suggested that the monetary settlement might be the quickest solution and would avoid attorney costs. P. Morrison maintained that it would be necessary to go out to bid to determine fair replication costs in lieu of work.

R. Kanniard felt that signing off on the Occupancy Permit would not be taking responsibility away for the completion of the project. B. Easom suggested that the buyer and seller negotiate this issue, and it was noted that an escrow account is sometimes established in cases like this. A letter from the successor/new owner, acknowledging the need to fulfill the Order of Conditions and, in this case, to place the conservation restriction on the land as proposed tonight would be necessary. If the letter, a properly executed plan showing the boundaries of the restricted area, and the proposed wording of the restriction on the deed is prepared by the applicant, the Commission could authorize B. Ganem to reject or sign off on the Occupancy Permit. Upon a motion by C. Auman, seconded by K. Corwin, it was

VOTED: to authorize Barbara Ganem to sign off on the Occupancy Permit, based on the submittal of a successor letter, plan, and wording of the proposed conservation restriction, for 271 Pepperell Road.

P. Morrison abstained from the vote. Once the conservation restriction has been recorded, the Commission could then

sign off on the Certificate of Compliance for the project.

9:00 p.m. – Public Hearing/Notice of Intent – Kemp St./Meredith Bissell

In the absence of his surveyor Richard Ludwig, the landowner, Meredith Bissell, explained that the wetlands have been flagged on this 7.3 acre lot. His family is planning to sell the lot as a single lot. There is an existing cart path put in by the former owner. B. Clements asked if the culvert will be replaced, and M. Bissell indicated that no further disturbance is anticipated. If there is to be minor re-grading or surfacing of the driveway, Mr. Bissell stated that will be up to the new owner. K. Corwin clarified the proposed project as an existing crossing with no filling proposed with some work in the buffer zone for driveway grading. C. Auman noted that usually we get a detailed plan showing proposed alterations at crossings and where utilities are proposed. The plans, for instance, show that there will be paving.

Resident Marion Stoddart pointed out that Mr. Bissell may want to consider placing a conservation restriction on the property if it is intended that the portions not taken up by the house and septic system be left intact. Property such as this could be and has been proposed for Ch. 40B Comprehensive Permits. Mr. Bissell indicated that it would be a stretch of his authority as co-executor of his family's estate to authorize the placement of a conservation restriction. A potential buyer might want to make changes. Upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to close the hearing.

8:45 p.m. – Appointment - Vincent Testa/751 Lowell Road

Mr. Testa explained that he recently purchased property in Groton and has made a lot of improvements to the house. He noted that he had approached the Building Inspector in June to determine what was necessary to receive a building permit to build a garage. An escrow account was set up to handle the septic system repair which was done by the former owner. He subsequently received a building permit, based on the statement that no work was within 100 feet of wetlands. As a licensed builder, he is aware of the process. Bob Black, who installed the septic system, explained that the leach bed extends 45 feet from the back of the house and so the proposed garage was relocated 50 feet off the house. Mr. Testa explained that he is currently leasing a facility to store his equipment, and it will be a financial hardship if he is unable to immediately begin work on his garage.

C. Auman suggested that the Commission needs to determine if Burnt Meadow Brook is a perennial stream. No work appears to be closer than 50 feet to the stream. Mr. Testa reported that he has extended the silt fencing and trenched it in. While Burnt Meadow Brook is shown as perennial on the USGS topo map, P. Morrison reported that he has seen it dry, and this is an existing house and he feels that the Bylaw does not apply. Mr. Testa further explained that the oil tank that is located 50 feet from the edge of the stream was in place when he purchased the property. He proposes to encapsulate the tank and vent it. Commissioners asked if the current excavation is the proposed location of the garage, and Mr. Testa stated that he would actually be backfilling at the rear of the garage to form terraces to help stabilize the hillside. Based on the proposed size of the garage, it appears that half of the structure would be in Buffer Zone. Runoff could be captured with french drains along the roof's drip edge. He stated that the area where the leach bed was installed was left flat so that the garage could be built there.

E. Owen pointed out that the filing for the septic system repair indicated that it was done in that location so that it would not be necessary to disturb the hillside which could potentially cause erosion and sedimentation into the stream. If it is not practical to move the building more than 100 feet from the resource area, it appears that filing a Request for a Determination of Applicability is the most expedient process. The filing should include the extent of excavation, the tiers proposed to stabilize the hillside, and the shed for the oil tank. Mr. Testa explained that the shed would have a full cement floor as a containment area. He requested that he be allowed to continue the work, assuring the Commission he will exercise due diligence throughout the project. The Commission agreed to allow Mr. Testa to continue work, noting that the site will be included on its site visits on October 25<sup>th</sup>, and the applicant will submit a filing (RDA) immediately in order to get on the Commission's agenda for October 28<sup>th</sup>.

9:40 p.m. – Appointment – Marion Stoddart and Jean Temple/Celebration at the Hurd parcel

M. Stoddart and Jean Temple reported that a celebration is planned for Saturday, October 18<sup>th</sup> to mark the preservation of this 33-acre parcel. B. Clements and E. Owen have agreed to lead a trail walk, and Chairman Auman will speak on behalf of the Commission. M. Stoddart noted the Commission may want to invite Senator Steven C. Panagiotakos and Representative Robert Hargraves. She expressed concern that Governor Romney is considering not releasing funds from the already approved Environmental Bond. The state funded 58% of the purchase price of the Hurd parcel with a Self Help grant that was part of the Environmental Bond. There are indications that these funds may no longer be available for land protection. This would be a first-hand opportunity for residents to observe what benefits the Town has derived from such funding.

Questions have arisen about whether hunting is to be allowed on the property. P. Morrison indicated that this is typically done on an individual basis, and safety is the first concern. C. Auman presented an outline of his discussion points for the celebration. Chairman Auman suggested that it would be helpful if Mrs. Stoddart invited the state representatives on behalf of the Town, and she agreed to do so. Mrs. Stoddart will also contact Acting Director of the Department of Conservation and Recreation Peter Webber about attending.

On another matter, Mrs. Stoddart encouraged members to participate in the canoe trip on the Squannacook River, sponsored by the Groton Greenway Committee on October 19<sup>th</sup>. Commissioners S. Laudenslager and B. Clements indicated that they would like to attend.

Returning to the issue of hunting on the Hurd parcel, Commissioners indicated that the default rules and regulations for conservation land allow hunting. Members suggested that the decision should be made in a public forum. Upon a motion by P. Morrison, seconded by B. Clements, it was

VOTED: to prohibit hunting on the Hurd parcel.

The motion passed with five Commissioners voting in favor, and K. Corwin and B. Easom opposed.

Upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to convene a public hearing at which the decision on hunting on the Hurd parcel will be discussed and voted on.

All were in favor.

10:00 p.m. – Public Hearing/Notice of Intent continuation – Groton Residential Gardens

Wetland scientist Brian Lagrasse reported that he has received correspondence from the Natural Heritage Program, stating that the project, as currently proposed, will not adversely affect the actual habitat of a state-protected rare wildlife species. He noted that he has received a copy of the Commission's letter to MEPA. One of the concerns raised is the issue of erosion control. Mr. Lagrasse suggested that the Commission include a condition that the applicant is required to have an environmental monitor inspect the project and submit written reports to the Commission on a weekly basis.

B. Lagrasse stated that it is the applicant's intention to construct the retaining wall that is proposed within 6 - 9 feet of the wetland resource area first and that the buildings would not be constructed until after the retaining wall is in place. P. Morrison pointed out that the wetland was so close that there would be opportunities for concrete foundation material, cedar or asphalt shingles, roofing materials, cigarette butts, spray paint, airborne particles, etc., to reach the wetlands. B. Lagrasse assured members that the environmental monitor could identify and correct potential problem areas before things go wrong.

Members also pointed out that future maintenance is an issue. Mr. Lagrasse indicated that the condominium association

would be responsible for the future maintenance of the buildings. B. Clements stressed his concern about the proximity of the project to the wetlands, stating that in his opinion, no building should be closer than 50 feet to the resource area and his preference would be 100 feet.

Regarding the presence of facultative vernal pool species. Mr. Lagrasse agreed to supply the additional documentation necessary for certifying the pool after the permitting process is complete. He pointed out that the runoff that enters this pool comes from northwest abutting properties, and not the site itself. He stated that the Commission requested that roof runoff be handled by the infiltrators, but it is possible to infiltrate with trenches at the roof drip line.

Mr. Lagrasse felt that the Commission's concern with the potential for failure of the Operation and Maintenance Plan in the future is not well-founded. He pointed out that the plan meets the Stormwater Management Policies with 80% Total Suspended Solids removal on site. E. Owen pointed out that the Commission's past experience with condominium association management of stormwater drainage structures contradicted this statement. B. Lagrasse maintained that the new owners could sign an agreement when the property changes hands. He noted that only a small fraction of the parking area was in the 100-foot Buffer Zone anyway. Members reiterated their concern that developing 60 housing units this close to the wetlands creates a situation in which wetlands cannot be adequately protected. At 10:25 p.m., upon a motion by K. Corwin, seconded by P. Morrison, it was

VOTED: to close the hearing for Groton Residential Gardens.

Mr. Lagrasse commented that the applicant is prepared to appeal to DEP if the Commission votes to deny this project. He pointed out that the Commission would lose local control, such as a condition for an environmental monitor, if the case goes to DEP for a superceding Order of Conditions. He asked if the Commission would be willing to give opinions off the record, and members indicated they would not.

Due to a lack of response from the Natural Heritage & Endangered Species Program on the proposed drawdown of Lost Lake/Knops Pond, upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to continue the hearing for DEP #169-861 to October 28, 2003.

#### Appointment – John Comeau/8 Hazelwood Road

Mr. Comeau stated that his mother owns a seasonal cottage on Knops Pond with a deteriorating rock and mortar retaining wall. He had thought he would be able to come in each year with the area of retaining wall he plans to replace with a dry stack block wall. B. Ganem informed him, however, that his original Determination expired November 25, 2001. Mr. Comeau was concerned that he would not be able to do the work this fall when he is on leave from his job at sea. This lot is within 100 year floodplain.

Members visited the site on October 11<sup>th</sup>. B. Easom said the project appears straightforward in that the applicant is removing one set of rocks and replacing them with another in the same location. The limitation on doing the work in 49 foot increments does not seem to make sense in this case because preventing erosion is important. E. Owen agreed that the pre and post conditions would be similar. K. Corwin expressed concern that exceeding the 50 foot threshold triggers the need for a wildlife study. She noted the section in the *Environmental Handbook for Massachusetts Conservation Commissioners* (Section 12.21.3) that addresses this issue.

The project does not propose a change in elevation or expansion of the existing retaining wall. Mr. Comeau stated that he anticipates doing about 60 to 70 feet of the retaining wall each year and would do the work by hand, using a wheelbarrow. Commissioners agreed to allow Mr. Comeau to file a Request for Determination of Applicability to be acted on at the October 28, 2003 Commission meeting.

Ed Doucette from the Children's Extended Care Facility asked if the Commission had had an opportunity to re-visit the replication site. Members indicated that they were awaiting the receipt of certification from an engineer that the project complied with the proposed replication plans and Order of Conditions. Mr. Doucette was asked to forward the

engineer's certification to the Commission, and a site visit will be scheduled at that time.

P. Morrison explained that the Station Avenue Project Committee is prepared to make a formal presentation to the Board of Selectmen for Phase I to be conducted by a consultant. It is not known when the Groton Electric Light Department will be moving from the site. Copies of the Committee's report will be available for Commissioners shortly.

B. Ganem reported that the recently disturbed areas on 10 Rustic Trail have been stabilized with eight yards of bark mulch. Upon a motion by K. Corwin, seconded by E. Owen, it was

VOTED: to issue a Certificate of Compliance for DEP #169-89 at 10 Rustic Trail.

In response to the Request for a Certificate of Compliance for 154 Lowell Rd., Commissioners agreed to include this site on the October 25<sup>th</sup> site visits.

After review of the draft Order of Conditions for 154 Lowell Rd., upon a motion by P. Morrison, seconded by E. Owen, it was

VOTED: to issue an Order of Conditions for Scott Wilson/154 Lowell Rd. for DEP #169-873, as amended.

B. Easom abstained as he was not present for the hearings.

Commissioners reviewed the draft Order of Conditions for Conductorlab and upon a motion by E. Owen, seconded by K. Corwin, it was

VOTED: to issue an Order of Conditions for Conductorlab/436 Main St. for DEP #169-870.

B. Easom abstained as he was not present for the hearings.

Discussion on the draft Order of Conditions for the Gibbet Hill Restaurant centered on how to maintain the slope to the east of the restaurant and function hall. Upon a motion by K. Corwin, seconded by P. Morrison, it was

VOTED: to issue an Order of Conditions for the Gibbet Hill Restaurant/Lowell Rd. for DEP #169-874, as amended.

B. Easom abstained as he was not present for the hearings.

B. Ganem reported that several complaints have been made to the Conservation office:

1) Croteau's Stoneworks/North St. – report of soils being pushed into the pond on site, illegal septic system, and machinery being worked on within 100 feet of wetlands. B. Ganem said she had visited the site, and there do appear to be plumes of silt entering the pond from a pile of screened loam. Commissioners agreed to send a letter requesting that appropriate erosion controls be installed. and 2) Erosion of wetlands at 100 Hollis St./Pine – B. Ganem reported that she visited the site, and erosion control measures were in place and properly staked. The Order has been recorded and a DEP sign posted.

Commissioners noted that the ZBA will be meeting on October 15, 2003 to discuss Groton Residential Gardens.

There being no further business, the meeting was adjourned at 11:20 p.m.

Respectfully submitted,



Barbara V. Ganem  
Conservation Assistant

**Approved, October 28, 2003**